

City of Dripping Springs
City Council
& Board of Adjustment

Regular Meeting Minutes

Tuesday, July 10, 2012

511 Mercer Street, Dripping Springs, Texas

5:30 p.m. – Workshop & Executive Session

7:00 p.m. – Business Items, Public Hearings, Action Items

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 & Zoning Chair Larry McClung

City Secretary Jo Ann Touchstone

City Attorney Alan Bojorquez

City Treasurer Gina Gillis

Mayor Pro Tem Foulds calls meeting to order at 5:30 p.m. Jo Ann Touchstone calls roll.
All present except Mayor Purcell and Larry McClung.

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 6:07 p.m. Those present: Mayor Pro Tem Foulds, Councilman Busbey, Councilman Alba, Councilman Kroll, Councilman King, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, City Secretary Jo Ann Touchstone, and City Attorney Alan Bojorquez. Business Item XII. F also discussed. Reconvened to workshop at 6:30 p.m.

- A. Consultation with City Attorney regarding landowner's request for a Second Amendment to the April 23, 2007 "Wastewater Service and Impact Fee Agreement" between the City and Robert T. and Jill K. McAlister (as amended by the First Amendment effective April 15, 2011), regarding wastewater service to property owned by the McAlisters that is adjacent to RR 12 and US Highway 290, (551.071: Consultation with Attorney)

IV. RECESS

V. RECONVENE AT 7:00 p.m.

Mayor Purcell calls meeting to order at 7:00 p.m. Also present Larry McClung, Michelle Fischer no longer present.

VI. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance – Pledge led by boy and girl scout.

VII. 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.

Rick Fraumann, TDS, states that TDS was the staff recommendation for Solid Waste contract three years ago at the time of the original RFP and are still interested in serving the City of Dripping Springs should the opportunity arise.

Mayor Purcell reads mayoral proclamation recognizing the DSYSA 12u girls all star team for their outstanding achievement as a 2012 national tournament qualifier.

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, June 12, 2012
- B. Approval of Treasurer's Report for June 2012
- C. Approval of Request from Dr. Pound Pioneer Farmstead Museum's Fall Fest Pioneer Day Committee to Use Portions of Founders Memorial Park for the Annual Pound House Fall Fest on September 22, 2012
- D. Approval of Request from Dr. Pound Pioneer Farmstead Museum's Fall Fest Pioneer Day Committee for Waiver of Sign Permit Fees for the Annual Pound House Fall Festival on September 22, 2012
- E. Approval of Amendment to Texas Parks and Wildlife Project Agreement Number 50-000409 for Dripping Springs Ranch Park to Extend Project Expiration Date to July 15, 2013
- F. Approval of Proposal from Staudt Surveying for Wastewater Easement Surveys

Mayor Pro Tem Foulds motions to approve with changes to minutes. Councilman Alba seconds. Motion passes, 5-0.

IX. BOARD OF ADJUSTMENT

Consideration and Possible Action On:

- A. Special Exception Request for Rear Yard Setback-23100 FM 150, Hans Eric Oswald, Applicant
 1. Presentation – None.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file.
 3. Planning & Zoning Commission Report – Commissioner McClung states commission approved staff recommendations.
 4. Public Hearing – No one speaks.
 5. Special Exception from Zoning Ordinance to Allow a Storage Building to be Constructed in the Rear Yard Setback – Mayor Pro Tem Foulds inquires if public notice was sent. Planning Director Jon Thompson states

it was and there was no comment. Mayor Pro Tem Foulds motions to approve. Councilman Alba seconds. Motion passes, 5-0.

B. Special Exception Request for Use of a Temporary Building-CORE Health

- Care, 400 Old Hwy 290, Dr. James Misko, Applicant
1. Presentation – Dr. James Misko states request and is available for questions.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with recommendations on file.
 3. Planning & Zoning Commission Report – Commissioner McClung states one person spoke at the public hearing and commission approved with staff recommendations.
 4. Public Hearing – No one speaks.
 5. Special Exception from Zoning and Building Code Ordinances to Allow the Use of a Temporary Building for a Period of Four Years – Councilman Kroll motions to approve with staff recommendations. Councilman Busbey seconds. Motion passes, 5-0.

C. Special Exception Request for Impervious Cover-Randolph Brooks Federal Credit Union, located in Texas Heritage Village, Section 2, Lot 1A (on the North Side of US Hwy 290 Across from HEB and Aligned with the Intersection of Rob Shelton Blvd and 290), James McCann, P.E.

1. Presentation – James McCann, states request with presentation board 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 voted to approve staff recommendations.
4. Public Hearing – No one speaks.
5. Special Exception to allow 70% Impervious Cover instead of the 60% allowed for a property zoned Office – Councilman Busbey motions to approve. Councilman King seconds. Motion passes, 5-0.

X. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ALTERNATE STANDARDS/ANNEXATIONS

Consideration and Possible Action On:

A. Site Plan - Randolph Brooks Federal Credit Union, located in Texas Heritage Village, Section 2, Lot 1A (on the North Side of US Hwy 290 Across from HEB and Aligned with the Intersection of Rob Shelton Blvd and 290), James McCann, P.E.

1. Presentation – None.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Planning & Zoning Commission Report - Commissioner McClung states Commission voted to approve.
4. Public Hearing – No one speaks.
5. Site Plan – Councilman Alba motions to approve. Councilman Kroll seconds. Motion passes, 5-0.

B. Final Plat - Howard Ranch Commercial, Lot 63, Block B, located on FM 150, East of the Intersection of Ranch Road 12 and FM 150, Across from Springwood Road, Erik Howard, Applicant

1. Presentation – Tom Carlson, 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 one neighbor spoke at the public hearing with support for project, but concern for placement of driveway in relation to his own driveway and potential traffic problems. Commission approved.

4. Public Hearing – No one speaks.
 5. Final Plat – Councilman Kroll motions to approve. Councilman Alba seconds. Motion passes, 5-0. Mayor Pro Tem Foulds requests Mayor to withhold signature of plat until current invoices are paid.
- C. Petition Requesting Annexation for inclusion of the following property into the City of Dripping Springs Corporate City Limits: Lot 63, Block B, Howard Ranch Commercial
1. Public Hearing – No one speaks.
 2. Acceptance of Petition – Mayor Purcell inquires of applicant if future tracts will be requested for annexation. Mr. Howard states that there will be. Councilman Alba motions to approve. Councilman Busbey seconds. Motion passes, 5-0.
- D. Vacation of Plat – Christal Mountain Subdivision, 24.12 Acres, Book 15, Pages 182 – 183, Plat Records of Hays County, Texas, *Constance Austin, Applicant*
1. Presentation – None.
 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. Vacation of Plat – Councilman Alba motions to approve. Councilman Kroll seconds. Motion passes, 5-0. Mayor Pro Tem Foulds requests all signatures for approval be withheld until invoices are paid.

XI. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Report on Sustainable Places Project – City Administrator Michelle Fischer – report on file.
- B. Farmers Market Report – Market Manager Jo Ann Touchstone – report on file.
- C. Report on Dripping Springs Ranch Park Construction Manager at Risk Project – report on file.

XII. BUSINESS

Consideration and Possible Action On:

- A. Request from Girl Scout Troop 2302 Members for Girl Scout Silver Award Project for Improvements to the Charro Ranch Park Bird Blind, *Rachel Kadlecik & Jacqueline Six (Sponsor: Mayor Pro Tem Foulds)- Rachel and Jacqueline present request. Councilman Alba motions to approve with condition for donation box to be secure and work with staff for design. Councilman Kroll seconds. Motion passes, 5-0.*
- B. Request from Dr. Pound Pioneer Farmstead Museum to Install Permanent Reserved Parking Signs in Founders Memorial Park, *Jennifer Benish, President, Friends of the Pound House Foundation (Sponsor: Councilman Alba)- Mayor Pro Tem Foulds motions to approve installment of eight parking signs and signs state for use during hours of museum only. Councilman Kroll seconds. Motion passes, 5-0.*
- C. Request from Dripping Springs Chamber of Commerce and Visitors Bureau to Make Improvements to Parking Area and Tree Behind Chamber of Commerce and Visitors Bureau, *Sherrie Parks, Director (Sponsor: Councilman Alba)- Councilman Alba motions to approve. Councilman King seconds. Motion passes, 5-0.*
- D. Request from Andrew Barrett for Transfer from City of Austin Extra Territorial Jurisdiction to City of Dripping Springs Extra Territorial Jurisdiction for 12701 Nutty Brown Road, Andrew Barrett (*Sponsor: Mayor Pro Tem Foulds*) – Mayor

Pro Tem Foulds motions to approve. Councilman Busbey seconds. Motion passes, 5-0.

E. Engineering Services Agreement Between the City of Dripping Springs and CMA Engineering for South Regional Wastewater System, Capacity Availability Evaluation for Twisted X Brewery, Job Number 1596 (*Sponsor: Mayor Pro Tem Foulds*) – *Mayor Pro Tem Foulds motions to approve. Councilman Alba seconds. Motion passes, 5-0.*

F. Utilities: Request by Recon Services, Inc., for the City's Consent to the Transfer and Assignment of the Current Solid Waste Services Agreement and Franchise to TPR Interests, LLC (DBA- Vacquero Waste & Recycling) – Councilman Kroll motions to approve. Councilman Alba seconds. Mayor Pro Tem Foulds directs staff to review contract and evaluate new company monthly until contract expires. Motion passes, 5-0.

G. Appointment of Dripping Springs Ranch Park Construction Manager at Risk Subcommittee (*Sponsor: Mayor Purcell*) – *Mayor Pro Tem Foulds motions to approve. Councilman Alba seconds. Motion passes, 5-0.*

H. Appointment of Dripping Springs Ranch Park Trails and Related Improvements Subcommittee (*Sponsor: Mayor Purcell*) – *Mayor Pro Tem Foulds motions to approve. Councilman Busbey seconds. Motion passes, 5-0.*

XIII. ANNOUNCEMENTS

A. Regular City Council Meeting & Emergency Management

Workshop, July 17, 2012 at 6:00 p.m.

B. Fiscal Year 2013 Budget Workshop, August 21, 2012

C. Regular Parks & Recreation Meeting, August 13, 2012 at 6:00 p.m.

D. Regular Planning & Zoning Commission Meeting, July 24, 2012 at 7:00 p.m.

E. Regular Historic Preservation Commission Meeting, August 6, 2012 at 5:30 p.m.

F. Regular Founders Day Commission Meeting, TBD

XIV. ADJOURN – Mayor Pro Tem Foulds motions to adjourn. Councilman Alba seconds. Motion passes, 5-0. Meeting adjourned at 7:41 p.m.