

**City of Dripping Springs
City Council**

**Regular Meeting Minutes
Tuesday, September 16, 2008
6:00 p.m.
511 Mercer Street, Dripping Springs, Texas**

I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members

Mayor Todd Purcell

Council Member Santos Alba

Council Member Joe Volpe

Mayor Pro Tem Bill Foulds

Council Member Doug Phillip

Council Member H.A. "Spider" Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer

City Attorney Alan Bojorquez

Development Coordinator Jon Thompson

City Secretary Jo Ann Touchstone

Mayor Purcell calls the meeting to order at 6:05 p.m. and calls roll. All present except Councilman Alba and Jo Ann Touchstone.

II. PLEDGE OF ALLEGIANCE

1. Pledge of Allegiance –Councilman Williams leads the pledge.

III. PRESENTATIONS BY 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.

1. Proclamation Declaring September 17th – 23rd Constitution Week – Mayor Purcell reads the proclamation and proclaims September 17th-23rd Constitution Week.

IV. CONSENT ITEMS

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

V. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Public Health-Wastewater System Update-Mayor Pro Tem Bill Foulds-No report. He asks that City Staff remove the report from agendas unless he requests it.

VI. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ANNEXATIONS/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS/BUILDING

Consideration and Possible Action on:

- A. Site Plan - United States Post Office, Security State Plaza Subdivision, Lot 2
 1. Presentation
 2. Development Coordinator's Report – Development Coordinator Jon Thompson, Report on File.
 3. Public Hearing – No one speaks.

4. Site Plan – Councilman Foulds makes a motion to approve the Site Plan and requests City Staff to continue to work with the United States Postal Service for voluntary compliance with City ordinances, Councilman Williams seconds the motion. VOTE: all in favor, the motion is carried.

VII. NEW BUSINESS

Consideration and Possible Action on:

- A. Ordinance No. 1100.28 – An Ordinance of the City of Dripping Springs Amending the Fiscal Year 2008 Budget – Mayor Purcell skips this item.
- B. Ordinance No. 1100.29 – An ordinance of the City of Dripping Springs, Texas, adopting the budget for the City of Dripping Springs, Texas, for the fiscal year beginning October 1, 2008 and ending September 30, 2009; providing for an intrafund and interfund transfers; and declaring an effective date.
 - 1. Review Proposed FY 2009 Budget
 - 2. Founders Day Commission Budget Request-Council members discuss the proposed budget from Founders Day and ask that it be removed from the budget at this time so that the Commission can explain how it plans to obtain significantly more in sponsorship funds and to address how it will budget reserve funds for the future.
 - 3. Public Hearing – No one speaks.
 - 4. Adoption of Ordinance No. 1100.29 – Councilman Phillip motions to approve as amended. Mayor Pro Tem Bill Foulds seconds. Motion passes, 4-0.
- C. Ordinance No. 1110.06 – An Ordinance of the City of Dripping Springs, Texas, approving the 2008 Ad Valorem Tax Rate and Levy of ten cents (\$0.10) per one hundred dollars (\$100) of assessed valuation of all taxable property within the corporate limits of the city; providing for an exemption on residents homesteads of persons who are disabled or 65 years of age or older; providing for penalties or interest; providing that this ordinance shall be cumulative of all ordinances; providing for severability clause; providing for a savings clause; providing for engrossment and enrolment; providing for publication; and providing for an effective date
 - 1. Public Hearing – No one speaks.
 - 2. Adoption of Ordinance No. 1110.06 – Councilman Phillip makes a motion to approve, seconded by Councilman Williams. VOTE: all in favor, the motion is carried.
- D. Request from Donna Weekley of Lonestar Gifts for Use of Right of Way for Annual Fall Market Day on Mercer Street and College Street Adjacent to Lonestar Gifts – Mayor Purcell recommends that the Founders Day parade barriers be used around the booth areas as the City Engineer deems appropriate. Mayor Pro Tem Foulds makes a motion to approve, seconded by Councilman Phillip. VOTE: all in favor, the motion is carried.
- E. Request from Donna Weekley of Lonestar Gifts for City to Co-Sponsor Annual Christmas on Mercer Street Event –City Administrator Michelle Fischer gives an overview of each group’s responsibilities and states that an agreement between the co-hosts will be drafted if the City’s sponsorship is approved and the City will receive 20% of the food and merchandise booth rental income. Ms. Weekley gives an overview of the event. Mayor Pro Tem Foulds makes a motion to approve the City’s sponsorship and participation with the condition that the City covers all its costs, seconded by Councilman Williams. VOTE: all in favor, the motion is carried.
- F. Request from Terry Garnett’s Propane to Construct an Awning within Mercer Street Right of Way at 400 Mercer Street – Councilman Volpe motions to allow the awning with the stipulation that the plywood covering the rock on

the front of the building is removed. Mayor Pro Tem Bill Foulds seconds. motion passes, 4-0.

- G. Amendment to Economic Development Agreement between the City of Dripping Springs and B & O Dripping Springs Investors, LTD regarding Sports Park Road Improvements – no action taken.
- H. Agreement between the City of Dripping Springs and May Claire Company, Inc. for Public Relations Services – Mayor Pro Tem Foulds makes a motion to approve the agreement, seconded by Councilman Phillip. VOTE: all in favor, the motion is carried.
- I. Approval of Creation and Implementation of new “Adopt a Park” Program – City Administrator Michelle Fischer reports that the City’s insurance policy covers volunteers regarding property and liability, but an insurance rider is required if the City wants to provide workers comp insurance for volunteers. Mayor Pro Tem Foulds makes a motion to approve, seconded by Councilman Volpe. VOTE: all in favor, the motion is carried.
- J. Request to use Founders Memorial Park or Sports and Recreation Park for Annual High School Bon Fire and Fireworks on Tuesday, October 28th from the Dripping Springs High School Football Fever Club and the Dripping Springs High School Athletic Booster Club – Mayor Pro Tem Bill Foulds motions to allow event to be held at Founders Memorial Park subject to group providing insurance and adherence to the following stipulations: that no burn ban is in effect at time of event, Fire and EMS are on site, existing brush pile is used for bonfire with only wood to be added (no accelerants, paint, tires, etc...) no fireworks allowed, and all debris cleaned up. Councilman Phillip seconds. Motion passes, 4-0.
- K. Resolution 2008-29 – A Resolution of the City of Dripping Springs Accepting Waste Water Improvements for Planned Development District #2 – Councilman Williams makes a motion to approve, seconded by Mayor Pro Tem Foulds. VOTE: all in favor, the motion is carried.
- L. Resolution 2008-30- A Resolution of the City of Dripping Springs Adopting an Official Newspaper for the Fiscal Year 2009 – Councilman Volpe makes a motion to approve the resolution and make the News Dispatch the official newspaper, seconded by Councilman Phillip. VOTE: all in favor, the motion is carried.
- M. Amendment 3 to Engineering Services Agreement between the City of Dripping Springs and CMA Engineering for Job Number 1225 – South Regional Wastewater Collection, Treatment, and Disposal Facility Design and Construction Phase Services, CMA Job Number 1300 – Capital Improvements Plan – Mayor Pro Tem Foulds makes a motion to approve the amendment, seconded by Councilman Phillip. VOTE: all in favor, the motion is carried.
- N. South Regional Wastewater System Contracts 2, 3, and 4 for Wastewater Collection System, Wastewater Treatment Facilities, and Subsurface Drip Irrigation System-no action taken.
 - 1. Key Enterprises, Inc.
 - 2. Precision Commercial Plumbing
 - 3. Keystone Construction, Inc.
- O. City of Dripping Springs North Forty Area 56 First Time Sewer Services, Phase 2, Community Development Block Grant Wastewater Project 725261, between the City of Dripping Springs and Wastewater Operations, LLC-no action taken.
- P. City of Dripping Springs North Forty Area 26 First Time Sewer Services, Phase 1, Community Development Block Grant Wastewater Project 727119,

between the City of Dripping Springs and Wastewater Operations, LLC-no action taken.

VIII. EXECUTIVE SESSION – Mayor Purcell recesses the regular session and Council goes into Executive Session at 7:05 p.m. Reconvened to Regular Session at 7:52 p.m. Mayor Pro Tem Bill Foulds motions to adjourn again to Executive Session at 7:54. Councilman Williams seconds. Mayor Pro Tem Bill Foulds motions to move to Regular Session at 7:59. Councilman Williams seconds. Reconvened to Regular Session at 7:59 p.m.

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).

- A. Discussion of Employee Pay and Benefits for City Staff (551.074: Personnel Matters)
- B. Consultation with City Attorney about substantive and procedural laws governing wastewater service connection to, and rates and charges for customers of, the City's South Regional Wastewater Treatment Facilities and Collection System. (551.071: Consultation with Attorney)

IX. ANNOUNCEMENTS

- A. Regular City Council Meeting, October 14, 2008
- B. Regular Parks & Recreation Meeting, September 22, 2008
- C. Regular Planning & Zoning Commission Meeting, September 23, 2008
- D. Regular Historic Preservation Commission Meeting, October 6, 2008
- E. Regular Founders Day Commission Meeting, TBD

X. ADJOURN

Mayor Pro Tem Bill Foulds motions to adjourn. Councilman Williams seconds. Meeting adjourned at 8:12 p.m.