



## **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 4<sup>th</sup> quarter with City Council.

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

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.**

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 CRCRC 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.

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.

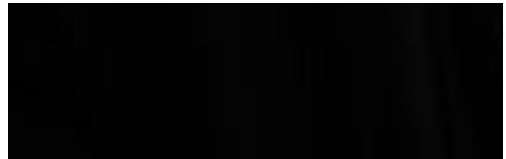
Mayor Gavin Massingill discussed fees for offenses with City Council.

**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.**

Minutes adopted on the 20<sup>th</sup> day of November, 2024.



Gavin Massingill, Mayor

ATTEST:



Makayla Rodriguez, City Secretary