



## **CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES**

**Wednesday, April 17, 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 April 17, 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 7:00 p.m.**

**Present Members:** Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Phil McDuffee, Council Member Alec Robinson, Council Member Brook Brown and Council Member Kevin Glasheen

**Also Present:** City Administrator Ashley Wayman, City Attorney Charles Zech, Assistant City Administrator Desiree Adair, Police Chief Kristal Muñoz, Finance Director Abel Campos, Public Works Director Izzy Parra, Development Services Manager Nikki Stautzenberger, and Assistant to the City Administrator Makayla Rodriguez

### **PUBLIC COMMENTS**

The following individuals spoke during public comments:

- Shanthi Jayakumar, 3309 Park Hills Drive, thanked everyone in the Public Works Department, the Police Department, the Mayor, City Staff, and all who assisted in taking care of our community earlier this week. She requested an update on the improvements to the Water System.

Mayor Gavin Massingill thanked City Staff and stated that they did a nice job.

### **PRESENTATIONS**

2. Presentation and discussion on the Quarterly Investment Report for the 2nd Quarter

The Quarterly Investment Report for the 2<sup>nd</sup> quarter of Fiscal Year 2023-2024 was presented to City Council.

3. Presentation and discussion on the Budget Review for the 2ndQuarter

Finance Director Abel Campos discussed that the budget is at 50% through March and discussed the status of several funds. He discussed generated revenue, sales tax collections, water sales collection, wastewater fund revenue, and debt service collections.

4. Presentation and discussion regarding a potential bond issuance timeline for General Obligation Bonds Series 2024

James Gilley Jr., US Capital Advisors and the City's financial advisor, discussed the potential timeline for issuing General Obligation Bonds for the balance of the water line utility project.

Council Member Brook Brown discussed terms of the bonds and tax rates and asked when the bonds would be structured.

Council Member Kevin Glasheen asked about a rate maintenance penalty and call features.

City Administrator Ashley Wayman clarified the May date deadlines with direction from the May 15<sup>th</sup> City Council meeting.

City Council asked questions regarding the final date of structuring, calls, debt service, and setting of the tax rate.

Mayor Gavin Massingill took a straw poll and all Council Members were leaning toward a 20-year term.

5. Update on the Water CIP Packages 1-4 and drainage projects

Mayor Gavin Massingill discussed the progress on Water CIP Packages 1-4 and the drainage projects. The City is approximately \$200,000 into the draw, and the cul de sacs and Southcrest are well underway. Public Works Director Izzy Parra reported that the last cul de sac - Inwood Cove - is underway, the tie in onto Timberline Drive has already been completed, and the concrete cutting and pipe laying will be occurring next week. Westgate, Ewing, Jeffrey Cove, and Southcrest are all on the new line. Inwood and Timberline Ridge will soon be switched over to the new line and the crews are moving back and forth fairly seamlessly.

Council Member Alec Robinson asked about the project plan schedule. Public Works Director Izzy Parra stated that they are on track. City Administrator Ashley Wayman stated that the schedule is posted on the City website.

Mayor Gavin Massingill discussed the notification system and how that is working well. There are boil water notices required with these projects that are inconvenient, but he and Mr. Parra asked residents to please be patient with the samples coming back from the lab. The City is using the Rave system and door hangers for notifications that occur typically on Tuesdays and Wednesdays.

City Administrator Ashley Wayman reported that Google Fiber has officially submitted a permit application so we should be able to coordinate with the paving schedule.

Mayor Gavin Massingill discussed the progress of the Hubbard/Hatley and Pleasant/Nixon drainage projects. The TCEQ permit has been submitted and the 30-day comment period has now lapsed.

6. Update and presentation regarding pickleball noise data collection

Mayor Gavin Massingill stated how he asked staff to take baseline readings as well as pickleball play readings.

Council Member Brook Brown asked about the location of the 250 feet spot. Police Chief Kristal Muñoz stated that this spot is near Nixon. Ms. Brown asked about the number of courts playing during the readings.

Glen Harris, 3012 Hatley, thanked the officers and City staff for taking measurements. He asked which boundary was used. Police Chief Kristal Muñoz stated that the boundary line was at the Harris property on the curb. Mr. Harris discussed the sloping level of the court, the walls at the end of the court, the movement of the sound, and invited the officers to take measurements from various locations on his property. He emphasized the nature of the sound of pickleball. He discussed Bob Unitech's sound study and recommendations, the three decibel above limit and special use permit options for pickleball regulation.

City Council asked about sound mitigation and if pickleball players have been playing. City Council asked about pickleball sound mitigation options, the limitation of four players, a standard wood fence, and the types of paddles used during the readings.

Police Chief Kristal Muñoz discussed the procedure used during the sound level readings.

### **CONSENT AGENDA**

7. Discussion and possible action on the minutes from the March 19, 2024 Joint City Council and Park Commission Park Site Visit
8. Discussion and possible action on the minutes from the March 20, 2024 City Council meeting
9. Discussion and possible action on the minutes from the April 9, 2024 Special City Council meeting
10. Discussion and possible action on an Interlocal Cooperation Contract with the Texas Department of Public Safety for the Failure to Appear Program
11. Discussion and possible action on a request for use of the lower park from 11:30 am to 12:30 pm on Thursday, April 25 for the Eanes Elementary second grade class

**Council Member Brook Brown moved for approval of the Consent Agenda. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.**

### **REGULAR AGENDA**

12. Discussion and possible action to set a joint public hearing of the City Council and Planning and Zoning Commission to consider proposed rezoning of all properties currently zoned Professional and Business Office District (C-1) and Business District (C-2) to Commercial

District (C) to support the proposed amendments to the Code of Ordinances pursuant to recommendations in the City's Comprehensive Plan for the commercial corridor

City Administrator Ashley Wayman discussed the setting of this joint public hearing at the last meeting. This item will add a second item to that public hearing the additional rezoning of properties that are C-1 and C-2 to C. She requested that City Council set that joint public hearing for April 24, 2024 at 6:00 p.m.

**Council Member Brook Brown moved for approval to set a joint public hearing of the City Council and Planning and Zoning Commission for Wednesday, April 24, 2024 at 6:00 p.m. to consider proposed rezoning of all properties currently zoned Professional and Business Office District (C-1) and Business Office District (C-2) to Commercial District (C) to support the proposed amendments to the Code of Ordinances pursuant to recommendations in the City's Comprehensive Plan for the commercial corridor. Mayor Pro Tem Sara Hutson seconded the motion.**

Mayor Pro Tem Sara Hutson asked questions regarding the logistics of this option. The City Council discussed the length of time of next week's meeting.

**The motion carried with 5 in favor and 0 against.**

13. Discussion and possible action on a recommendation from the CRCRC and Planning and Zoning Commission regarding building height, building height measurement, and related considerations

City Administrator Ashley Wayman discussed the recommendation from the CRCRC meeting that was submitted to the Planning and Zoning Commission. This recommendation is from both CRCRC and the Planning and Zoning Commission to City Council.

Brian Rider, 2906 Hatley, stated that the CRCRC has been meeting twice a month. He discussed the CRCRC survey and the analysis of the responses. The survey received over 2,200 written comments. The CRCRC has come up with this set of recommendations for building height.

Alex Robinette, 2500 Hatley, discussed hearing that people were okay with the 35 feet building height but the comments suggested that there were concerns with how building height is measured and loopholes. She reported that 61% preferred the parallel plane method of measurement from the nearest adjacent grade. She stated that this recommendation is a very minor change.

She discussed homes under construction, performed building height measurements and stated whether or not there was compliance with the Code.

Mr. Rider and Ms. Robinette discussed pictures from the agenda packet and the new recommendations compared with current Code.

Ms. Robinette discussed the challenges of finding a solution that the community would like in terms of building height and setbacks.

Council Member Kevin Glasheen thanked the CRCRC members for their hard work and knowledge. Thom Farrell thanked Alex Robinette for her excellent and thorough work.

Ryan Clinton, 4714 Timberline Drive, thanked the committee for their immense amount of work. He discussed how he resigned from the CRCRC due to his concerns with the validity of the survey and an initial policy proposal that seemed locked in early. He stated his interpretation of statistics from the survey. Mr. Clinton also discussed the lack of validity of using Chat GPT due to its predictive nature. He spoke regarding his discussions with residents and a lack of support for limiting height on sloped lot homes. He discussed a proposal that he circulated to City Council for flexibility on sloped lots and stated that he is against the CRCRC recommendation that has been presented tonight. He thinks that this recommendation will unfairly and negatively impact sloped lots. He suggested fixing the consensus problem only and proposed postponing voting on this for one month to give people time to provide responses.

City Council asked questions about Mr. Clinton's proposal. Ryan Clinton stated that his proposal involves a horizontal plane and that the CRCRC recommendation does not. Council Member Brook Brown asked Mr. Clinton to take his proposal to the CRCRC and then bring a solution back to City Council. The City Council requested Mr. Clinton provide visuals with his proposal.

Brian Rider discussed how the public has not shown up to the CRCRC meetings. He discussed the hard work of the committee and exceptions for particular situations.

Ryan Coleman, 3212 Park Hills, stated that he is a luxury home builder that builds in the 78746 area. He proposed looking at West Lake Hills where he thinks the houses look homogenous because of a step approach. This approach eliminates the diversity in roof types. Mr. Coleman discussed the trends over time in roof lines, and how he loves the uniqueness of Rollingwood.

City Council asked questions of Mr. Coleman regarding the types of homes he builds, tenting, square footage, stories, and grade. The Council requested that he discuss his thoughts with the CRCRC.

Alex Robinette discussed with Ryan Coleman other examples that fit within the parameters of the CRCRC recommendation.

Colin Harvey, 4903 South Crest, stated that the CRCRC has done fantastic work but there is not common understanding. He asked about applying objective criteria to something subjective and would like to postpone this vote until there is consistent understanding amongst the community.

Shanthi Jayakumar, 3309 Park Hills Drive, spoke regarding building height, foundations and privacy. She asked all to preserve neighbor privacy and enjoyment of their property. She believes the beauty and the charm of Rollingwood is the variety of homes.

Brian Rider stated that the CRCRC believes that they have been given instructions to bring these recommendations one by one and this is not a complete package. He asked Council for what they would like from the CRCRC.

Council Member Alec Robinson stated his dislike for the piecemeal nature of these recommendations and would like a report of all of these ideas at the same time and would like it to be fair to residents.

Mayor Gavin Massingill asked for direction of how these recommendations should be brought from City Council.

Brian Rider stated that the next two CRCRC meetings are May 14<sup>th</sup> and May 28<sup>th</sup> at 5:00 p.m.

City Council discussed looking at one recommendation at a time and the timing for the writing of a draft ordinance.

**Council Member Brook Brown moved to request that a draft ordinance come back to CRCRC for a 30 day further consideration, and that we ask CRCRC give that draft ordinance 30 days for consideration and then bring back a recommendation to the Planning and Zoning Commission and to the Council. The motion without a second did not move forward.**

The Mayor and City Council further discussed next steps.

Council Member Kevin Glasheen asked the City Attorney about exceptions for the Board of Adjustment to consider. City Attorney Charlie Zech recommended listing criteria or creating a special exception for lots that back up to non-residential lots and lots with unusual slope characteristics.

City Council and City Attorney Charlie Zech discussed variances and special exceptions. Mr. Zech suggested criteria that reflect the goals and objectives of the community.

Thom Farrell spoke regarding changes in Rollingwood needing to be delivered on a slow basis. If there are still questions among the citizens, he would like this to be returned to the CRCRC.

**Council Member Alec Robinson moved to postpone this until the next meeting and move this back to the CRCRC and have them take a look at it again with no drafting of any ordinance.**

**Council Member Robinson restated his motion to send this back to the CRCRC to review again and not take any action on the starting of the drafting of an ordinance at this time. Mayor Pro Tem Sara Hutson seconded the motion.**

**Council Member Kevin Glasheen offered a friendly amendment to provide direction to CRCRC to draft a special exception and defining the circumstances under which it would be available for certain lots.**

**Council Member Alec Robinson accepted the amendment to his motion.**

Council Member Brook Brown requested a time certain to come back to Council on this item.

Jeff Marx, CRCRC member, asked for members of the community, Council members, and Planning and Zoning to come to the meetings. He asked for a forum and direction to move this forward.

Alex Robinette asked for direction for what exactly to produce that is different.

Council Member Alec Robinson stated that he had a lot of communication today and the CRCRC needs to receive more feedback before coming back to Council.

Council Member Kevin Glasheen would like this to go back to the CRCRC for more public input and to write a special exception into the recommendation in plain language that is objective

**Mayor Pro Tem Sara Hutson moved to add that this comes back to council for evaluation in the June meeting. Council Member Alec Robinson accepted the amendment.**

**The motion carried with 5 in favor and 0 against.**

14. Discussion and possible action on an ordinance formalizing the process for address changes

City Administrator Ashley Wayman discussed a formal process for address changes.

Mayor Pro Tem Sara Hutson discussed having public notice go out to neighbors and the community and having the front of the house match the address. She believes this is an issue for first responders and the post office.

Council Member Brook Brown asked questions, suggested changes and asked about the procedure moving forward.

City Council discussed criteria for re-addressing. Mayor Gavin Massingill stated that staff could bring this back with Council Member Brook Brown's changes annotated.

**Council Member Phil McDuffee moved for adoption of ordinance 2024-04-17-14 as currently drafted. Council Member Brook Brown seconded the motion. The motion carried with 5 in favor and 0 against.**

15. Discussion and possible action on a letter of support to the Texas Water Development Board regarding the scoring metric for financial assistance programs

Mayor Gavin Massingill discussed criteria and constraints that are placed on organizations applying for funds from the Water Development Board.

Council Member Brook Brown stated that she thinks this is a good idea to do in collaboration with other small communities.

**Council Member Brook Brown moved that Council authorize the Mayor to work jointly with Lago Vista and other similar cities with regard to comments regarding the implementation of the Texas Water Fund in the matter that we discussed this evening. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.**

16. Discussion and possible action on a proposed local amendment to the International Building Code to require issuance of a Certificate of Occupancy for a change in owner, tenant or business name

City Administrator Ashley Wayman discussed that when there is a change of tenant in a commercial area, the use should be considered. This local amendment would require a Certificate of Occupancy when there is a change in owner, tenant or business name and potentially a fee. City staff could bring this back next month.

City Council provided thumbs up for moving forward.

17. Update on the status of the Rollingwood Trademark Applications

City Administrator Ashley Wayman stated that we are in the top 25.

Shanthy Jayakumar, 3309 Park Hills, discussed a recent issue with a logo of the school district. She stated that this is an important issue and is pleased that this is a standing agenda item.

**ADJOURNMENT OF MEETING**

Mayor Gavin Massingill adjourned the meeting at 10:02 p.m.

Minutes Adopted on the 15<sup>th</sup> day of May, 2024.



/ Gavin Massingill, Mayor

ATTEST:



Desiree Adair, City Secretary