



CITY COUNCIL WORKSHOP & REGULAR MEETING

City of Dripping Springs

DRIPPING SPRINGS Council Chambers, 511 Mercer St, Dripping Springs, TX
Texas

Tuesday, November 15, 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

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
People & Communications Director Lisa Sullivan
City Secretary Andrea Cunningham
IT Director Jason Weinstock
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Parks & Community Services Director Andrew Binz
DSRP Program Manager Caylie Houchin
Building Official Shane Pevehouse
TIRZ Project Manager Keenan Smith
Parks Planning Consultant Brent Luck
Planning & Zoning Commission Chair Mim James

PLEDGE OF ALLEGIANCE

Council Member King 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.

Council Member Parks spoke regarding the selection of the Founders Day Event Theme.

WORKSHOP

Workshop items are for discussion only and no action will be taken.

1. Presentation on proposed Draft Landscape and Tree Preservation Ordinance.

Howard Koontz, Laura Mueller and Brent Luck gave a presentation which is on file.

No action was taken regarding this 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.

Ginger Faught requested no action be taken on items 8 and 10, as the developer has failed to submit bonds and complete final inspections per Public Works Director Aaron Reed.

Via unanimous consent, item 7 was considered individually.

- 2. Approval of the November 1, 2022, City Council regular meeting minutes.**
- 3. Approval of a Hotel Occupancy Tax Grant Program Funding Agreement between the City of Dripping Springs and the Friends of the Pound House Foundation.**
- 4. Approval of a Hotel Occupancy Tax Grant Program Funding Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau.**
- 5. Approval of Parks & Community Services Sponsorship Program. Sponsor: Council Member Parks.**
- 6. Approval of the October 2022 City Treasurer's Report.**

9. **Approval to authorize the City Administrator to enter into and execute a Co-Sponsorship Agreement with Ashley Tullis for the public purpose of promoting tourism and civic engagement through the Christmas on Mercer Movie Night holiday event.** *Sponsor: Council Member Parks*
11. **Approval of an updated agreement with new rates for engineering services with Burgess & Niple.** *Sponsor: Mayor Foulds, Jr.*

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda items 2 – 6, 9 and 11. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

7. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Subdivision West Water Connection.**

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

A motion was made by Mayor Pro Tem Manassian to approve a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Subdivision West Water Connection. Council Member Parks seconded the motion which carried unanimously 5 to 0.

Filed as Resolution No. 2022-R38

No action was taken on Consent Agenda items 8 and 10.

8. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Club Core Phase 1 and 2 Water and Wastewater.**
10. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Club Core Phase 3 Water and Wastewater.**

BUSINESS AGENDA

12. **Public hearing and consideration of Sign Variance Requests to allow an off-premises pole sign at 304 Mercer Street for Mercer Street Warehouse District, located at 330 Mercer Street.** *Applicant: Dean Erickson, Carter Core Fund.*

a. Applicant Presentation – Applicant Dean Erickson presented the item.

b. Staff Report – Michelle Fischer presented the Sign Administrator’s staff report which is on file. Staff recommends approval with the following conditions:

- (1) Daily display signs for the businesses identified on the pole sign shall not be displayed adjacent to Mercer Street and near the pole sign;
- (2) The building located at 304 Mercer Street may have a small tenant panel on the pole sign;
- (3) The pole sign shall not be illuminated;

- (4) No other permanent free standing signs shall be allowed at 304 Mercer Street and 330 Mercer Street in addition to the existing pole sign and the proposed pole sign; and
- (5) No directional signs shall be allowed at 304 Mercer Street and 330 Mercer Street for the businesses identified on the pole sign.

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

d. Sign Variance to allow an Off-Premises Sign

e. Sign Variance to allow a Pole Sign

A motion was made by Council Member Parks to approve, with staff conditions, a Sign Variance Requests to allow an off-premises pole sign at 304 Mercer Street for Mercer Street Warehouse District, located at 330 Mercer Street. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

- 13. Discuss and consider approval of an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.00 acres in the extraterritorial jurisdiction, situated in the GNRR Co Survey located at 4300 E US 290. Applicant: Daniel Besa.**

a. Applicant Presentation – Applicant Pat Besa was available for questions.

b. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the annexation petition.

c. Annexation Petition – A motion was made by Mayor Pro Tem Manassian to approve an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.00 acres in the extraterritorial jurisdiction, situated in the GNRR Co Survey located at 4300 E US 290. Council Member Parks seconded the motion which carried unanimously 5 to 0.

- 14. Discuss and consider approval of an Ordinance Amending Chapter 24. Building Regulations, Article 24.02. Technical and Construction Codes and Standards, Section 24.02.064. Permit Exemptions eliminating building permit requirement for sheds less than 200 square feet in area. Sponsor: Councilmember Tahuahua**

a. Staff Report – Shane Pevehouse presented the staff report which is on file. Staff recommends approval of the ordinance.

b. Public Hearing – Keenan Smith spoke in favor of the ordinance.

c. Ordinance – A motion was made by Council Member Tahuahua to approve an Ordinance Amending Chapter 24. Building Regulations, Article 24.02. Technical and Construction Codes and Standards, Section 24.02.064. Permit Exemptions eliminating building permit requirement for sheds less than 200 square feet in area. Council Member Parks seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-42

15. Discuss and consider approval of a Professional Services Agreement with Keenan Smith for Project Manager Services. Sponsor: Mayor Pro Tem Manassian.

A motion was made by Council Member Crow to approve a Professional Services Agreement with Keenan Smith for Project Manager Services. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

16. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas amending the current 2021-2022 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures.

Shawn Cox let the City Council know that the caption is incorrect and should read “2022-2023 Fiscal Year Budget”.

a. Staff Report – Shawn Cox presented the staff report which is on file. Staff recommends approval of the ordinance.

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

c. Budget Amendment Ordinance – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance of the City of Dripping Springs, Texas amending the current 2021-2022 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-43

17. Discuss and consider approval of a Contract between Brightly and the City of Dripping Springs to provide software solutions for permitting, planning, and code enforcement.

Shane Pevehouse presented the staff report which is on file. Staff recommends approval of the contract.

A motion was made by Council Member King to approve a Contract between Brightly and the City of Dripping Springs to provide software solutions for permitting, planning, and code enforcement. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

REPORTS

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

Report is on file and available for review upon request.

18. Planning Department Report

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 551.074, Deliberation of Personnel Matters, and regarding Executive Session Agenda items 19 – 21. Council Member King 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.

- 19. 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*
- 20. Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, and duties of the Administrative Assistant (Receptionist), Utility Billing Clerk/Administrative Assistant, and Deputy City Secretary.** *Deliberation of Personnel Matters, 551.074*
- 21. Consultation with City Attorney related to legal issues regarding building inspections by the city's building inspection vendor.** *(551.071, Consultation with Attorney).*

The City Council met in Executive Session from 8:001 p.m. – 8:37 p.m.

No action or vote was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:37 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

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

December 20, 2022, at 6:00 p.m. (CC)

January 3, 2022, at 6:00 p.m. (CC & BOA)

January 17, 2022, at 6:00 p.m. (CC)

Board, Commission & Committee Meetings

November 17, 2022, Farmers Market Committee at 10:00 a.m.

November 17, 2022, Emergency Management Commission at 12:00 p.m.

November 22, 2022, Planning & Zoning Commission at 6:00 p.m.

November 28, 2022, Transportation Committee at 3:30 p.m.

December 1, 2022, Historic Preservation Commission at 4:00 p.m.

December 5, 2022, Parks & Recreation Commission at 6:00 p.m.

ADJOURN

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

This workshop and regular meeting adjourned at 8:37 p.m.

APPROVED ON: December 6, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary