

**City of Dripping Springs
City Council**

**Regular Meeting Minutes
Tuesday, April 13, 2010
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

Mayor Todd Purcell
Council Member Santos Alba
Council Member Joe Volpe

Mayor Pro Tem Bill Foulds
Council Member Doug Phillip
Council Member H.A. “Spider” Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
Planning Director Jon Thompson
Planning & Zoning Chair Craig Koenig

City Secretary Jo Ann Touchstone
City Attorney Alan Bojorquez
Special Counsel Susan Zachos
Parks & Recreation Director Ashley Seay

Mayor Pro Tem Foulds calls meeting to order at 5:30 p.m. All present except Mayor Purcell, Joe Volpe, Craig Koenig, Susan Zachos, and Rick Coneway.

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).

- A. Consultation with City Attorney Regarding Lease of Stephenson Building, 551.072
(Deliberations about Real Property)

IV. RECESS

V. RECONVENE AT 7:00 p.m. – Mayor Pro Tem Foulds calls regular session to order at 7:00 p.m. Commissioner Koenig present.

VI. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance – Timothy Mire leads the pledge.

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.

None.

VIII. CONSENT ITEMS

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of Regular Meeting Minutes, March 9, 2010
- B. Approval of Treasurer's Report for March 2010
- C. Proclamation Declaring April National Cancer Awareness Month

Councilman Alba motions to approve. Councilman Williams seconds. Motion passes, 4-0.

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

Consideration and Possible Action On:

Councilman Phillip motions to move item J to now. Mayor Pro Tem Foulds seconds. Motion passes, 4-0.

- A. Sign Variance Request – Ruby's Emporium, 222 West Hwy 290, *Sandy Pedrazas, Owner*
 - 1. Presentation – Sandy Pedrazas, owner, report on file. Ms. Pedrazas states request.
 - 2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval.
 - 3. Planning & Zoning Commission Report – Commissioner Koenig states Commission approved staff recommendations 6-0.
 - 4. Public Hearing – None.
 - 5. Sign Variance Request from Section 7.1.j, Prohibited Signs, to Allow a Pole Sign – Councilman Williams motions to approve for discussion. Councilman Alba seconds. Councilman Williams inquires if the light fixture on the pole will be used. Councilman Williams motions to approve with a five year or compliance if other signs are altered, triggering compliance, and that no lighting is allowed. Councilman Alba seconds. Motion passes, 4-0.

- B. Sign Variance Request – Shell Food Mart, 200 Hwy. 290 W, *Doug Staton, Don. A Stewart, Inc.*
 - 1. Presentation – None. Doug Staton present.
 - 2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file.
 - 3. Public Hearing – None.
 - 4. Sign Variance Request from Section 6.4 Permits for Other Signs, to Allow the Issuance of Sign Permits for Shell Food Mart/Homestyle Fried Chicken without Requiring the Modification or Removal of a Nonconforming Free Standing Pole Sign – Councilman Phillip motions to approve for a time period of five years, more than 50 percent of sign alterations triggers compliance, including staff recommendations. Councilman Williams seconds. Motion passes, 4-0.

- C. Ordinance No. 1220.52 – An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property located in the City of Dripping Springs City Limits, Hays County, Texas: Abs 415 Philip A Smith Survey 1.78 Acre, 101 Creek Road, from Single Family One (SF-1) to General Retail (GR), *Monte McNair, Owner*
 - 1. Presentation – Scott Daves, realtor, .states request. Report on file.

2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends LR, Light Retail
3. Planning & Zoning Commission Report -Commissioner Koenig states commission felt GR was not best zoning at this time and voted LR, Local Retail, and to waive future fees for zoning request
4. Public Hearing – None.
5. Ordinance No. 1220.52 – Councilman Williams motions to approve with classification of LR, Local Retail, and including Planning and Zoning Commission recommendation that any zoning request fee be waived within one year. Councilman Alba seconds. Councilman Phillip makes friendly amendment to extend fee waiver for two years. Councilman Williams accepts friendly amendment. Motion passes, 4-0.

X. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Review of Site Development and Water Quality Ordinances – Planning Director Jon Thompson and City Engineer Rick Coneway
- B. Update on City Street Projects – Councilman Doug Phillip – North Forty improvements are in progress. Grand Prairie reconstruction has 90 % completion on plans and Ginger Faught is setting a meeting with neighbors for input. Roger Hanks extension is still being worked out legally.
- C. Farmers Market Report – Market Managers Jo Ann Touchstone & Ashley Seay
- D. Comprehensive Plan Update – Deputy City Administrator Ginger Faught

Reports on file.

XI. BUSINESS

Consideration and Possible Action On:

- A. Request from Laurel Robertson to Board Horses at Harrison Ranch Park – Councilman Williams motions to deny. Councilman Phillip seconds. Motion passes, 4-0.
- B. Request from Artists of Dripping Springs for Temporary Street Closure of Lake Lucy Loop on Friday, May 14, 2010 and Saturday, May 15, 2010 to Hold 5th Annual Studio Tour and Hill Country Art Show, *Gary Thompson, Artists of Dripping Springs Member* – Gary Thompson, states request. Report on file. Councilman Williams motions to approve items B and C subject to Mr. Coneway waving his fees. Councilman Phillip seconds. Motion passes, 4-0.
- C. Request from Artists of Dripping Springs for Waiver of Fees for Temporary Street Closure Request, *Gary Thompson, Artists of Dripping Springs Member* -
- D. City Employee Discount for Parks and Recreation Fees – Councilman Phillip motions to approve staff recommendation of 50% of the City's portion. Councilman Alba seconds. Motion passes, 4-0.
- E. Approval of Harrison Ranch Park Arena Announcer's Stand Location and Building Plans – Councilman Phillip motions to approve location and plans subject to staff approving final building plans. Councilman Williams seconds. Motion passes, 4-0.
- F. Ordinance No. 1070.49 – An Ordinance Amending Volume 1, Article 3 Finances, Chapter 5 Fee Schedules, Section 4 Subdivision, to Establish Apartment Project Plat and Condominium Project Plat Filing Fees, and Section 7 Residential Building Code and Section 8 Commercial and Multi-Family Building Code, to Delete Trade Registration Fees for Plumbing Master, Contractor, and Journeyman Registration – Councilman Williams motions to approve. Councilman Phillip seconds. Motion passes, 4-0.

- G. Ordinance No. 4500.00 – An Ordinance of the City of Dripping Springs Adopting the City of Dripping Springs Code of Ordinances – Councilman Phillip motions to approve. Councilman Williams seconds. Motion passes, 4-0.
- H. Ordinance No.1460.14 – An Ordinance of the City of Dripping Springs Amending the Traffic Enforcement Ordinance Authorizing Placement, Installation, and Enforcement of No Thru Truck Traffic Control Signs on Rob Shelton Boulevard and Sports Park Road
1. Staff Report – report on file.
 2. Public Hearing – none.
 3. Ordinance No. 1460.14 – Councilman Phillip motions to approve. Councilman Alba seconds. Motion passes, 4-0.
- I. Ordinance No. 1630.23 - An Ordinance of the City of Dripping Springs Cancelling the May 8, 2010 General Election & Declaring Each Unopposed Candidate Elected to Office – Mayor Pro Tem Foulds motions to approve. Councilman Williams seconds. Motion passes, 4-0.
- J. Request for Waiver of City Fees for Eagle Scout Project to Construct and Install Planter, Irrigation System, and Lighting at St. Martin de Porres Catholic Church, 1012 Post Oak Drive, *Timothy Mire, BSA Troop 280* – Mr. Mire states request and describes project. Report on file. Councilman Phillip motions to approve subject to Bureau Veritas waving their fees. Councilman Williams seconds. Motion passes, 4-0.

XII. ANNOUNCEMENTS

- A. Regular City Council Meeting, April 20, 2010 at p.m.
- B. Regular Parks & Recreation Meeting, May 10, 2010 at 6:00 p.m.
- C. Regular Planning & Zoning Commission Meeting, April 27, 2010 at 7:00 p.m.
- D. Regular Historic Preservation Commission Meeting, May 3, 2010 at 5:30 p.m.
- E. Regular Founders Day Commission Meeting, TBD, 2010 at 6:30 p.m.

XIII. ADJOURN

Councilman Alba motions to adjourn. Councilman Phillip seconds. Meeting adjourned at 8:00 p.m.