



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, November 18, 2020

On Wednesday, November 18, 2020 at 6:30 p.m., the City Council of the City of Rollingwood, Texas held a regular meeting, open to the public, via video conference and telephone in accordance with an order of the Office of the Governor issued March 16, 2020. The public was able to watch this meeting live and had the opportunity to comment via audio devices with the following meeting login information:

Link: <https://us02web.zoom.us/j/81149050643?pwd=L3pxRlM3SHZpd3UzMzIvcTR0Mk5uUT09>

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

Meeting ID: 811 4905 0643

Passcode: 2020

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 posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request. The following items were discussed:

CALL REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Michael Dyson called the meeting to order at 6:30 p.m.

Present Members: Mayor Michael Dyson, Council Member Wendi Hundley, Council Member Amy Pattillo, Council Member Sara Hutson, Council Member Buck Shapiro and Mayor Pro Tem Gavin Massingill.

Also Present: City Administrator Amber Lewis, City Attorney Charles Zech, Assistant City Administrator Ashley Wayman, and Development Director Carrie Caylor.

Mayor Michael Dyson called up the Consent Agenda at this time.

PRESENTATIONS

2. Presentation of proposals for collections services by Linebarger Attorneys at Law and Perdue Brandon.

Sam Turner, with Linebarger Attorneys at Law, presented their proposal for Collections Services.

Dan Romo, with Perdue Brandon, presented their proposal for Collections Services.

Mayor Michael Dyson called up item 17 at this time.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING

3. Public hearing, discussion and possible action on amendments to Subdivision 2. Residential Tree Canopy Management of the City's Code of Ordinances.

Mayor Michael Dyson opened the public hearing at 7:14 p.m.

No individuals spoke during the public hearing.

Mayor Michael Dyson closed the public hearing at 7:15 p.m.

Mayor Michael Dyson called up item 15 at this time.

4. Public hearing on a proposed Tax Note Series 2020 project: Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives which is, a) estimated to cost \$84,183, b) estimated to take 90 days, c) analyze public safety issues posed by flooding, and d) identify easement need.

Mayor Michael Dyson opened the public hearing at 6:37 p.m.

No individuals spoke during the public hearing.

Mayor Michael Dyson closed the public hearing at 6:38 p.m.

Mayor Michael Dyson called up item 13 and 14 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.

5. Discussion and possible action on the minutes from the October 21, 2020 City Council meeting.
6. Discussion and possible action on a second read of a resolution authorizing a project to make certain improvements that will enhance recreational and community facilities, including athletic facilities, in various locations within Rollingwood Park, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.152.

7. Discussion and possible action on a second read of a resolution authorizing a project for development of a comprehensive plan, which will assist in promoting new and expanded business development and provide assistance as to how businesses create and retain jobs, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.158.
8. Discussion and possible action on a first read of a resolution authorizing a project for legal services necessary for the evaluation of the targeted infrastructure included in the design of MoPac South and the potential impacts on the city's commercial corridor which affects the ability to promote new and expanded business development in the city, and to authorize expenditures in an amount not to exceed \$40,000, Pursuant to Texas Local Gov't Code Section 505.158.
9. 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.

Gavin Massingill motioned to approve the consent agenda. Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**

The motion passed 4-0.

Council Member Buck Shapiro joined at the conclusion of this item.

Mayor Michael Dyson called up item 10 at this time.

REGULAR AGENDA

10. 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.

Mayor Michael Dyson recommended nominating Gavin Massingill as Mayor Pro Tem.

Wendi Hundley motioned to re-nominate Gavin Massingill as the Mayor Pro Tempore for a term of one year and to perform the duties of the Mayor in the Mayor's absence. Amy Pattillo seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Abstain**
- **Council Member Amy Pattillo – Yes**

- **Council Member Buck Shapiro – Yes**

The motion passed 4-0 with one abstention.

Mayor Michael Dyson called up Item 4 at this time.

11. Discussion and possible action regarding an appeal of the determination by the Building Official to not permit a curb cut for a parking pad on Edgegrove Drive for 4830 Rollingwood Drive.

Development Director Carrie Caylor discussed this request and stated that the builder, Zack Mills, was in attendance.

Zack Mills discussed his request for a curb cut.

The City Council and Development Director Carrie Caylor discussed the request.

Emily Thawley discussed her experience that exiting a driveway onto Edgegrove is unsafe for both traffic and pedestrians.

The City Council further discussed this request.

Sara Hutson motioned to deny the appeal and affirm the decision of the Building Official to not allow the additional curb cut. Amy Pattillo seconded the motion.

The Council discussed the process from here if the request is denied as well as the process for bringing it back at a future agenda.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - No**
- **Council Member Sara Hutson – No**
- **Council Member Amy Pattillo – No**
- **Council Member Buck Shapiro – No**

The motion failed 4-0.

Mayor Michael Dyson stated that this item would be brought back at the next month's meeting.

Mayor Michael Dyson called up item 12 at this time.

12. Discussion and possible action on a site plan application by Western Hills Athletic Club.

Development Director Carrie Caylor discussed this request.

The City Council discussed whether they could take action on this request.

Sara Hutson motioned to postpone action on this item to gather additional information. Buck Shapiro seconded the motion.

Sara Hutson discussed drainage and retention considerations for this project and the City Council further discussed this request.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 4-0.

Mayor Michael Dyson called up item 18 at this time.

13. Discussion and possible action on a scope of services with K. Friese + Associates, Inc. to perform a Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives.

Gavin Massingill discussed this project and what K. Friese has brought before the City Council since the last City Council Meeting.

Lauren Winek-Morin and Abe Salinas with K. Friese discussed this project.

The City Council discussed the details of this project and the quote provided.

Gavin Massingill motioned to adopt a scope of services with K. Friese + Associates, Inc. to perform a Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives. Amy Pattillo seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Mayor Michael Dyson called up item 14 at this time.

14. Discussion and possible action to approve Tax Note Series 2020 funding for a Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives which is, a) estimated to cost \$84,183, b) estimated to take 90 days, c) analyze public safety issues posed by flooding, and d) identify easement need.

Gavin Massingill motioned to approve Tax Note Series 2020 funding for a Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives which is, a) estimated to cost \$84,183, b) estimated to take 90 days, c) analyze public safety issues posed by flooding, and d) identify easement need. Sara Hutson seconded the motion.

The Council discussed the process that was approved to fund projects with Tax Notes Series 2020, as well as posting the memos and supporting documentation for the project on the webpage that lists the approval process.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Mayor Michael Dyson called up item 3 at this time.

15. Discussion and possible action on amendments to Subdivision 2. Residential Tree Canopy Management of the City's Code of Ordinances.

Council Member Amy Pattillo discussed the attachments included in item 3 that correspond to this item. She explained the history of this discussion at City Council and Planning and Zoning Commission meetings.

Amy Pattillo discussed the proposed amendments letter by letter.

Amy Pattillo motioned to amend the ordinance to reflect the amendments for letters A and B. Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Amy Pattillo discussed item C, regarding dead and dying trees that a resident attempts to save.

Amy Pattillo motioned to amend section 107-375 Section E and F as recommended in the original amendment but in the places where it says, “may waive” it would say “may reduce or waive.” Wendi Hundley seconded the motion.

Development Director Carrie Caylor discussed her recommendations regarding this matter and that she would come back to Council with a policy on reductions/waiving of fees.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Amy Pattillo discussed Item D, property owner notice requirements.

Amy Pattillo motioned to make the addition of section 107-373 (a)(1) to add the language of “during removal of protected trees the tree removal permit shall be displayed on the construction board for the site in present or otherwise displayed on a sign within the first five feet of the front yard setback and if the house is not under construction the permit for tree removal shall be placed on the dashboard of the permitted vendor’s vehicle.” Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Amy Pattillo discussed Item E, and proposed that no amendment to the ordinance be made to require mailed notice.

The City Council discussed the proposed amendment and notice requirements.

Amy Pattillo moved past F and G.

Amy Pattillo discussed Item H and that she proposed that this amendment not be made.

Amy Pattillo discussed Item I, a request made by David Smith.

Amy Pattillo motioned to add Texas Cherry Laurels to the list of replacement species under section C-1 of 107-371. Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 5-0.

Amy Pattillo discussed item J, minimum size of trees.

Amy Pattillo motioned to amend the ordinance per letter J, but that the minimum size of trees be set to 12 inches. Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – No**
- **Mayor Pro Tem Gavin Massingill - Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – No**

The motion passed 3-2.

Amy Pattillo discussed items K, L and M and stated that she did not propose amendments for those items.

Gavin Massingill left the meeting at the conclusion of this item.

Mayor Michael Dyson called up item 2 at this time.

16. Discussion and possible action to cast a ballot for the western Travis County representative on the Board of Directors of the Travis County Appraisal District.

Wendi Hundley discussed this ballot and the representation that the city gets in this process. The City Council discussed this item.

Amy Pattillo motioned to cast all ballots for the John Havenstrite. Wendi Hundley seconded the motion.

The City Council further discussed John Havenstrite's qualifications.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – No**

The motion passed 3-1.

Mayor Michael Dyson called up item 20 at this time.

17. Discussion and possible action to select a firm for collections services.

Wendi Hundley motioned to select Linebarger Attorneys at Law to perform collections services. Amy Pattillo seconded the motion.

The Council discussed the current collections agency and contract.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**

- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 4-0.

Mayor Michael Dyson called up item 11 at this time.

18. Discussion and possible action to provide additional direction to the Comprehensive Plan Strike Force and Pegasus including but not limited to citizen input and project schedule.

Sara Hutson discussed this agenda item and the presentations and involvement of Pegasus in the Strike Force meetings.

The City Council further discussed the other data and information that they would like to see from Pegasus as well as further direction that they need to be given.

Thom Farrell, Chair of the Comprehensive Plan Strike Force, explained the discussions he has had with Pegasus as well as the process from here, including public engagement and a second survey. He also discussed impervious cover limits on residential and commercial properties and asked that the City Council allow them to discuss this.

Ryan Clinton discussed the need for clarification on the timing between Strike Force activities and Pegasus as well as the previous direction on building heights and impervious cover.

The City Council discussed the timeline that they would like the Strike Force to follow and their expectations of the Strike Force and of the Comprehensive Plan.

19. Discussion and possible action to reappoint board and commission members whose terms are expiring for an additional two year term, grant a term-limit extension to Jim Beneke to continue to serving on the Board of Adjustment, and 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 this item and recommended extending Jim Beneke's term limit on the Board of Adjustment.

The Council discussed this term-limit extension.

Amy Pattillo motioned to grant a term-limit extension to Jim Beneke to continue to serving on the Board of Adjustment. Sara Hutson seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 4-0.

The City Council discussed the pool of outstanding applicants as well as current members that have expressed intent to continue serving.

Sara Hutson motioned to reappoint board and commission members whose terms are expiring for an additional two-year term. Wendi Hundley seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Council Member Wendi Hundley - Yes**
- **Council Member Sara Hutson – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

The motion passed 4-0.

Mayor Michael Dyson called up item 16 at this time.

20. Standing agenda item ----- update, discussion and possible action to pass a resolution, request a meeting with, to provide information or a statement of position of the City to, and/or to request information or analyses from relevant state and local officials in connection with the proposed South Mopac expansion.

Mayor Michael Dyson called up item 21 to be discussed in conjunction with this item.

Amy Pattillo stated that there are no updates for either item 20 or 21.

21. Standing agenda item ----- update, discussion and possible action regarding the Bee Cave Improvement Project TXDOT has committed to co-sponsoring with the City of Rollingwood that will address the low water crossing flooding issues, expand to 5-lanes with shoulders and sidewalks throughout Rollingwood's portion of Bee Cave Road.

This item was discussed in conjunction with item 20.

Mayor Michael Dyson called up Public Comments at this time.

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.

- 22. City Administrator's Report
- 23. Municipal Court Report
- 24. Chief of Police Report
- 25. City Engineer- LNV, Inc., Report
- 26. City Stats for October 2020

27. Contract invoices through October 2020 - AWR Services, Inc., Water and Wastewater Services, K. Friese & Associates - IIP & MS4, LNV, Inc., City Engineer, Professional Design Group, Inspections, ATS, Building Official
28. City Financials for October 2020 - Fiscal Year 2020-2021
29. RCDC Financials for October 2020 - FY 2020-2021
30. Texas Central Appraisal District and Tax Assessor - Notices, Letters and Documents.
31. Texas Gas Service - Notices, Letters and Documents
32. AWR Services, INC., Report on Water and Wastewater for October 2020

ADJOURNMENT OF MEETING

The meeting was adjourned at 10:40 p.m.

Minutes Adopted on the _____ day of _____, 2020.

Michael R. Dyson, Mayor

ATTEST:

Ashley Wayman, City Secretary