



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, November 17, 2021

The City Council of the City of Rollingwood, Texas held a regular meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on Wednesday, November 17, 2021 at 7:00 p.m. Members of the public and the City Council were permitted 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. The public was permitted watch this meeting live and have the opportunity to comment via audio devices at the link below. The public was also permitted to participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

Link: <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUjNjNmK5RnJreIRFUT09>

Toll-Free Numbers: (833) 548-0276 or (833) 548-0282

Meeting ID: 530 737 2193

Password: 9fryms

The public was permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. A video recording of the meeting was made and was 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 Michael Dyson called the meeting to order at 7:00 p.m.

Present Members: Mayor Michael Dyson, Mayor Pro Tem Gavin Massingill, Councilmember Sara Hutson, Councilmember Alec Robinson, Councilmember Brook Brown and Councilmember Phil McDuffee.

Also Present: Assistant City Administrator Ashley Wayman, City Attorney Charles Zech, Police Chief Jason Brady, Utility Billing Manager Sharon Davis, and Finance Director Abel Campos.

SWEARING-IN CEREMONY OF NEWLY ELECTED AND APPOINTED OFFICIALS

2. Swearing-in of Municipal Court Judge Sarah Teten

Mayor Michael Dyson conducted the swearing-in of Municipal Court Judge Sarah Teten.

3. Swearing-in ceremony of newly elected officials: Council Member Brook Brown, Council Member Phil McDuffee and Council Member Alec Robinson

Municipal Court Judge Sarah Teten conducted the swearing-in of Councilmembers Brook Brown, Phil McDuffee and Alec Robinson.

4. Recess meeting for brief reception, congratulations, and for officials to take their positions on the dais

Mayor Michael Dyson adjourned the meeting for a brief recess at 7:05 p.m.

5. Call City Council meeting back to order

Mayor Michael Dyson called the meeting back to order at 7:20 p.m.

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

Councilmember Sara Hutson motioned to nominate Gavin Massingill for Mayor Pro Tempore for a term of one year and to perform the duties of the Mayor in the Mayor's absence. Councilmember Phil McDuffee seconded the motion. The motion passed 4-0 with one abstention.

7. Appointment of Council Members, which may be the Mayor, to serve as council liaisons for Police and Courts, Utility Commission, Streets and Roadways, Park Commission, Personnel, Budget, Planning and Zoning Commission, Board of Adjustment, and the Rollingwood Community Development Corporation

Mayor Michael Dyson discussed the Mayor's Council Liaison proposal for FY 21-22.

Councilmember Sara Hutson asked if this could be postponed to next month.

Mayor Michael Dyson postponed this item to the regular December City Council Meeting.

PRESENTATIONS

8. Recognition of Andrew Zucca for his Eagle Scout Project

Mayor Michael Dyson thanked and recognized Andrew Zucca for his contribution of a Gaga Ball Pit to the lower park for his Eagle Scout Project.

9. Presentation, discussion and possible action regarding the Commercial LUE Assignment Study

Nelisa Heddin, with Nelisa Heddin Consulting, presented the results of the Commercial LUE Assignment Study. She discussed the billing structure of the City's wastewater utility and her

recommendation based on the Commercial LUE Assignment Study and answered questions from the City Council regarding the historical LUE assignments and the recommended updates.

The City Council discussed concerns that this may affect a large office building in the city for which there may be information in the PUD agreement. Nelisa Heddin discussed that before implementation this issue should be researched to make sure there is not an agreement that that explains this and, if that is the case, that it should be noted in the billing system for future reference.

Mayor Pro Tem Gavin Massingill asked City Attorney Charles Zech to review the PUD agreement being discussed.

Councilmember Brook Brown asked Nelisa Heddin questions regarding the tariff and how these changes would be incorporated.

Mayor Pro Tem Gavin Massingill motioned to endorse the recommendation to use 12-month historical usage, determined annually, with a minimum LUE of .5, and the use of the AWWA rates based on meter size for new customers or customers without 12 months of acceptable historical usage. Sara Hutson seconded the motion.

Mayor Pro Tem Gavin Massingill discussed that this could be brought back if it goes poorly with some customers and the City Council discussed explaining these changes in a letter to commercial customers to go out with their bill.

Nelisa Heddin stated that she would work with staff on the letter as well as the language for the tariff.

The City Council discussed that the letter should go out sooner rather than later so that there is time for engagement from the commercial users.

The motion passed 5-0.

PUBLIC COMMENTS

There were no public comments.

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.

10. Discussion and possible action on the minutes from the October 20, 2021 City Council meeting
11. Discussion and possible action on the minutes from the October 29, 2021 Special City Council meeting
12. Discussion and possible action on the minutes from the November 12, 2021 Special City Council Meeting for the purpose of canvassing the returns of the General and Special Elections

13. Discussion and possible action to accept William Teten's resignation from the Utility Commission
14. Discussion and possible action to accept Becky Kittleman's resignation from the Rollingwood Community Development Corporation
15. Discussion and possible action to accept Brook Brown's resignation from the Board of Adjustment
16. Discussion and possible action to accept Phil McDuffee's resignation from the Park Commission

Councilmember Sara Hutson motioned to approve the consent agenda. Mayor Pro Tem Gavin Massingill seconded the motion. The motion passed 5-0.

REGULAR AGENDA

17. Discussion and possible action to approve a resolution in honor of outgoing Council Members Amy Pattillo, Wendi Hundley, and Buck Shapiro

Councilmember Brook Brown discussed this resolution and her intent to recognize the service of the outgoing Council Members.

Councilmember Brook Brown motioned to approve a resolution in honor of outgoing Council Members Amy Pattillo, Wendi Hundley and Buck Shapiro. Mayor Pro Tem Gavin Massingill seconded the motion. The motion passed 5-0.

18. Update, discussion and possible action regarding the Zilker Park Vision Planning process, to schedule a workshop in December to evaluate potential impacts to the City of Rollingwood, and to assign a City Council Member to act as the Council Liaison for this proposed project

Assistant City Administrator Ashley Wayman discussed the City Council's previous action regarding the Zilker Park Planning Process and updated the City Council on the Park Commission and RCDC's participation and evaluation of community meeting number 3. She also discussed that Bickerstaff and WSB engineers were reviewing the proposals.

The City Council and Assistant City Administrator Ashley Wayman discussed the next steps on scheduling this meeting and what information would be available at that time. The City Council discussed the need for the City to have a unified stance and to comment on this proposal.

Assistant City Administrator Ashley Wayman stated that staff would reach back out to schedule and ensure significant messaging.

19. Discussion and action with respect to scheduling consideration of action with respect to the formation of a MoPac South Expansion Task Force, and selection and appointment of a MoPac South Expansion Task Force Chair and members

Councilmember Brook Brown discussed the purpose of this proposed task force, explaining that the city needs increased engagement regarding the MoPac South project.

She discussed that the first step would be to bring Bickerstaff back to the City Council and address them with respect to the comments and the open comment period. She also discussed that they could help the Council understand what comments and actions would be most helpful.

Mayor Michael Dyson discussed that in the past the City Council has nominated two individuals, past Councilmembers Amy Pattillo and Wendi Hundley, to serve as the representatives of the city in this matter.

The City Council discussed the position that the City Council has taken on this issue, the webpage on the city's website detailing the city's communications regarding this project, and whether a new task force would be the best approach to this issue.

Councilmember Brook Brown further discussed that the City should get Bickerstaff here to address the City Council regarding the comments that the City should file.

Mayor Michael Dyson recommended bringing David Smith back into this conversation as well.

Councilmember Brook Brown suggested that the City Council discuss the task force at the next regular meeting and have Bickerstaff present to the Council at a special meeting what they recommend the city file in terms of comments.

Mayor Michael Dyson discussed whether a memo from Bickerstaff would work for this communication and the City Council discussed whether this communication from Bickerstaff should be in the form of a memo or a presentation.

Mayor Pro Tem Gavin Massingill discussed updating the South MoPac webpage so that it is easier to access.

Assistant City Administrator Ashley Wayman stated that she would reach out to Bickerstaff regarding the next steps of their communication to City Council.

20. Discussion and possible action regarding a Water Meter Upgrade Policy

Assistant City Administrator Ashley Wayman discussed the Water Meter Upgrade Policy before Council today, that the City Council had directed the Utility Commission to work on this policy and that the first year of allocation to pay for electronic meters had been budgeted for.

The City Council and Assistant City Administrator Ashley Wayman discussed the water meter testing program, the Badger meters that the city has selected, how the meters will be installed, how customers would be billed, the cost and project of relocating customer meters from the back to the front yards, the soon to be completed water system CIP, and the rollout of citywide electronic meters.

Utility Billing Manager Sharon Davis discussed the current manual meter reading process and the features of electronic meters and the customer software.

The City Council discussed whether there were other electronic meter brands or vendors.

Mayor Pro Tem Gavin Massingill discussed keeping an eye on new federal infrastructure money that could be used towards these meters.

Councilmember Sara Hutson motioned to approve the proposed Water Meter Upgrade Policy with the incorporation of requested larger meters being at the homeowner or builders cost as well. Mayor Pro Tem Gavin Massingill seconded the motion.

Councilmember Sara Hutson discussed having electronic meters on hand for any new installs and not installing any more mechanical meters.

Councilmember Alec Robinson asked about whether these meters could be vulnerable to hacks or remote water disruption and Utility Billing Manager Sharon Davis explained that these meters were smart but not that smart.

The motion passed 5-0.

21. Discussion and possible action on a Campaign Finance Filings Policy

Mayor Michael Dyson discussed that with the most recent election being the first contested in a while there were questions asked of staff regarding campaign finance filings and that this policy outlines the roles of staff with regard to those filings.

Councilmember Brook Brown discussed a statement on the second page, paragraph B regarding notarizing requirements and that some forms include an unsworn declaration and recommended the removal of “and contain a notarized signature block prior to submission.”

Mayor Pro Tem Gavin Massingill motioned to approve the Campaign Finance Filings Policy as presented with the deletion of “and contain a notarized signature block prior to submission” in item B page 2. Councilmember Sara Hutson seconded the motion. The motion passed 5-0.

22. Discussion and possible action on a Hybrid Meetings Policy

Mayor Michael Dyson discussed the purpose of the proposed Hybrid Meetings Policy and the regulations on meetings held in this manner.

Assistant City Administrator Ashley Wayman discussed the proposed Hybrid Meetings Policy and a concern of technical difficulties potentially disrupting the system occasionally.

City Attorney Charles Zech discussed that there is nothing in the statute specifying that a meeting would need to be canceled if streaming capabilities were lost.

Mayor Pro Tem Gavin Massingill discussed adding a statement in regarding technical difficulties and how to contact someone at the city if needed as well as adding a similar statement to the agenda language.

Assistant City Administrator Ashley Wayman stated that this would be helpful and that such statements would be added.

Mayor Pro Tem Gavin Massingill motioned to approve the Hybrid Meetings Policy with the exclusion of the highlighted language on page one and the addition of some type of public contact language as described. Councilmember Brook Brown seconded the motion. The motion passed 5-0.

23. Discussion and possible action regarding the regular City Council meeting time

Mayor Michael Dyson discussed revisiting the regular meeting time after coming back in-person after a period of virtual meetings.

The City Council discussed the pros and cons of different meeting times. No action was taken.

24. Discussion and possible action to review applications and make appointments to the Park Commission, Utility Commission, RCDC, Planning and Zoning Commission and the Board of Adjustment

Mayor Michael Dyson discussed that there are four board and commission vacancies; one on the Park Commission, one on the Rollingwood Community Development Corporation, one on the Board of Adjustment, and one on the Utility Commission.

Shanthi Jayakumar discussed the qualifications for service on the City's boards and commissions as well as that the applications and resumes for those seeking to serve on a board or commission are no longer included the public meeting packets.

Assistant City Administrator Ashley Wayman discussed that this was done at the direction of City Council previously out of respect for applicant contact information shared in the application, but that staff would be happy to begin including the full applications in the packet.

The City Council further discussed the information that should be disclosed in the public packet and whether appointments could wait until December when board members whose terms were expiring were being reappointed, and the Council would know exactly how many openings there are.

No action was taken on the Board and Commission vacancies.

25. Discussion and possible action to accept Mayor Dyson's resignation and to propose a process to appoint a replacement

Mayor Michael Dyson stated that it has been an honor serving as the Mayor of Rollingwood and that at this time he has other things that he needs to focus on. He also stated that that legal counsel was here to answer any questions regarding a process for appointing.

City Attorney Charles Zech discussed the options before the Council regarding appointing or calling a special election and answered questions regarding the effective dates of resignation and/or appointment of a replacement.

The City Council discussed whether an appointment should be made or a special election should be held as well as whether the resignation needed to be accepted by the City Council. They also discussed the implications of the date of resignation.

Mayor Michael Dyson discussed why he set his resignation date for November 30.

The City Council and City Attorney Charles Zech further discussed implications of the date of resignation.

Councilmember Sara Hutson motioned to accept the resignation of the Mayor with the effective date of November 30. Councilmember Phil McDuffee seconded the motion.

The motion passed 5-0.

Councilmember Sara Hutson motioned to appoint Gavin Massingill as Mayor to fill the unexpired term. Phil McDuffee seconded the motion.

The City Council discussed the appointment of Gavin Massingill.

The motion passed 4-0 with one abstention.

REPORTS

All reports are posted to inform the public. No discussion or action will take place on items not on the regular or consent agenda.

26. City Administrator's Report
27. Chief of Police Report
28. Municipal Court Report
29. City Engineer Report - K. Friese & Associates
30. Crossroads Utility Services Report on Water and Wastewater for October 2021
31. City Stats for October 2021
32. Contract invoices through October 2021 - Crossroads Utility Services, Water and Wastewater Services, K. Friese & Associates - IIP & MS4, K. Friese & Associates, City Engineer
33. City Financials for October 2021 - Fiscal Year 2021-2022
34. RCDC Financials for October 2021 - Fiscal Year 2021-2022
35. Texas Gas Service - Notices, Letters and Documents
36. Texas Central Appraisal District and Tax Assessor - Notices, Letters and Documents

ADJOURNMENT OF MEETING

The meeting was adjourned at 9:47 p.m.

Minutes Adopted on the _____ day of _____, 2021.

Gavin Massingill, Mayor

ATTEST:

Ashley Wayman, City Secretary