



DRIPPING SPRINGS  
Texas

**CITY COUNCIL SPECIAL MEETING**  
**City of Dripping Springs**  
**Council Chambers, 511 Mercer St, Dripping Springs, TX**  
**Tuesday, September 05, 2023 at 5:30 PM**

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**MINUTES**

**CALL TO ORDER AND ROLL CALL**

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 5:30 p.m.

**City Council Members present were:**

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

**City Council Member absent was:**

Mayor Pro Tem Taline Manassian

**Staff, Consultants & Appointed/Elected Officials**

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
Interim City Administrator / City Treasurer Shawn Cox  
City Attorney Laura Mueller  
People & Communications Director Lisa Sullivan  
City Secretary Andrea Cunningham  
IT Director Jason Weinstock  
Parks & Community Services Director Andy Binz  
Community Events Coordinator Johnna Krantz  
DSRP Manager Emily Nelson  
Public Works Director Aaron Reed  
Deputy Public Works Director Craig Rice  
Utilities Service Manager Dane Sorenson  
Building Official Shane Pevehouse  
Planning Director Tory Carpenter  
City Planner Warlan Rivera  
Planning & Zoning Commission Chair Mim James

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**WORKSHOP**

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

Via unanimous consent, the City Council took the Workshop items out of order and discussed Item 2 first.

**2. Presentation and discussion regarding the proposed Municipal Budget for Fiscal Year 2024.**

Shawn Cox gave a presentation which is on file.

A motion was made by Council Member Tahuahua to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with Attorney and 551.074 Deliberation of Personnel Matters, and regarding Executive Session Item 1. Council Member Parks seconded the motion which carried unanimously 4 to 0.

- 1. EXECUTIVE SESSION: Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, policies, and duties of Penny Appleman, Roman Baligad, Andrew Binz, Kevin Campbell, Tory Carpenter, Shawn Cox, Andrea Cunningham, Brandon Elliott, Melanie Engels, Fletcher Engstrom, Mark Escobedo, Manny Espinosa, Jose Esquivel, Ginger Faught, Michelle Fischer, Sesario Garza, Cathy Gieselman, Katherine Griego, Kyle Hagen, Wacey Hanger, Stephanie Hartnett, Johnathon Hill, Caylie Houchin, Robert Hutson, Alison Jamieson, Sheri Kapanka, Amy Kappler, Johnna Krantz, Charles Gray Lahrman, Samantha Larghe, Heron Longoria, Ryane Maceyra, Laura Mueller, Emily Nelson, Anthony Pennell, Shane Pevehouse, Cameron Queen, Aaron Reed, Charles Reed, Craig Rice, Warlan Rivera, Jessica Selina Segovia, Mackenzie Rusick, Teresa Sanders, Lily Sellers, Nick Spillar, William Stevens, Riley Sublett, Lisa Sullivan, Andrew Thompson, Jason Weinstock, and Utility Services Manager. Consultation with Attorney, 551.071; Deliberation of Personnel Matters, 551.074**

The City Council met in Executive Session from 5:39 – 6:15 p.m.,

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 6:15 p.m.

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**CITY COUNCIL**

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**PLEDGE OF ALLEGIANCE**

Council Member Tahuahua 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.

## **PROCLAMATION**

- 3. Proclamation of the City of Dripping Springs proclaiming the months of September - November 2023 and March - May 2024, as "Lights Out Migratory Months" in the City of Dripping Springs, Texas. Sponsor: Council Member Sherrie Parks**

Council Member Parks read the proclamation and presented it to Parks & Community Services Director Andy Binz and Community Events Coordinator Johnna Krantz.

## **BUDGET**

- 4. Public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas, adopting the 2023-2024 Fiscal Year Municipal Budget; funding municipal services and authorizing expenditures.**

- a. Staff Report** – Shawn Cox presented the staff report which is on file. Staff recommends postponement of the item to a date certain.

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

- c. Budget Ordinance** – A motion was made by Council Member Tahuahua to postpone to the September 19, 2023, City Council meeting the public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas, adopting the 2023-2024 Fiscal Year Municipal Budget; funding municipal services and authorizing expenditures. Council Member Parks seconded the motion which carried unanimously.

- 5. Public Hearing regarding the Proposed 2023 Ad Valorem Tax and Levy of Two Thousand Ninety-Eight Ten-Thousands Cents (\$0.2098) per one hundred (\$100.00) of assessed valuation of all taxable property within the Corporate City Limits.**

- a. Staff Report** – Shawn Cox presented the staff report.

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

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.*

6. **Approval of the August 15, 2023, City Council workshop and regular meeting minutes.**
7. **Approval of the reimbursement agreement between the City of Dripping Springs, the Dripping Springs Skatepark Inc., and the Dripping Springs Community Foundation for the amount of \$75,000 toward the construction of the skatepark to be located at Founders Memorial Park. Sponsor: Council Member Wade King**
8. **Approval of a Reimbursement Agreement with M/I Homes related to the Shared Use Path on Roger Hanks Parkway. Applicant: Alex Granados, Kimley Horn**
9. **Approval of a Temporary Street Closure Permit Application to close Roger Hanks Parkway south of Lucy Loop to Creek Road for the 2023 Run by the Creek 5k & 10k on November 12, 2023. Applicant: Steve Mallett, Dripping Springs Running Club President.**

A motion was made by Council Member Parks to approve Consent Agenda Items 6 – 9. Council Member Crow seconded the motion which carried unanimously 4 to 0.

## **BUSINESS AGENDA**

10. **Public hearing and consideration of approval of an Ordinance regarding CUP2023-0002: an application for a Conditional Use Permit to allow self-storage use at 1300 E US 290. Applicant: Ken Leonard, AAA Storage LLC**

**a. Applicant Presentation** – The applicant was not present.

**b. Staff Report** - Warlan Rivera presented the staff report which is on file. Staff recommends approval of the permit as presented.

**c. Planning & Zoning Commission Report** – Chair Mim James presented the report. The Commission recommended approval with conditions as presented in the staff report 7 to 0.

**d. Public Hearing** – Austin Powers spoke and addressed concerns with screening, water quality pond maintenance and noise/light pollution.

**e. Ordinance** – A motion was made by Council Member Parks to approve an Ordinance regarding CUP2023-0002: an application for a Conditional Use Permit to allow self-storage use at 1300 E US 290 with the following conditions:

- 1) Condition 4 include that screening must be stone or brick and as determined by Development Review Committee.
- 2) Condition 7 include compliance with Stormwater Pollution Prevention Plan and City Drainage Ordinance.

Council Member Crow seconded the motion which carried unanimously 4 to 0.

**Filed as Ordinance No. 2023-28**

**11. Public hearing and consideration of approval of an Ordinance Amending Chapter 20, Article 20.06, Section 20.06.004 of the Dripping Springs Code of Ordinances adding a Rate for Reclaimed Water. Sponsor: Mayor Bill Foulds, Jr.**

**a. Staff Report** – Aaron Reed 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. Ordinance** – A motion was made by Council Member Tahuahua to approve an Ordinance Amending Chapter 20, Article 20.06, Section 20.06.004 of the Dripping Springs Code of Ordinances adding a Rate for Reclaimed Water. Council Member King seconded the motion which carried unanimously 4 to 0.

**Filed as Ordinance No. 2023-29**

**12. Discuss and consider approval of the Appointment of Dr. Holly Morris-Kuentz to the Economic Development Committee for a term ending June 30, 2025.**

A motion was made by Council Member Crow to appoint Dr. Holly Morris-Kuentz to the Economic Development Committee for a term ending June 30, 2025. Council Member Parks seconded the motion which carried unanimously 4 to 0.

**13. Public hearing and consideration of approval of an Ordinance Amending Chapter 2 Administration and Personnel, Article 2.04 Boards, Commissions and Committee, Division 6 Transportation Committee, Sec. 2.04.155. - Membership; meetings. Sponsor: Mayor Bill Foulds, Jr.**

**a. Staff Report** – Andrea Cunningham 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. Ordinance** – A motion was made by Council Member Parks to approve an Ordinance Amending Chapter 2 Administration and Personnel, Article 2.04 Boards, Commissions and Committee, Division 6 Transportation Committee, Sec. 2.04.155. - Membership; meetings. Council Member King seconded the motion which carried unanimously 4 to 0.

**Filed as Ordinance No. 2023-30**

**14. Discuss and consider the Appointment of Elaine Cogburn to the Transportation Committee as the Dripping Springs Independent School District representative for a term ending June 30, 2025.**

A motion was made by Council Member Crow to appoint Elaine Cogburn to the Transportation Committee as the Dripping Springs Independent School District representative for a term ending June 30, 2025. Council Member Parks seconded the motion which carried unanimously 4 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.*

Report is on file and available for review upon request.

### **15. Planning Department Report**

*Tory Carpenter, Planner Director*

A motion was made by Council Member Tahuahua to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with Attorney and regarding Executive Session Agenda Items 18 – 19. Council Member Crow seconded the motion which carried unanimously 4 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.*

- 16. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service, Wastewater Fees, and related items. Consultation with Attorney, 551.071**
- 17. Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, policies, and duties of Penny Appleman, Roman Baligad, Andrew Binz, Kevin Campbell, Tory Carpenter, Shawn Cox, Andrea Cunningham, Brandon Elliott, Melanie Engels, Fletcher Engstrom, Mark Escobedo, Manny Espinosa, Jose Esquivel, Ginger Faught, Michelle Fischer, Sesario Garza, Cathy Gieselman, Katherine Griego, Kyle Hagen, Wacey Hanger, Stephanie Hartnett, Johnathon Hill, Caylie Houchin, Robert Hutson, Alison Jamieson, Sheri Kapanka, Amy Kappler, Johnna Krantz, Charles Gray Lahrman, Samantha Larghe, Heron Longoria, Ryane Maceyra, Laura Mueller, Emily Nelson, Anthony Pennell, Shane Pevehouse, Cameron Queen, Aaron Reed, Charles Reed, Craig Rice, Warlan Rivera, Jessica Selina Segovia, Mackenzie Rusick, Teresa Sanders, Lily Sellers, Nick Spillar, William Stevens, Riley Sublett, Lisa Sullivan, Andrew Thompson, Jason Weinstock, and Utility Services Manager. Consultation with Attorney, 551.071; Deliberation of Personnel Matters, 551.074**
- 18. Consultation with Attorney regarding legal issues related to recently passed legislation. Consultation with Attorney , 551.071**
- 19. Consultation with Attorney related to building inspection services. Consultation with Attorney, 551.071**

The City Council met in Executive Session from 7:02 – 7:24 p.m.

No vote or action was taken during the Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:24 p.m.

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

September 19, 2023, at 6:00 p.m. (CC)  
October 3, 2023, at 6:00 p.m. (CC & BOA)  
October 17, 2023, at 6:00 p.m. (CC)  
November 7, 2023, at 6:00 p.m. (CC)  
November 21, 2023, at 6:00 p.m. (CC & BOA)

### Board, Commission & Committee Meetings

September 6, 2023, DSRP Board at 11:00 a.m.  
September 7, 2023, Historic Preservation Commission at 4:00 p.m.  
September 11, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.  
September 11, 2023, Founders Day Commission at 6:30 p.m.  
September 12, 2023, Planning & Zoning Commission at 6:00 p.m.  
September 13, 2023, Utility Commission at 4:00 p.m.

## ADJOURN

A motion was made by Council Member Parks to adjourn the meeting. Council Member Crow seconded the motion which carried unanimously 4 to 0.

This special meeting adjourned at 7:24 p.m.

**APPROVED ON:** September 19, 2023

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary