



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, April 19, 2023

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 April 19, 2023. 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 7:03 p.m.

Present Members: Mayor Gavin Massingill, Council Member Phil McDuffee, Council Member Kevin Glasheen, Council Member Alec Robinson, and Council Member Brook Brown.

Also Present: City Administrator Ashley Wayman, City Attorney Charles Zech, Finance Director Abel Campos, City Secretary Desiree Adair, Development Services Manager Nikki Stautzenberger, Interim Sergeant Greg Duarte, and Assistant to the City Administrator Makayla Rodriguez.

PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

2. Presentation, discussion and possible action regarding the proposed installation of Network Facilities by Google Fiber Texas LLC

Sasha Petrovic, General Manager of the Southwest Region Google Fiber, gave a presentation regarding the potential Google Fiber expansion including who and what they are, engineering and design areas near 78746, service areas, options to residents, symmetric upload and download speeds, and his local team. He discussed the journey to move forward including the Right of Way Agreement, construction, customer fulfillment, product offering, and network maintenance, repair,

and relocations. They are targeting primarily underground construction for Rollingwood, and he discussed the time required for construction.

The City Council asked questions of Mr. Petrovic regarding franchise fees, Right of Way agreements, estimates of fees, taxable assets, underground construction, ground boxes, drainage, and cell phone issues.

Council Member Phil McDuffee would like to bring this topic to the Utility Commission and Council Member Brook Brown would like to obtain community input.

Council Member Kevin Glasheen moved to give a positive indication that we are interested in moving forward with Google Fiber for Rollingwood. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

3. Presentation and discussion by Refraction AI regarding a request for a pilot program for semi-autonomous vehicles for residential deliveries

Luke Schneider, CEO of Refraction AI and a Rollingwood resident, and Chris Brown, of Refraction AI, provided a presentation regarding semi-autonomous vehicles for residential deliveries. It is a Robot-as-a-service last mile delivery. He discussed advantages for operators and consumers, operations, and a Rollingwood concept. Mr. Schneider proposed running a limited pilot program in Rollingwood focused on grocery delivery.

The City Council asked questions of Mr. Schneider including safety, AI operations, visibility, public private partnerships, and policy or administrative needs.

4. Presentation and discussion regarding the Quarterly Investment Report for the 2nd Quarter
Finance Director Abel Campos discussed investments in TexPool including yields.
5. Presentation and discussion regarding the Budget Review for the 2nd Quarter

The second quarter Budget Review was presented to City Council.

Mayor Gavin Massingill pointed out that Utility Billing Manager Veronica Hernandez has done a great job with water and wastewater sales collections.

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.

6. Discussion and possible action on the minutes from the March 22, 2023 City Council meeting
7. Discussion and possible action on the minutes from the April 5, 2023 Joint Planning and Zoning and City Council meeting

Council Member Brook Brown moved to approve the Consent Agenda. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor and 0 against.

REGULAR AGENDA

8. Update and discussion on the Nixon/Pleasant drainage project

Mayor Gavin Massingill called up item 9 in conjunction with item 8.

Abe Salinas, of K. Friese + Associates, discussed the proposed easements and impacts of the drainage improvements with the Nixon/Pleasant drainage project. He provided updates on the project including a look at the easements with the property owners, revised plans, completed surveys, resubmission of plans for review, additional plan revision, and updated landscape plans. The plan set is close to bid ready and the next step includes securing the easements.

City Council asked questions of Mr. Salinas including a general overview of the project, the remaining timeline, next steps, payment for the construction, and grass seed mixes. It was noted that Austin Energy's pole has been moved.

Duncan Ashworth, 2910 Hatley Drive, asked questions about the plans regarding landscaping and outstanding issues with other residents.

Geoff Elfers, of K. Friese + Associates, discussed the easement overview of the plan for the Hubbard/Hatley/Pickwick drainage project. City Council asked questions regarding calculations, drainage, and design services. Mr. Elfers provided an update on the project and would like to bid the two drainage projects together.

Shanti Jayakumar, 3309 Park Hills Drive, asked questions regarding an existing easement on Almarion.

9. Update and discussion on the Hubbard/Hatley/Pickwick drainage project

Item 9 was discussed in conjunction with item 8.

10. Discussion and possible action regarding an update to the K. Friese and Associates billing rates for City Engineering Services

City Administrator Ashley Wayman discussed receiving the new billing rates from K. Friese + Associates. The rates that are proposed in the packet would cause the City to expect the billing rates to increase 30%. After discussions with K. Friese, they are willing to bill Tyson Hasz as a project engineer not as a project manager. This would bring our rates back to within budget and will become effective immediately. Ms. Wayman proposed doing a building fee study for comparison with other cities and ensuring that we capture these new rates in our building fees. Abe Salinas spoke to the reasons for the rate increase.

Council Member Kevin Glasheen moved to approve the rates. Council Member Brook Brown seconded the motion.

Council Member Brook Brown requested that there be an ordinance brought to the next meeting for recovering the fees for zoning reviews.

Council Member Kevin Glasheen amended his motion to approve the fee schedule as proposed other than that Tyson Hasz will be not billed as a project manager but as a project engineer. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

Council Member Brook Brown moved to request that staff bring back to us a recommendation as to the fee structures for Engineering Services in connection with zoning reviews at our next Council meeting. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

11. Discussion and possible action to oppose efforts by the legislature to limit the ability of municipalities to require minimum residential lot sizes

Mayor Gavin Massingill discussed state legislation regarding the limiting of municipalities to require minimum residential lot sizes.

Council Member Phil McDuffee moved to grant authority to the Mayor to oppose this legislation on behalf of the City of Rollingwood. Council Member Kevin Glasheen seconded the motion.

Council Member Brook Brown spoke to allowing the Mayor to oppose the rest of this bill regarding limitation of municipalities.

Council Member Phil McDuffee withdrew his motion.

Council Member Brook Brown moved to authorize the Mayor to oppose efforts by the legislature to limit the current ability of municipalities with regard to zoning matters. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

12. Discussion and possible action regarding an amendment to the Code of Ordinances Section 107-3 Definitions, related to the definition of Building Height, Residential in the R- Residential zoning district

Council Member Brook Brown asked that we postpone this decision until Mayor Pro Tem Sara Hutson can be present.

Council Member Brook Brown moved to postpone agenda item 12 until time certain next month. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor and 0 against.

13. Discussion and possible action on an ordinance amending the City's Code of Ordinances Section 101-2 Adoption of codes, amending the building code local amendments related to wood shingles and the definition of building height

City Administrator Ashley Wayman requested postponement until Mayor Pro Tem Sara Hutson can be present.

Council Member Brook Brown moved to postpone until time certain next month. Council Member Alec Robinson seconded the motion.

Sandy Keller, 307 Inwood Road, encouraged Council to close the loopholes quickly on building height.

The motion carried with 4 in favor and 0 against.

14. Discussion and possible action regarding residential speed limits

Mayor Gavin Massingill discussed safety concerns and would like a lower consistent speed limit on our main thoroughfare. He commented that State statute requires a study prior to reducing speed limits in municipalities.

Council discussed a potential traffic study and the associated costs. Council Member Brook Brown would like a recommendation from the Rollingwood Police Department and a list of where the complaints are coming from.

Sergeant Greg Duarte spoke regarding the radar statistics shown in the report section of the agenda packet. He confirmed that the state sets the prima facia limit of 30 miles per hour and that City Council would need to have a traffic engineering study before lowering the limit.

City Council asked questions of Sergeant Duarte regarding citations issued and the radar statistics report. They discussed safety issues.

City Attorney Charles Zech interjected with a Local Government Code citation stating that for cities with a population of 2,000 or less and specific highway requirements, the governing body may declare a lower speed limit of not less than 10 miles per hour if the governing body determines that the prima facia speed limit is unreasonable or unsafe.

Shanthi Jayakumar, 3309 Park Hills Drive, spoke regarding when the Park area speed limit was reduced to 25 miles per hour. She would like the Park zone to stay at 25 miles per hour. She asked a question regarding the autonomous robots and their subjectivity to the traffic regulations.

Amy Pattillo, 3 Rock Way Cove, commented on the shift in the Police Department to be more community policing in objective and the responsibility to keep vehicles in good repair and registered. She also commented on an approved traffic study from the past.

15. Discussion and possible action on an Ordinance amending the FY 2022-2023 Budget for storm debris haul off and landscape remediation at the material storage lot on Edgemoor Drive

Mayor Gavin Massingill discussed the ordinance amending the budget for storm debris haul off and landscape remediation. City Administrator Ashley Wayman explained the prepared budget amendment of \$22,000.

Council Member Alec Robinson pointed out that the price per home in Rollingwood is relatively inexpensive.

Mayor Gavin Massingill and Council Member Phil McDuffee commented on how well the Public Works department handled this storm debris cleanup.

Council Member Kevin Glasheen moved to amend the budget as described by item 15. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

16. Discussion and possible action on a recommendation from the Utility Commission regarding a cellular service and coverage survey

Council Member Phil McDuffee discussed the proposal from the Utility Commission to distribute a cellular service and coverage survey. Council Member Brook Brown mentioned some concerns about equal availability of resources to all carriers. Council Member Kevin Glasheen commented that cell towers could provide income to an owner. Council Member Brook Brown noted regulatory issues for municipalities.

Council Member Brook Brown moved for approval of the recommended cellular service survey. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor and 0 against.

17. Discussion and possible action to provide flexibility to the Comprehensive Residential Code Review Committee (CRCRC) regarding the dates and times of meetings

City Administrator Ashley Wayman discussed how CRCRC Chair Thom Farrell would like to amend the dates and times of meetings for flexibility of schedule.

Council Member Brook Brown moved to give the Chair of the CRCRC the flexibility to meet at the date and time that the CRCRC decides is appropriate. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

18. Update and discussion on Fields 3, 4, and 5 rehabilitation

Council Members Kevin Glasheen and Phil McDuffee discussed rehabilitation of Fields 3, 4, and 5 including the timeline, donations, another gate in the fence, dirt, sod, hydro mulch, temporary fencing, and treatment with composted mulch. Council Member Kevin Glasheen stated that contracts are expected next month.

19. Update and discussion regarding RCDC interest for capital expenditures on park improvements

Council Member Kevin Glasheen approached the Park Commission and RCDC regarding interest for capital expenditures on park improvements such as the parking lot, trail improvements, and drainage issues. He reported a positive reception from the Park Commission, and he would like a proposal for engineering services so that he could bring a project to RCDC for consideration.

Shanthi Jayakumar, 3309 Park Hills Drive, requested that nothing be changed in the park unless it's broken. She would like this item brought to the Park Commission. She discussed her enjoyment of the walking trail.

Council Member Kevin Glasheen discussed how they are working with Public Works Superintendent Izzy Parra to make the small improvements to the Park. He discussed areas where the park needs attention.

Council Member Brook Brown mentioned a grant of funds proposed to be contributed to the City. The Mayor stated that the donor is waiting for the facilities discussion to see if there is a possibility to improve in conjunction with that project. Council Member Brown also raised the Comprehensive Plan's recommendation for a pedestrian bridge at Edgegrove and asked that it be considered in prioritization of RCDC projects.

20. Update and discussion regarding the addition of a building height survey requirement to the City's Code of Ordinances

City Administrator Ashley Wayman updated the Council that there are more concerns regarding the City ordering the height surveys and the delay of projects. Staff will attempt to bring this back at the next City Council meeting.

21. Discussion and possible action on an ordinance amending the city's Code of Ordinances Sections 107-399, 107-518 and 107-520 related to public hearing notice

City Administrator Ashley Wayman explained the amendments to the sections which include removal of the newspaper notice requirement before the Planning and Zoning Commission and reduction of the number of days for written notice from 30 days to 20 days. City Council public hearing notice would remain but would also be reduced to 20 days.

Council Member Brook Brown asked the difference between zoning classifications, zoning regulations, and zoning boundaries. She would like a second look at 107-518. City Attorney Charles Zech explained zoning classifications and boundaries and the consistency with state law. Council Member Brook Brown would like a notice for changes in zoning regulations. In regards to special use permits, she would like notice in the Park zone be given to the entire City. Council Member Brook Brown would like this to be brought back to the next council meeting.

Council Member Brook Brown moved that questions be addressed regarding (1) line 193 and its consistency with State law, (2) ensure that mailed notice continues for changes in zoning regulations at the City Council level, and (3) take another look at lines 249 to 255 and let us know what that does (concern is that this removes the mailed notice for hearings before the City Council), at the next council meeting and a recommendation be brought back for consideration. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor and 0 against.

22. Discussion and possible action to amend Rollingwood Ordinance Section 2-56 regarding application of Robert's Rules of Order in City Council meetings

Council Member Brook Brown suggested that Council amend the Ordinance Section 2-56 for flexibility in the application of Robert's Rules of Order in City Council meetings.

Council Member Brook Brown moved for adoption of Ordinance 2023-04-19-22. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor and 0 against.

23. 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

City Administrator Ashley Wayman updated the Council on the environmental assessment and the environmental impact statement by CTRMA. Mayor Gavin Massingill is seeking clarity from the work session that will happen with the County Commissioner's court. Mayor Gavin Massingill thanked Ms. Pattillo for keeping Council up to date on this topic.

24. Discussion and possible action on release and settlement agreements for the properties located at 304 Vale Street and 400 Farley Trail

City Attorney Charles Zech discussed the resolutions and settlement agreements.

Council Member Brook Brown moved to authorize the Mayor to enter into that agreement with respect to the Roloson property. Council Member Alec Robinson seconded the motion.

She would like to go into executive session to discuss the agreement regarding the Farley property.

Council Member Brook Brown withdrew her motion.

Mayor Gavin Massingill convened into executive session pursuant to Section 551.071 of the Texas Government Code for consultation with legal counsel at 11:02 p.m.

Mayor Gavin Massingill reconvened into regular session at 11:40 p.m. No action was taken in executive session.

Council Member Brook Brown moved to accept the release and settlement agreement with respect to the 304 Vale property. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against.

Council Member Kevin Glasheen moved to authorize the Mayor to enter into the other settlement agreement for the Farley Trail property in the form that has been brought forward to Council. The motion failed for lack of a second.

Council Member Kevin Glasheen moved to bring this agenda item back when Mayor Pro Tem Sara Hutson is available. Council Member Alec Robinson seconded. The motion carried with 3 in favor and 1 against (Brown).

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 11:45 p.m.

Minutes Adopted on the _____ day of _____, 2023.

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary