

Minutes of Regular Meeting

City Council City of Dripping Springs

A Regular Meeting of the City Council of City of Dripping Springs was held Tuesday, October 8, 2013, beginning at 5:30 PM in the 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL - 5:30 p.m.

Mayor & City Council Members/Board of Adjustment

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Santos Alba
Council Member Charles Busbey
Council Member Wade King
Council Member John Kroll

City Staff/Appointed Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
Planning Director Jon Thompson
Planning and Zoning Chair Larry McClung
City Secretary Jo Ann Touchstone
City Attorney Alan Bojorquez
City Treasurer Gina Gillis

Mayor Purcell calls the meeting to order at 5:30 p.m. All present except Ginger Faught, Larry McClung and Alan Bojorquez. Also present City Attorney Jill Hoffman with the Bojorquez Law Firm.

II. WORKSHOP

No action to be taken. Staff Reports regarding Consent, Site Developments, Subdivisions, Zoning, On Site Sewage Facilities, Signs, Variances, Waivers, Special Exceptions, Annexations, Alternate Standards, Business, and Other Agenda Items listed below.

III. EXECUTIVE SESSION

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

Adjourned to Executive Session at 6:00 p.m. Those present: Mayor Purcell, Mayor Pro Tem Foulds, Councilman Alba, Councilman Busbey, Councilman Kroll, Councilman King, City Administrator Michelle Fischer, City Secretary Jo Ann Touchstone and Jill Hoffman. Reconvened to workshop at 6:30 p.m.

- A. Consultation with City Attorney Regarding alternatives and options for obtaining and permitting subsurface wastewater drip irrigation lands for the disposal of wastewater treated under the authorization of Texas Pollutant Discharge Elimination System Permit No. WQ0014488001 at the City's South Regional Wastewater Treatment Facilities Collection System, including additional area needed to meet wastewater service needs of the future development adjacent to the City's collection lines, (551.071: Consultation with Attorney and 551:072; Purchase, Exchange, Lease or Value of Real Property)

IV. RECESS

V. RECONVENE AT 7:00 p.m.

VI. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance – Councilman Alba leads the pledge.

VII. PRESENTATION OF CITIZENS

Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council may establish a time limit as necessary.

Mr. Glenn Goode addresses council regarding Dripping Springs Ranch Park. Mr. Goode reads from the City's website public involvement page. Mr. Goode refers to correspondence from the Bojorquez law firm regarding an oak grove at the park. Mayor Purcell states that staff will continue efforts to schedule a meeting with Mr. Goode.

Mr. Austin Chappel, invites citizens to participate in "Its Time Texas" Healthy Community Challenge. Mr. Chappell invites Mayor to sign pledge.

VIII. CONSENT ITEMS

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

- A. Approval of Regular Meeting Minutes, September 10, 2013

- B. Approval of Regular Meeting Minutes, September 17, 2013
- C. Approval of Special Meeting Minutes, September 23, 2013
- D. Approval of Treasurer's Report for September 2013
- E. Approval of Resolution No. 2014-1: A Resolution of the City of Dripping Springs Designating an Official Newspaper for Fiscal Year 2014
- F. Approval of Request from St. Martin De Porres Catholic Church for Waiver of Certain Street Closure Requirements for Their Third Annual 5K Walk/Run on Saturday, November 9, 2013
- G. Approval of Wastewater Utility and Impact Fee Agreement Between the City of Dripping Springs and James Polkinghorn for Property Located at the Southeast Corner of Hays Street and Haydon Lane
- H. Approval of Engagement Letter for Legal Services from The AL Law Group, PLLC, (*Sponsor: Mayor Pro Tem Foulds*)
- I. Approval of Hotel Occupancy Tax Funding Agreement Between the City of Dripping Springs and the Dripping Springs, Texas Chamber of Commerce, Inc.
- J. Approval of Proclamation Declaring October 2013 "National Domestic and Teen Dating Violence Awareness Month"
- K. Approval of Proclamation Declaring October 2013 "Friends of the Dripping Springs Community Library Month"

Councilman motions to approve, removing items F, J, and K. Councilman Alba seconds. Mayor Pro Tem Foulds seconds. Motion passes, 5-0.

Mayor Pro Tem Foulds motions to approve item F. Councilman Kroll seconds. Motion passes. 4-1-0. Councilman Busbey abstains.

Mayor Purcell reads proclamations with members present from the Friends of the Library and members from the Hays Caldwell Women's Center.

Councilman Alba motions to approve proclamation for "National Domestic and Teen Dating Violence Awareness Month". Mayor Pro Tem Foulds seconds. Motion passes, 5-0.

Katherine Tucker, Sarah Brandon and Julie Villapondo with the Hays Caldwell Women's Center thank the Council and give an update on the local high school student's participation in a mock trial for dating violence.

Councilman Alba motions to approve proclamation for "Friends of the Dripping Springs Community Library Month". Councilman Kroll seconds. Motion passes, 5-0.

IX. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ALTERNATE

STANDARDS/ANNEXATIONS

Consideration and Possible Action On:

- A. Sign Variance Request - YMCA Austin, Springs Family Branch, 27216 Ranch Road 12 South, *YMCA, Applicant*
1. Presentation – Tom Z., states request and is available for questions.
 2. Sign Administrator's Report –City Administrator Michelle Fischer, report on file.
 3. Planning & Zoning Commission Report – Commissioner McClung state Commission approved.
 4. Public Hearing – No one speaks.
 5. Sign Variance Request to exceed the maximum signable area allowed for a projecting sign – Councilman King motions to approve. Councilman Busbey seconds. Motion passes, 5-0.
- B. Master Signage Plan - Reunion Ranch Subdivision, 523.96 acres situated in the William Carlton Survey, Abstract No. 124, S.J. Whatley Survey No. 22, Abstract No. 18, Richard Hailey Survey, Abstract No. 124 Part of 33.085 Acres, 192.72 Acres, Vol. 871 Pg. 445 and 189.0 Acres, 97.34 Acres, 2.66 Acres, 11.0 Acres, Vol. 871 Pg. 411 Save and Except 0.95 Acres, Vol. 1678 Pg. 130, Hays County, Texas
1. Presentation – Michael Slack, states request, reviews plan and is available for questions.
 2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file.
 3. Planning & Zoning Commission Report – Commissioner McClung states Commission approved.
 4. Public Hearing – No one speaks.
 5. Sign Variance Request to allow off premise signs for model homes, which are prohibited -
 6. Sign Variance Request to allow informational/directional signs, which are not listed as permissible signs -
 7. Sign Variance Request for subdivision monument signs to exceed the maximum area allowed -
 8. Sign Variance Request to allow informational/directional signs, a construction/development sign, and subdivision monument signs to be located within the public right-of-way Sign Variance Request to allow informational/directional signs, a construction/development sign, and subdivision monument signs to be located within the public right-of-way -
 9. Master Signage Plan – Mayor Pro Tem Foulds motions to approve all variances and Master Signage Plan with staff recommendations. Councilman Alba seconds. Motion passes, 5-0.

- C. Ordinance No. 1220.89 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property located within the City of Dripping Springs Corporate City Limits: 601 Old Fitzhugh Road, from SF-1 (Single-Family Residential District – Low Density) to LR (Local Retail), *Audel Cayce, Applicant*
1. Presentation – Ms. Cayce is present and available for questions.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
 3. Planning & Zoning Commission Report – Commissioner McClung states Commission approved.
 4. Public Hearing – No one speaks.
 5. Ordinance No. 1220.89 – Councilman Alba motions to approve. Councilman Busbey seconds. Motion passes, 5-0.
- D. Conditional Use Permit - Twisted X Brewery, 23455 FM 150, to Allow for Grand Opening Event, *Shane Bordeau, Applicant*
1. Presentation – Mr. Bordeau, present and available for questions.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with conditions listed in report.
 3. Planning & Zoning Commission Report – Commissioner McClung states no one spoke at the public hearing and the Commission felt the applicant had addressed all concerns. States the Commission approved 5-1-1.
 4. Public Hearing – No one speaks.
 5. Conditional Use Permit – Councilman Alba motions to approve staff recommendations. Councilman King seconds. Motion passes, 5-0.
- E. Rim Rock, Phase 2, Section 3 Final Plat and Construction Plans (Located approximately 8,500 feet northeast of the intersection of FM 1826 and FM 967), *Ken Martin, P.E., Murphee Engineering*
1. Presentation – Ken Martin, P.E., states request and is available for questions.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
 3. Planning & Zoning Commission Report – Commissioner McClung states Commission approved.
 4. Public Hearing – No one speaks.
 5. Final Plat & Construction Plans – Councilman Busbey motions to approve. Councilman Alba seconds. Motion passes, 5-0.
- F. Rim Rock, Phase 1, Section 5 Final Plat and Construction Plans (Located

approximately 8,500 feet northeast of the intersection of FM 1826 and FM 967),
Ken Martin, P.E., Murphee Engineering

1. Presentation - Ken Martin, P.E., states request and is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Planning & Zoning Commission Report – Commissioner McClung states Commission approved.
4. Public Hearing – No one speaks.
5. Final Plat & Construction Plans – Councilman Kroll motions to approve. Commissioner King seconds. Motion passes, 5-0.

X. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Farmers Market Report - Market Manager Jo Ann Touchstone
- B. Update on Mercer Street Improvements Project - City Administrator Michelle Fischer

XI. BUSINESS

Consideration and Possible Action On:

- A. Approval of Job Description for Part-time Administrative Assistant – Mayor Pro Tem Foulds motions to approve subject to City Attorneys review. Councilman Alba seconds. Motion passes, 5-0.
 - B. Gross Maximum Price(s) proposed by Waldrop Construction for Construction Manager at Risk services to construct all or specified phases of the Dripping Springs Ranch Park Event Center and Related Improvements, including Phase 3 (*Sponsor: Mayor Purcell*) – Mayor Pro Tem Foulds motions to approve the Gross Maximum Price proposed by Waldrop Construction for Construction Manager at Risk Services to construct Phase 3 of the Dripping Springs Ranch Park event center and related improvements. Councilman Alba seconds. Motion passes, 5-0.
- XII. ADJOURN – Councilman Alba motions to adjourn. Mayor Pro Tem Foulds seconds. Motion passes, 5-0. Meeting adjourned at 7:38 p.m.