



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, October 16, 2024

The City Council of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on October 16, 2024. Members of the public and the City Council were able to participate in the meeting virtually, as long as a quorum of the City Council and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request

CALL REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Gavin Massingill called the meeting to order at 7:01 p.m.

Present Members: Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Brook Brown, Council Member Kevin Glasheen, Council Member Phil McDuffee, and Council Member Alec Robinson

Also Present: City Administrator Ashley Wayman, Interim City Secretary Makayla Rodriguez, Development Services Manager Nikki Stautzenberger, Finance Director Abel Campos, Chief Kristal Munoz, and City Attorney Charles Zech

PUBLIC COMMENTS

The following individuals spoke during public comments:

Shanthi Jayakumar, 3309 Park Hills Drive, discussed ACL and complimented the Police Department and Public Works Department for their efforts during the event. She continued to thank City Council and the City Attorney for their efforts to safeguard personal data from the residential building height survey.

PRESENTATIONS

2. Presentation and discussion on the Quarterly Investment Report for the 4th Quarter

Finance Director Abel Campos presented the quarterly investment report for the 4th quarter with City Council.

Members of City Council asked questions of Mr. Campos regarding the quarterly investment report for the 4th quarter.

3. Presentation and discussion on the Budget Review for the 4th Quarter

Finance Director Abel Campos presented the budget review for the 4th quarter with City Council. He reviewed the funds and expenditures within the budget for the 2023-2024 fiscal year.

CONSENT AGENDA

4. Discussion and possible action on the minutes from the September 18, 2024 City Council meeting
5. Discussion and possible action on the meeting minutes from the Joint City Council, Planning and Zoning Commission, and CRCRC minutes from September 4, 2024
6. Discussion and possible action to accept Alex Robinette's resignation from the CRCRC
7. Discussion and possible action to accept Jeff Marx's resignation from the CRCRC

Council Member Brook Brown removed items 6 and 7 from the Consent Agenda.

Council Member Brook Brown moved to approve the Consent Agenda. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

Mayor Gavin Massingill discussed item 6 in conjunction with item 7.

Council Member Brook Brown thanked Alex Robinette and Jeff Marx for their service on the CRCRC. She continued to discuss their contributions while on the committee.

Mayor Pro Tem Sara Hutson moved approval of Alex Robinette's and Jeff Marx's resignation. Council Member Brook Brown seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

8. Discussion and possible action regarding a policy for Grinder Pump Maintenance and Replacement

Mayor Gavin Massingill gave a brief overview of their previous discussions on grinder pumps.

City Administrator Ashley Wayman recommended sending the item to the Utility Commission to review.

City Council asked questions regarding repeat offenders, maintenance, monthly fees, and grinder pump purchasing. They also discussed possible solutions, LCRA, and the wastewater fund.

Council Member Brook Brown moved to ask the City Administrator to take comments into account and work with the Council Liaison and the Utility Commission for a recommendation. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

9. Discussion and possible action on a site plan for 3012 Bee Cave Road

City Administrator Ashley Wayman stated that the item was back with clarification from last month. She discussed the site plan and confirmed that it does meet code requirements.

Council Member Brook Brown discussed vested rights and expressed concern regarding the site plan.

City Attorney Charles Zech gave clarification on vested rights requirements and the application for the site plan.

City Council discussed vested rights, the commercial code requirements, and notice to neighboring properties.

Council Member Kevin Glasheen moved to approve the site plan as requested. Council Member Phil McDuffee seconded the motion.

Mayor Pro Tem asked for clarification regarding the site plan's building height.

The motion carried with 5 in favor and 0 against.

10. Discussion and possible action regarding placement of a stop sign on Rollingwood Drive at Edgegrove Drive or Gentry Drive

Council Member Kevin Glasheen shared the purpose of the item on the agenda as well as his previous efforts to address concerns.

Mayor Gavin Massingill explained the process of adding stop signs and discussed enforcement. Members of City Council discussed concerns and possible solutions.

Chief Kristal Munoz stated that she would look into adding additional striping to the roads.

City Administrator Ashley Wayman discussed traffic study options.

11. Discussion and possible action on a Covered Applications and Prohibited Technology policy

City Administrator Ashley Wayman explained the purpose of the covered applications and prohibited technology policy.

Council Member Brook Brown moved to approve the covered applications and prohibited technology policy. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

12. Discussion and possible action to direct the city to abate any enforcement actions regarding children's playhouses and amend the zoning code as it relates to children's playhouses

Council Member Kevin Glasheen gave a recap of the item as well as the discussion from the previous City Council meeting. He continued to discuss enforcement and code review.

Council Member Kevin Glasheen moved to ask the city to refrain from enforcing any applicable code to children's playhouses pending further action by Council. Council Member Phil McDuffee seconded the motion.

Members of City Council discussed their concerns with refraining enforcement, adding clarification to the current code, and adding a definition for playhouse.

Council Member Brook Brown amended the motion to add for purposes of this abatement we mean a playhouse, a structure built for children’s play with not having water or sewer service or other utility services and have an expiration date on the abatement. Council Member Kevin Glasheen did not accept the amendment.

Mayor Gavin Massingill repeated Council Member Glasheen’s motion.

Council Member Brook Brown – No

Council Member Alec Robinson – Yes

Council Member Kevin Glasheen – Yes

Council Member Phil McDuffee – No

Mayor Pro Tem Sara Hutson – No

The motion failed with 2 in favor and 3 against.

Council Member Brook Brown moved that City Council abate enforcement with respect to the playhouse at issue for a period of 6 months pending review of the policy by this council on treatment of playhouses as accessory buildings, and for purposes of this abatement we would define a playhouse as a structure built for the play of children not having any associated utility services. Mayor Pro Tem Sara Hutson seconded the motion.

Mayor Pro Tem Sara Hutson discussed the need for further clarification for accessory buildings.

Council Member Brook Brown repeated her motion.

Council Member Brook Brown amended her motion to add any new playhouse to be built, The council would be notified and take up appropriate policy for that new playhouse anytime during the abatement. The motion carried with 4 in favor and 1 abstention (Glasheen).

Mayor Pro Tem shared her desire to address the issue and to send it to the Planning and Zoning Commission. City Administrator Ashley Wayman stated that the item was sent to the Planning and Zoning Commission and that it was not discussed at their previous meeting.

13. Discussion and possible action on an amendment to the Code of Ordinances regarding residential lighting and related provisions

Mayor Gavin Massingill gave an overview of the recommendations from the CRCRC. City Administrator Ashley Wayman explained the draft ordinance approved by the CRCRC and the Planning and Zoning Commission as well as shared considerations from the Planning and Zoning members. She continued to discuss next steps.

The members of City Council shared their feedback on the amendments to the ordinance.

Jerry Fleming, 305 Nixon Drive, discussed the amendments to the ordinance as well as dark sky minimum requirements.

City Council discussed dark sky statutes and refinements to the ordinance with Mr. Fleming.

Council Member Brook Brown discussed additional provisions to the amendments.

Council Member Kevin Glasheen moved as requested to agree with bullet points 2, 3, 5, 6, 8. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 1 abstention (Robinson).

Council Member Brook Brown moved that the draft allow for string light with a requirement that there be 12:00 p.m. cut off on string lights for bullet point 1. Council Member Phil McDuffee seconded the motion.

Council Member Kevin Glasheen amended the motion to add a definition of string lights, a lumen limit, as well as a time limit for midnight for bullet point 1. Council Member Brook Brown accepted the amendment. The motion carried with 5 in favor and 0 against.

Council Member Brook Brown moved to maintain the 3000 kelvin for bullet point 4. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

Council Member Brook Brown moved to keep the up to 2,000 limit for bullet point 7. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 4 in favor and 1 against (Robinson).

Council Member Brook Brown moved to add a provision to the ordinance that would prohibit light trespassing across the property line. Council Member Phil McDuffee seconded the motion.

Council Member Brook Brown withdrew her motion.

City Council discussed ordinance compliance for commercial and residential properties.

14. Discussion and possible action on an amendment to the Code of Ordinances regarding connecting driveways

Mayor Gavin Massingill explained the draft ordinance recommended by the CRCRC. City Administrator Ashley Wayman shared other considerations from staff.

Council Member Brook Brown moved to approve for purposes of drafting a proposed ordinance for the language highlighted and does not suggest adding an administrative approval process. Mayor Pro Tem seconded the motion.

Mayor Pro Tem Sara Hutson discussed the building height survey results and explained why connecting driveways are a safety issue.

Dave Bench, 1 Randolph Place and chair of the CRCRC, discussed connecting driveways and stated that he would like the Board of Adjustment to weigh in on the issue.

Council Member Brook Brown – No

Council Member Alec Robinson – Abstain

Council Member Kevin Glasheen – No

Council Member Phil McDuffee – Yes

Mayor Pro Tem Sara Hutson – No

The motion failed with 1 in favor, 3 against, and 1 abstention (Robinson).

City Attorney Charles Zech expressed his preference when creating ordinance criteria for the Board of Adjustment.

Council Member Kevin Glasheen and Chief Kristal Munoz discussed statutes for driveways.

Council Member Kevin Glasheen moved to approve and allow cut through driveways as long as they are 30 feet from the intersection corner. Council Member Phil McDuffee seconded the motion.

Council Member Brook Brown – No

Council Member Alec Robinson – No

Council Member Kevin Glasheen – Yes

Council Member Phil McDuffee – No

Mayor Pro Tem Sara Hutson – No

The motion failed with 1 in favor and 4 against (Brown, Hutson, McDuffee, and Robinson).

15. Discussion and possible action on an amendment to the Code of Ordinances regarding residential fence height and related provisions

City Administrator Ashley Wayman explained the recommended ordinance from the CRCRC and Planning and Zoning Commission.

City Council discussed draft ordinance, fence height limitations, and concerns.

Council Member Kevin Glasheen moved to approve the recommendation that the allowable fence height is 8 feet from natural grade, removing 6 feet to 8 feet, and anything above 8 feet must be engineered and will go to the Board of Adjustment for approval. Council Member Alec Robinson seconded the motion.

Council Member Brook Brown amended the motion to read the standard allowable fence height is up to 8 feet. Council Member Kevin Glasheen accepted the amendment.

Mayor Pro Tem Sara Hutson expressed concerns regarding fence materials.

Development Services Manager Nikki Stautzenberger explained the permitting process for fences.

Council Member Brook Brown – Yes

Council Member Alec Robinson – Yes

Council Member Kevin Glasheen – Yes

Council Member Phil McDuffee – Yes

Mayor Pro Tem Sara Hutson – Abstain

The motion carried with 4 in favor and 1 abstention (Hutson).

16. Discussion and possible action on an amendment to the Code of Ordinances regarding residential landscape and tree canopy management

City Administrator Ashley Wayman explained the approved draft ordinance from the CRCRC along with the considerations from the Planning and Zoning Commission.

Members of City Council discussed the ordinance, amendments, and city arborist involvement.

Council Member Brook Brown moved with respect to the removal of a heritage tree because of the safety issue, disease issue, or dead issue, she recommends to mirror the language that's in the tree protection ordinance for non-residential properties and if that language does not include a requirement that a third-party arborist hired by the homeowner and the city arborist agree as to the grant of removal of a tree that we add that to that language. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 1 abstention (Robinson).

Council Member Brook Brown moved to add to the proposed ordinance, the stop work order provision that mirrors the stop work order provision in the non-residential tree protection ordinance that would allow a stop work order to be issued in the event a heritage tree is removed without a permit. Council Member Phil McDuffee seconded the motion.

Jay van Bavel, 5012 Timberline Drive and member of the CRCRC, provided clarification for protected trees in the draft ordinance.

Mayor Gavin Massingill discussed fees for offenses with City Council.

Council Member Phil McDuffee moved to approve. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 4 in favor and 1 against (Robinson).

Mayor Pro Tem Sara Hutson mentioned a concern with removing trees in the proposed buildable area and with a demolition permit.

Mayor Pro Tem Sara Hutson moved to ask the Planning and Zoning Commission to consider requiring that tree removal permits can only be issued once an approved building permit has been obtained. Council Member Phil McDuffee seconded the motion.

Council Member Brook Brown amended the motion not to ask Planning and Zoning to add the provision, but to add the provision to this draft. Mayor Pro Tem Sara Hutson accepted the amendment. The motion carried with 5 in favor and 0 against.

City Administrator Ashley Wayman asked for clarification regarding the draft ordinance and provided scenarios.

City Council discussed tree removal scenarios, the permitting process, and heritage tree lifespan concerns.

Council Member Brook Brown amended the motion not to ask Planning and Zoning to add the provision, but to add the provision to this draft. Mayor Pro Tem Sara Hutson accepted the amendment. The motion carried with 5 in favor and 0 against.

17. Discussion and possible action on an amendment to the Code of Ordinances regarding tree protection during construction

City Administrator Ashley Wayman explained the recommendation from the CRCRC to add tree protection requirements during construction. She stated that the recommendation will not need to go through the public hearing process.

Council Member Brook Brown moved to recommend that the draft for tree protection during construction language be brought back to the next City Council meeting in ordinance form along with recommendations from the city arborist. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

18. Discussion and possible action to declare dated computer equipment and mechanical meters as surplus items and authorize their disposal

City Administrator Ashley Wayman explained that there is a surplus of mechanical meters from the meter upgrade project as well as technology equipment due to the IT transition and is requesting approval to dispose of them.

Council Member Brook Brown moved that we declare the dated computer equipment and mechanical meters as surplus items and authorize staff to dispose of them. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

19. Discussion and possible action to set a public hearing on an ordinance designating that the front yard of a lot shall be the yard which abuts the addressed street

Council Member Brook Brown gave a brief recap of the item and stated that the item will need to go through the public hearing process.

Council Member Brook Brown moved to approve the item to go to public hearing when the other zoning changes that have been looked at tonight are set for public hearing or at an earlier time if that becomes available. Council Member Alec Robinson seconded the motion. The motion carried with 5 in favor and 0 against.

ADJOURNMENT OF MEETING

The meeting was adjourned at 10:12 p.m.

Minutes adopted on the _____ day of _____, 2024.

Gavin Massingill, Mayor

ATTEST:

Makayla Rodriguez, City Secretary