

City Council & Board of Adjustment Minutes

Regular Meeting

October 16, 2018 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, October 16, 2018 beginning at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Council Members present were:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member Wade King
Council Member John Kroll
Council Member Taline Manassian

City Staff and Appointed Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
Planning Director Jason Lutz
Communications Coordinator Bonnie Gonzalez
Parks & Community Services Director Mariana Espinoza
Accounting Assistant Penny Appleman
IT Coordinator Misty Dean
Receptionist Angie Tubbs
Assistant City Attorney Laura Mueller

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

Council Member Kroll led the Pledge of Allegiance to the Flag.

III. 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 establish a time limit of two (2) minutes per speaker, for a total of thirty (30) minutes. The Mayor and City Council may extend the session.

Mariana Espinoza spoke regarding staff's participation in a singing competition at the Texas Municipal League Conference. Ms. Espinoza wrote lyrics to the Kid Rock and Sheryl Crow song

Pictures, that were specific to the City of Dripping Springs. The following staff members performed the song for the City Council and guests:

- Accounting Assistant Penny Appleman
- IT Coordinator Misty Dean
- Receptionist Angie Tubbs
- City Administrator Michelle Fischer
- Parks & Community Services Director Mariana Espinoza
- City Attorney Laura Mueller

IV. 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 an Ordinance of the City of Dripping Springs, Texas Amending the Code of Ordinances, Chapter 28: Subdivisions and Site Development, Article 4: Site Development, Section 11: Approval Process, Modifications and Exhibit A: Subdivision Ordinance, Section 1. General Provisions; amending procedure for pool encroachments** *Sponsor: Mayor Pro Tem Foulds*

Filed as Ordinance No. 2018-25

- B. Approval of Audit Engagement Letter between the City of Dripping Springs and The Accounting Firm of Donald L. Allman, CPA, PC for Audit Services for Fiscal Year ending September 30, 2018**

A motion was made by Mayor Pro Tem Foulds to approve the Consent Agenda. Council Member Kroll seconded the motion which carried: 4 to 1 for Consent Item A, with Council Member Manassian opposed; and unanimously 5 to 0 for Consent Item B.

V. BUSINESS

- A. Public Hearing, Discussion and Consideration of Approval regarding an Ordinance of the City of Dripping Springs, Texas Amending the Code of Ordinances, Chapter 24: Building Regulations, Article 24.04 Manufactured Housing, Mobile Homes, and Recreational Vehicles, Section 24.04.006 Variances, amending and removing the requirement that a manufactured home must be located on a separately platted or replatted lot** *Sponsor: Mayor Purcell*

- 1. Staff Report – staff report is on file, no staff report presented.*

2. *BC2018-001 Ordinance*

A motion was made by Council Member King to approve an Ordinance of the City of Dripping Springs, Texas Amending the Code of Ordinances, Chapter 24: Building Regulations, Article 24.04 Manufactured Housing, Mobile Homes, and Recreational Vehicles, Section 24.04.006 Variances, amending and removing the requirement that a manufactured home must be located on a separately platted or replatted lot. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2018-27

B. Discussion and Consideration of Approval regarding Improvements and Reimbursements Related to the Chapter 380 Economic Development Agreement for Belterra Commercial *Sponsor: Council Member Kroll*

1. *Presentation*

Council Member Kroll presented the item. The reimbursement was a originally agreed upon for \$2.6 million; however, the actual expenditures for the public improvements exceed that amount was requested for \$2.9 million. The larger expenditure was due, in part, to changes in the original concept plan that allowed for more ADA accessible walkways, wider sidewalks and more trails and other features such as lighting and landscaping. The City and the Developer has agreed to a compromised reimbursement of \$2.2 million.

2. *Staff Report – staff report on file, no staff report presented*

3. *Improvements and Reimbursements*

A motion was made by Council Member Kroll to approve Improvements and Reimbursements Related to the Chapter 380 Economic Development Agreement for Belterra Commercial at an amount not to exceed \$2.2 million. Council Member Manassian seconded the motion which carried 4 to 1, with Mayor Pro Tem Foulds opposed.

C. Discuss and Consider the Approval of a Wastewater Service and Fee Agreement between the City of Dripping Springs and Chris Nygard and Barry Brittain Alexius, and regarding the JWLP Family Plat Lot 6 *(Sponsor: Mayor Pro Tem Foulds)*

Ginger Faught presented the staff report which is on file. Staff recommends approval of the item.

A motion was made by Mayor Pro Tem Foulds to approve a Wastewater Service and Fee Agreement between the City of Dripping Springs and Chris Nygard and Barry Brittain Alexius, and regarding the JWLP Family Plat Lot 6 subject to the City Engineer and City

Attorney signing off on the final connection point. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session as authorized by Texas Government Code Sections 551.071 Consultation with City Attorney, 551.072 Deliberations about Real Property, and 551.074 Personnel Matters and regarding Executive Session Agenda Item A; and Business Agenda Items D and E. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- A. Consultation with City Attorney regarding legal issues related to election options for the City Council** (*Consultation with City Attorney, 551.071*)

- D. Discuss and Consider the Approval of a One Month Extension of the Ranch House Lease Agreement between the City of Dripping Springs and Cody Kinsey**

- E. Discuss and Consider the negotiation of Lease Agreements and Contractor Agreements regarding the Dripping Springs Ranch House**

The City Council met in Executive Session from 6:20 p.m. to 6:43 p.m.

No action or vote was taken in Executive Session.

Mayor Purcell closed Executive Session and returned the meeting to Open Session at 6:43 p.m.

In Open Session, the City Council took the following action:

- D. Discuss and Consider the Approval of a One Month Extension of the Ranch House Lease Agreement between the City of Dripping Springs and Cody Kinsey**

A motion was made by Mayor Pro Tem Foulds to approve a Month-to-Month Lease Agreement between the City of Dripping Springs and Cody Kinsey regarding the Ranch House. Council Member King seconded the motion which carried unanimously 5 to 0.

E. Discuss and Consider the negotiation of Lease Agreements and Contractor Agreements regarding the Dripping Springs Ranch House

A motion was made by Mayor Pro Tem Foulds to postpone the item until staff is ready for presentation. Council Member Crow seconded the motion which carried unanimously 5 to 0.

VI. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

A. Transportation Committee Monthly Report

Report is on file and available for review upon request.

VII. 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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

A. Consultation with City Attorney regarding legal issues related to election options for the City Council (Consultation with City Attorney, 551.071)

The City Council met in Executive Session earlier in the agenda.

VIII. ANNOUNCEMENTS

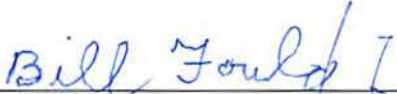
- A. November 13, 2018 – Regular City Council Meeting, 5:00 PM Workshop/6:30 PM Meeting
- B. November 20, 2018 – Regular City Council Meeting, 6:00 PM Regular Meeting
- C. October 23, 2018 – Regular Planning & Zoning Commission Meeting 6:30 PM
- D. December 11, 2018 – Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting

IX. ADJOURN

A motion was made by Council Member Kroll to adjourn the meeting. Council Member Crow seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 6:50 p.m.

DATE APPROVED: November 13, 2018



Bill Foulds, Mayor Pro Tem

ATTEST:

Andrea Cunningham

Andrea Cunningham, City Secretary

