



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, November 16, 2022

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 November 16, 2022. 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 7:21 p.m.

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

Also Present: City Administrator Ashley Wayman, City Attorney Charles Zech, Interim Chief of Police Kristal Munoz, City Secretary Desiree Adair, Development Services Manager Nikki Dykes, and Assistant to the City Administrator Makayla Rodriguez.

Present Virtually: Park Commission Chair Chad Smith

SWEARING-IN CEREMONY OF NEWLY ELECTED OFFICIALS

2. Swearing-in ceremony of newly elected officials: Mayor Gavin Massingill, Council Member Sara Hutson and Council Member Kevin Glasheen

Judge Sarah Teten swore in Gavin Massingill as Mayor, Sara Hutson as Council Member, and Kevin Glasheen as Council Member.

3. Recess meeting for brief reception, congratulations, and for officials to take their positions on the dais
4. Call City Council meeting back to order

Mayor Gavin Massingill welcomed Kevin Glasheen to the dais.

5. Discussion and possible action on approval of a resolution honoring outgoing Council Member Roxanne McKee

City Administrator Ashley Wayman read Resolution 2022-11-16-05 honoring Roxanne McKee's Service to the City of Rollingwood.

Council Member Brook Brown moved to adopt the Resolution. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

Mayor Gavin Massingill thanked Roxanne McKee and presented her with an award for her service.

Shanthi Jayakumar made comments thanking Roxanne McKee and discussed highlights from her years of service.

6. Nomination and election of the Mayor Pro Tempore for a term of one year and to perform the duties of the Mayor in the Mayor's absence

Council Member Phil McDuffee moved to nominate Sara Hutson for Mayor Pro Tempore for a period of 1 year. Council Member Brook Brown seconded the motion. The motion carried with 4 in favor and 0 against with 1 abstention - Sara Hutson.

PUBLIC COMMENTS

The following individuals spoke during public comments:

- Wendi Hundley, 401 Vale, congratulated the newly elected Mayor and Council Members. She discussed comments at the meeting from the previous night, her concerns from the Board of Adjustment meeting, a quorum of City Council without public notice, and the roles of liaisons and staff direction. She discussed board and commission member qualifications and asked City Council to take up the item again with a request for more public comment.
- Kendra Roloson, 304 Vale, spoke regarding comments at the meeting the previous night and that the Code prohibits City Council Members from directing staff. She would like City Council to review the restrictions put in place on the selection of members to boards and commissions.

PRESENTATIONS

7. Update on Bond Propositions A and B

Mayor Gavin Massingill discussed his intent to write up a plan to move forward on Propositions A and B.

Council Member Brook Brown asked when they would get a report from the financial advisors on how to structure the sale of the bonds, and Council Member Kevin Glasheen asked about the window of time in which to sell the bonds.

Shanthi Jayakumar, 3309 Park Hills Drive, provided the City Council with historic documents, made comments regarding the recent bond election, and asked for planned space in the new City Hall for a library.

8. Update on TXDoT proposed improvements for Bee Caves Road from Walsh Tarlton Lane to Montebello Road

Mayor Gavin Massingill discussed the project including sidewalk improvements, possible additional shoulder space, and limiting easements.

Mayor Gavin Massingill called up Agenda item 16 at this time.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

9. Discussion and possible action on the minutes from the October 12, 2022 Joint Planning and Zoning Commission and City Council meeting
10. Discussion and possible action on the minutes from the October 19, 2022 City Council meeting
11. Discussion and possible action on a Resolution amending the fee schedule to reflect the park rental rates for adult fitness activities as approved at the October 19, 2022 City Council Meeting
12. Discussion and possible action on an Ordinance amending section 32-38 No parking signs of the City's Code of Ordinances to correct printing errors and reflect action previously taken by the City Council

Council Member Brook Brown moved that the items in the Consent Agenda be adopted. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

13. Discussion and possible action on an appeal of the City Engineer's denial of a request for alternative methods of design for drainage facilities for 208 Ashworth Drive

City Administrator Ashley Wayman explained the history of this property and the appeal of the proposed alternative method of design.

Tyson Hasz, of K. Friese + Associates, discussed the denial of the alternative method of design. The provided plans exceed the maximum allowable cut and therefore the applicants applied for an alternative method of design. As the City Engineer, he does not have the authority to go outside the City's Code of Ordinances to grant relief.

City Council asked questions about these limitations, the cut, additional excavation, drainage, and the utility easement.

Jim Wittliff, on behalf of the property owners, discussed the terrain in the area, applying for a variance, and an appeal before City Council. He provided a presentation of the property including drainage, erosion, proposed plans, neighbor support, lot analysis, and the proposed alternative method of design for drainage. City Council asked questions of Mr. Wittliff.

Andy Richardson, owner of 208 Ashworth Drive, presented pictures of the property, explained what they are attempting to do, and discussed the drainage issue.

Genie Nyer , 206 Ashworth Drive, discussed flooding and drainage, expressed her support of the cutting away of the hill, and wants the City of Rollingwood to maintain the culvert that goes under Ashworth Drive.

City Council asked questions of Mrs. Nyer and Mr. Richardson.

Development Services Manager Nikki Dykes spoke regarding the status of the permit application.

City Council and Mayor Gavin Massingill discussed legal considerations and options. City Attorney Charles Zech explained the nature of the relief requested under Section 103-235 which is not available under the Code of Ordinances.

City Council, Mr. Hasz, Mr. Wittliff, and Mr. Richardson discussed engineering options.

Mayor Gavin Massingill suggested that Mr. Richardson work with K. Friese + Associates on the terracing issue. City Council asked that they work towards a solution and get back by the next Council meeting.

14. Status of the Pleasant/Nixon drainage project

Council Member Brook Brown introduced the item and Mr. Duncan Ashworth. Mr. Ashworth provided a presentation of the drainage project at Pleasant/Nixon. He provided a progress report of what is completed and what is yet to be done with the drainage project.

Abe Salinas, K. Friese + Associates, spoke regarding measurements taken and adjustments to the plans. He spoke with City Council regarding easements and the timeline.

Council Member Brook Brown and Mayor Gavin Massingill discussed next steps.

Mike Marin spoke regarding a meeting prior to the survey with Mr. Fleming and Mr. Salinas.

Amy Pattillo, 3 Rock Way Cove, discussed the history of this project. She would like for any downstream neighbors to be included on any meetings going forward. She would like to understand any flow changes with the design modifications. She asked about potential higher rate of flow and existing infrastructure that downstream neighbors currently have in place.

Mr. Salinas responded to Ms. Pattillo's concerns.

Kevin Schell, 300 Pleasant Drive, discussed existing infrastructure downstream and the City's ability to respond.

Mayor Gavin Massingill thanked all for their contributions.

15. Discussion and possible action on the process for appointing members of boards and commissions

This item was tabled until next month's meeting.

16. Discussion and possible action on a recommendation from the Park Commission regarding the installation of artificial turf infield on Hatley Field 1 by Western Hills Little League

Park Commission Chair Chad Smith discussed the opportunity to improve Hatley Field 1 by installing a turf product that will reduce injuries, control the drainage, alleviate strain on fields 3, 4, and 5, reduce park maintenance, and have a positive environmental impact. He stated that Western Hills Little League is willing to spend \$100,000 for this item, and encouraged City Council to consider this item.

Mayor Gavin Massingill commented that this project could save staff resources in terms of maintenance.

Mark Askins, 1507 Falcon Ledge Drive, discussed usability, availability, and safety of artificial turf.

Jess Butler, 4823 Rollingwood Drive, discussed his concerns with safety, temperature, black rubber crumb segments, and health. He appreciated the civil discourse when considering this item. He asked the City Council to protect the children, respect the environment, and keep the field for the community.

Jerry Speitel, resident of Rollingwood, discussed the playability of a turf field, safety, and injuries.

Niccole Maurici, 4906 Timberline Drive and Park Commission member, spoke regarding playing baseball and how her children have adapted and thrived with artificial turf. She shared how the district is using turf to streamline cost, maintenance, and operations.

Dave Raymond, 4716 Timberland Drive, voiced his support for the redevelopment of Hatley Field 1 and thinks it would be good for the community.

Kendra Roloson, 304 Vale, voiced her support for this field and asked City Council to grant the request for this field. She discussed how the standard for decisions is reasonable consent.

Dr. Theodore Klem expressed his support for the renovation of Hatley Field 1 and finds it safe and effective.

Wendi Hundley, 401 Vale, voiced her support for artificial turf on the infield explaining that it would provide some drainage structure. She explained that the outfield will still contain grass. She believes that the benefits are greater than the risks for this item.

Mayor Gavin Massingill commented that there are other options besides rubberized pellets for filler on the field.

Chair Chad Smith added that WHLL's teams enjoy playing on turf and agree that it is safer, even during the summer. This field would be very low maintenance.

Emily Doran spoke in favor of the improvements to Hatley Field.

City Council discussed the following issues with the installation of artificial turf on Hatley Field:

- Drainage on the field and the chemical accumulation,
- The proposal with respect to the drainage structure,
- Written commitment to removal after the warranty period has expired,

- The impact on alternative uses of the field,
- Community feedback,
- Setting aside an escrow account for remediation,
- Safety of turf,
- Environmental concerns,
- Cost of removal at the end of the lease, and
- The possibility of a bond provided to the City for the end of the life of the turf.

Mayor Gavin Massingill returned to the Consent Agenda at this time.

17. Discussion and possible action on a recommendation from the Park Commission regarding land clearing to the north of the swim facility

This item was tabled until next month's meeting.

18. Discussion and possible action to protect trees and other vegetation on land zoned Park District (P).

Council Member Phil McDuffee discussed this area and the vegetation there.

Amy Pattillo, 3 Rock Way Cove, spoke regarding the process of the drafting of the tree ordinance.

This item was tabled until next month's meeting.

19. Update and staff report on status of My Permit Now and stand-alone computer for resident access to building permit applications

Council Member Brook Brown asked for this update and next steps.

City Administrator Ashley Wayman reported a quote for the stand-alone computer of \$1,000. This will be addressed in the first quarter of the budget.

Shanthi Jayakumar spoke regarding the process of obtaining a computer for this purpose.

Development Services Manager Nikki Dykes explained the status of My Permit Now and her availability for resident access to building permit applications. The Public facing report is working and displays Responsible Parties. City Council asked questions of Development Services Manager Nikki Dykes.

20. Discussion regarding citizen written comment procedures for city public meetings and constituent correspondence

Mayor Gavin Massingill discussed the ability for citizens to contact their elected public officials directly, providing lead time to staff for distribution or placing in the packet, entering submissions into the record, and managing expectations for timelines and communications. He would like to encourage public engagement and all are welcome to come to meetings.

City Council discussed a 24-hour deadline for submissions, dedicated email addresses, and options for electronic communication.

Mayor Gavin Massingill explained that residents can always communicate directly with their elected officials and are encouraged to attend meetings in person.

Wendi Hundley, 401 Vale, spoke regarding transparency for big topic items. She suggested a place on the website for public comments.

City Council discussed PIRs

Shanthi Jayakumar, 3309 Park Hills Drive, spoke regarding Open Meetings Act history and public comments.

21. Update on the City Council message board implementation

City Administrator Ashley Wayman reported that the City Council Message board was up and running, but that it had not yet been connected to the city's website and would not be until Council Members were registered and training had been conducted. She explained that they hope to have the message board live on the website in the next month. Council Member Phil McDuffee thanked City Administrator Ashley Wayman for her work to get this message board implemented.

22. Discussion and possible action to cast a ballot for the Western Travis County representative member of the Board of Directors of the Travis County Central Appraisal District

Mayor Gavin Massingill discussed that the ballot was in the packet with the relevant information.

Council Member Sara Hutson moved to vote for Tom Buckle for the position on the Travis County Appraisal District Board of Directors. Council Member Brook Brown seconded the motion. The motion carried with 5 in favor and 0 against.

23. Discussion and possible action in regard to the process for hiring legal and planning services and scheduling dates for draft ordinance changes and public hearings in connection with implementation of the commercial zoning changes under the Comprehensive Plan

Council Member Brook Brown discussed how the Council would go about getting someone to draft the code changes recommended in the Comprehensive Plan. She further explained that this would be something that the Planning and Zoning could use for their review.

City Attorney Charles Zech discussed that he can handle the legal work, and that his firm has a planning component that has the capacity to work on this project. He expressed his wish to have an open and honest discussion about the proposed changes and that they are worked through in a positive manner.

Mayor Gavin Massingill further discussed that he doesn't want to jeopardize the relationship with the firm by entering into this agreement.

City Attorney Charles Zech stated that he would come back to Council with a budget for approval and a timeline for proposed code changes.

24. Discussion and possible action on setting dates for public hearings before the Planning and Zoning Commission and the City Council in connection with changes to the residential zoning ordinance

Council Member Brook Brown stated that it may be best to bring this item back next month, as there has been discussion about how to move forward with changes to the residential code and a process should be considered.

This item was tabled until next month's meeting.

25. Briefing from the city attorney/outside counsel in connection with pending litigation and discussion and possible action in connection with such litigation

City Attorney Charles Zech stated that there had been no change in the lawsuit that his firm was handling for the City.

Mayor Gavin Massingill also noted that there had been no change in the lawsuit regarding the Hubbard/Hatley drainage project.

Mayor Gavin Massingill announced that the City Council would be going into executive session at 12:16 a.m. which is pursuant to section 551.071 of the Texas Local Government Code.

The City Council reconvened into open session at 12:29 a.m.

Mayor Gavin Massingill stated that no action had been taken in closed session.

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 12:29 a.m. on November 17, 2022.

Minutes Adopted on the _____ day of _____, 2022.

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary