



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, November 01, 2022 at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:00 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Place 2 Wade King
Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 Travis Crow
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
City Attorney Laura Mueller
City Treasurer Shawn Cox
People & Communications Director Lisa Sullivan
City Secretary Andrea Cunningham
IT Director Jason Weinstock
Parks & Community Services Director Andrew Binz
Community Events Coordinator Caylie Houchin
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Public Works Director Aaron Reed
Deputy Public Works Director Craig Rice

PLEDGE OF ALLEGIANCE

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

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the

assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentation of Citizens.

PRESENTATIONS

- 1. Presentation regarding Wastewater issues related to Hays County Development District Number 1 from operator Inframark.** *Sponsor: Mayor Foulds, Jr.*

Inframark Director of Client Services Mark Yentzen presented the item.

Aaron Reed provided background information regarding the item.

CONSENT AGENDA

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.

- 2. Approval of the October 18, 2022, City Council regular meeting minutes.**
- 3. Approval of a Facility Use Agreement with the Dripping Springs Lions Club regarding the 2022 Christmas on Mercer Event.** *Sponsor: Council Member Parks*
- 4. Approval of a Temporary Street Closure Permit Application from the Dripping Springs Lions Club to close a portion of Mercer Street from Bluff Street to San Marcos Street, and a portion of Old Fitzhugh Road on December 3, 2022.** *Sponsor: Council Member Parks*
- 5. Approval of staff recommendation related to selection of auditing firm based on request for qualifications and authorize staff to initiate negotiations and enter into an agreement for auditing services.** *Sponsor: Mayor Foulds, Jr.*

A motion was made by Council Member Parks to approve Consent Agenda Items 2 – 5. Council Member King seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

- 6. Public hearing and consideration of approval of an Ordinance regarding CUP2022-0005: an Application for a Conditional Use Permit to allow a mobile food vendor for longer than 10 days at 27713 RR 12.** *Applicant: Adam S Thompson*

a. Applicant Presentation – Applicant representative Brian Shelly was available for questions from the City Council.

b. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval with the following conditions:

- (1) The applicant shall submit a site development permit prior to any additional site improvements; and
- (2) Hours of operation are limited to between 7:00am and 9:00pm; and
- (3) There shall be no amplified sound on the site; and
- (4) The Conditional Use Permit shall be reconsidered by City Council within two years of its effective date; and
- (5) The permit shall become effective with the issuance of the building permit

c. Planning & Zoning Commission Report – Chair James presented the report. The Commission recommend City Council approval with staff recommendations unanimously 5 to 0.

d. Public Hearing – No one spoke during the Public Hearing.

e. Ordinance – A motion was made by Council Member Tahuahua to approve with staff recommendations, an Ordinance regarding CUP2022-0005: an Application for a Conditional Use Permit to allow a mobile food vendor for longer than 10 days at 27713 RR 12. Council Member Parks seconded the motion which carried 3 to 2, with Mayor Pro Tem Manassian and Council Member Crow opposed.

Filed as Ordinance No. 2022-41

- 7. Discuss and consider approval of the Fiscal Year 2022 Road Improvement Project agreement between Lone Star Paving and the City of Dripping Springs and authorize staff to finalize agreement.**

Criag Rice presented the staff report which is on file. Staff recommends approval of Lone Star Paving Company for the project.

A motion was made by Member Crow to approve the Fiscal Year 2022 Road Improvement Project agreement between Lone Star Paving and the City of Dripping Springs, and authorizing staff to finalize agreement. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

- 8. Discuss and consider the Appointment of City Council members to the Development Agreement Working Groups for the Hilltop Vista (Cannon East) and the Cannon Commercial/Multi-Use Project (Oryx).**

Laura Mueller pretend the staff report which is on file.

Via unanimous consent, Mayor Pro Tem Manassian and Council Member Parks were appointed to the Hilltop Vista (Cannon East) DAWG, and Council Members Crow and Tahuahua were appointed to the Cannon Commercial/Multi-Use Project (Oryx) DAWG.

9. Discuss and consider approval of the 2023 City Council & Board of Adjustment meeting calendar.

Andrea Cunningham presented the staff report which is on file.

A motion was made by Mayor Pro Tem Manassian to approve the 2023 City Council & Board of Adjustment meeting calendar, changing the July 4, 2023, regular meeting to July 5, 2023. Council Member Parks seconded the motion which carried unanimously 5 to 0.

10. Discuss and consider the Appointment of Dr. Mark Miller to the Utility Commission as the Hays Trinity Groundwater Conservation District (HTGCD) member and Charlie Busbey as an At-Large member for terms ending June 30, 2024; and, the Appointment of a Chair to serve a term ending June 30, 2023.

Andrea Cunningham presented the staff report which is on file.

A motion was made by Mayor Pro Tem Manassian to appoint Dr. Mark Miller to the Utility Commission as the Hays Trinity Groundwater Conservation District (HTGCD) member and Charlie Busbey as an At-Large member for terms ending June 30, 2024, and to appoint Charlie Busbey as the Chair to serve a term ending June 30, 2023. Council Member Crow seconded the motion which carried unanimously 5 to 0.

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

Reports are on file and available for review upon request.

11. Transportation Committee Report

Travis Crow, Chair

12. Update on City Hall Remodel Project

Kevin Herron, Herron Design Studio

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney, and regarding Executive Session Agenda item 13. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

EXECUTIVE SESSION AGENDA

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.

13. Consultation with City Attorney related to litigation regarding the South Regional Water Reclamation Project, Wastewater Permits, Code Enforcement, and related items. Consultation with City Attorney, 551.071

The City Council met in Executive Session from 6:48 – 7:01 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:01 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

November 15, 2022, at 6:00 p.m.

December 6, 2022, at 6:00 p.m. (CC & BOA)

December 20, 2022, at 6:00 p.m.

Boards, Commissions & Committees

November 3, 2022, Historic Preservation Commission at 4:00 p.m.

November 7, 2022, Parks & Recreation Commission at 6:00 p.m.

November 8, 2022, Planning & Zoning Commission at 6:00 p.m.

November 9, 2022, Utility Commission at 4:00 p.m.

November 14, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

November 14, 2022, Founders Day Commission at 6:30 p.m.

ADJOURN

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

This regular meeting adjourned at 7:01 p.m.

APPROVED ON: November 15, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary