



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, November 15, 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 November 15, 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 7:01 p.m.

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

Also Present: City Administrator Ashley Wayman, City Attorney Charles Zech, City Secretary Desiree Adair, Development Services Manager Nikki Stautzenberger, and Police Chief Kristal Muñoz

SWEARING IN CEREMONY OF ELECTED OFFICIALS

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

Municipal Judge Sarah Teten swore in Alec Robinson, Brook Brown, and Phil McDuffee as Council Members.

Mayor Gavin Massingill thanked Judge Teten for her service as municipal judge.

Shanthi Jayakumar, 3309 Park Hills Drive, discussed the annual tradition of swearing in ceremonies for elected positions of the City. She thanked the council members for their service. She discussed the very first election of the Village of Rollingwood in 1955 when the voters elected the Mayor, five Aldermen, and the Sherriff. Please see attachment A for Ms. Jayakumar's complete comments.

PUBLIC COMMENTS

The following individuals spoke during public comments:

- Amie Rodnick, 3017 Hatley Drive, thanked the council members for serving on the Council and spoke regarding gas powered leaf blowers. She discussed the ability of cities to regulate noise and incentivize electric or battery powered landscaping equipment.

PUBLIC HEARING

3. Public Hearing, discussion and possible action regarding an amendment to the City's Code of Ordinances related to sport courts

Mayor Gavin Massingill clarified the difference between agenda items 3 and 15. Item 3 is a definitional change and Item 15 is a regulatory discussion.

Mayor Gavin Massingill opened the public hearing at 7:17 p.m.

No individuals spoke during the public hearing.

Mayor Gavin Massingill closed the public hearing at 7:17 p.m.

Council Member Brook Brown moved to adopt ordinance 2023-11-15-03. Council Member Phil McDuffee seconded the motion.

Council Member Brook Brown discussed the definition of the word "tennis" and other appearances of that term in Sections 103-43, 103-86, and 103-88 of the Code.

Mayor Gavin Massingill stated that we will bring this back.

The motion carried with 5 in favor and 0 against.

CONSENT AGENDA

4. Discussion and possible action on the minutes from the October 18, 2023 City Council meeting
5. Discussion and possible action on the minutes from the November 6, 2023 Special City Council meeting
6. Discussion and possible action on a resolution approving the Travis County Hazard Mitigation Plan Update

Council Member Alec Robinson moved to approve the Consent Agenda. Council Member Brook Brown seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

7. 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

Council Member Brook Brown moved to elect Sara Hutson as Mayor Pro Tem. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 0 against with 1 abstention (Hutson).

8. Update on Water CIP Packages 1-4 and Drainage Projects

Mayor Gavin Massingill discussed that the City Council selected AO Services as contractor at the Special Council Meeting for the Water CIP and drainage projects.

Greg Blackburn, of K Friese + Associates, explained that AO Services is assembling contract documents, and then the City will execute. There should be a pre-construction meeting in December. K Friese + Associates has been discussing phases with AO Services and they have discussed construction oversight services with Mr. Dial.

9. Update and discussion on a memo from K. Friese and Associates regarding how as-builts from the Water CIP Packages 1-4 will be shared with the city for inclusion on the city's GIS map

Mr. Blackburn discussed the memo that includes deliverables owed to the City throughout the project. They have updated plans, submitted contract documents and CAD files. During construction, AO Services will keep track of plan changes in the field (redlines). They will submit these plan changes with each monthly pay application. At the end of construction, K Friese + Associates will submit final record drawings and final CAD drawings as well. The CAD files can be converted to GIS.

10. Update, discussion and possible action on the Pickwick Lane Structure Fire and response

Chief Kristal Muñoz reported that Rollingwood Police Department first responded to the scene, then a West Lake Hills officer, and Austin Fire Department and ESD no. 9 also responded. Austin PD and Constable's Unit 3 assisted. Additional emergency services were called in and Rollingwood Police Department provided traffic control and evacuations. Rollingwood Police Department debriefed City officials and Fire Department personnel.

Mayor Gavin Massingill thanked our Rollingwood Police Department and first responders of ESD no. 9. Mr. Massingill also thanked the Public Works Department for their work with water pressure and directing traffic.

Chief Muñoz thanked the residents for cooperating and reported that the fire is still under investigation with the point of contact being the Fire Marshall.

City Administrator Ashley Wayman stated that the response could have been quicker if a fire department response from the City Hall facility could have occurred. This is relevant for our future facilities discussion.

Greg Blackburn discussed the increase of the fire flow ability on Pickwick with the Water CIP project. He discussed issues with the low and high pressure planes. K Friese + Associates is looking at additional connections to nearby water supplies.

Mayor Gavin Massingill stated that K Friese + Associates and Crossroads are currently doing some hydrant flow testing and a 5-year hydrant pressure check has been added to the operations chart.

Council Member Brook Brown moved to approve giving the Mayor authority to proceed with plans for a fire hydrant flow test in an amount not to exceed \$15,000. Council Member Kevin Glasheen seconded the motion. The motion carried with 5 in favor and 0 against.

11. Report from staff on the status of the Google Fiber install and coordination with Water Line Project

City Administrator Ashley Wayman discussed that Google Fiber has reached out to us regarding our permitting process for their projects, the City has met with K Friese + Associates to obtain answers for the City and Google Fiber. Google Fiber will coordinate with K Friese + associates for the correct phasing with the Water project.

Mayor Gavin Massingill called up item 15 at this time.

12. Discussion and possible action on a professional services agreement with Univista, LLC for information technology services

City Administrator Ashley Wayman discussed the previously approved proposal from UniVista.

Council Member Brook Brown discussed improving the audio-visual meeting technology.

Mayor Gavin Massingill pulled up item 17 concurrently.

City Administrator Ashley Wayman mentioned that currently our audio visual is not supported by our current IT company.

Robert Echols, of UniVista, spoke regarding Council Member Brook Brown's concerns about the infrastructure. He would like to bring some examples from other cities forward. They will look to improve access and quality.

Mayor Gavin Massingill closed item 17 at 8:52 p.m.

Mr. Echols described the reduction in cost from the original proposal by making use of current infrastructure and keeping the equipment scalable and movable. He discussed moving forward with the agreement and getting ready to go, and explained that billing will not start until the infrastructure is in place and running. There will be about 5 phases.

City Administrator Ashley Wayman discussed what is requested from City Council – approval of the onetime migration and equipment cost and authorization to move forward in an agreement with UniVista for information technology services.

The City Council discussed the cost of the equipment and methods of financing.

Council Member Brook Brown moved to approve authorizing the City Administrator to enter into an agreement with UniVista LLC for (1) PC and network equipment replacements, SharePoint and Azure migration, Microsoft government cloud and telephones on a phase with payment not to exceed \$115,000 billed to the City on a phase basis as those services are provided, and (2) authorize the City Administrator to enter into an agreement with UniVista LLC for comprehensive Information Technology services at a price of \$4,740 a month. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

13. Report from staff on the status of the ATS Control Network Survey project

City Administrator Ashley Wayman discussed the status of the ATS Control Network Survey project and the expectation of bringing this item back at the next City Council meeting.

14. Discussion and possible action to clarify the policy for leasing fields 3,4, and 5 and fields 1 and 2 to I9 Sports

Council Member Kevin Glasheen discussed I9 using fields and the prior notice required.

City Administrator Ashley Wayman explained the clarification needed from City Council.

Council Member Kevin Glasheen spoke regarding the Park Commission and their discussion of the use of fields for I9. They would like accommodation for I9 when using the fields infrequently.

Council Member Phil McDuffee discussed the usage of fields 1 and 2 as opposed to fields 3, 4 and 5 in the past few weeks. He would like to make it clear that fields 1 and 2 are available, and fields 3, 4 and 5 are not.

Council Member Alec Robinson stated that I9 does not use the fields often.

City Council discussed I9's use of the fields, the Park deed requiring the use of youth sports, and the pricing structure of leasing the fields.

Council Member Phil McDuffee moved to restrict I9 to fields 1 and 2. The motion failed for lack of a second.

Council Member Kevin Glasheen moved to clarify the policy that we adopted last Council meeting by saying that I9 is restricted to fields 1 and 2, but that if they need relief from that restriction for an event that they can ask the Council to give them permission for an event. Council Member Phil McDuffee seconded the motion. The motion carried with 4 in favor and 1 against (Robinson).

15. Discussion and possible action to make a recommendation that the Planning and Zoning Commission review and recommend conditions of use (including noise, parking, lighting, etc.) associated with residential tennis, pickleball or other sport courts

Council Member Brook Brown discussed how Mr. Harris brought this matter to the last Planning and Zoning Commission meeting. City Council may refer this to Planning and Zoning; however, Ms. Brown thinks the City Council can discuss noise regulation, light regulation, and parking outside of the zoning code.

The City Council discussed what expected residential use should be.

Glen Harris, 3012 Hatley Drive, stated that he is not trying to stop pickleball play in Rollingwood. He is looking to strike a balance between homeowners' rights and neighbors' rights not to be annoyed by a nuisance. He would like the City to tackle the pickleball noise, parking, traffic, lighting and private club play at a residence. Mr. Harris requested that a private residence not be used as a member athletic club. He thinks this will fall under the objectionable conditions of the current Code. He thinks that the regulations applied to Park property could be applied to private properties. He stated that lighting, noise, parking, and large group use are a problem at 3016 Hatley.

City Council asked questions of Mr. Harris about the lighting issue. He believes that the current ordinances address the lighting issues including overhead lighting,

Ellin Wilson, 3018 Hatley Drive, discussed her concerns regarding pickleball courts. The one on Hatley was not permitted as a pickleball court. She hears the pickleball outside and it sounds like construction work to her. She suggested that pickleball have to follow hours like regular construction hours.

Christopher Meakin, 310 Nixon Drive, discussed how he hears pickleball regularly starting at 6:30 a.m. He believes that this could easily be remedied by ordinance 18-54(b)(8) that includes no noise above 60 decibels. He supports the Harris family.

Amy Pattillo, 3 Rock Way Cove, suggested that Planning and Zoning could also look at apps where one can rent courts at residential homes in addition to noise, traffic, and lighting.

The City Council discussed applicable ordinances and prohibitions including the noise ordinance, Park ordinances, and zoning code for residential use. Council Member Brook Brown discussed comparable cities and their regulations. She discussed regulations and complaint based processes. Council Member Brook Brown asked what the options are for City Council to address this situation.

City Attorney Charlie Zech discussed the provisions currently in the Code that could be addressed through municipal court. He discussed changes to the zoning code and avenues of enforcement. He stated that lighting options could be addressed differently.

Council Member Kevin Glasheen would like to look at adopting regulations for lighting and on-site parking.

City Attorney Charlie Zech discussed attempting to achieve compliance and reminded City Council that municipal court doesn't achieve compliance.

Council Member Kevin Glasheen moved to ask our City Attorney to send an enforcement letter seeking compliance based on the lighting and the noise issue, the lighting being in violation of existing code and the noise being a nuisance in violation of our noise ordinances, and then secondly that we ask the City Attorney to come up with some proposed ordinances modeled after Park City or Centennial, including but not limited to these cities, specifically suggesting ones that might be effective here such as the on-site parking requirement or prohibiting pickleball within certain hours of the day.

Mayor Gavin Massingill restated the motion to instruct the City Attorney to work with staff to send a letter to seek compliance with the existing codes and a separate Memo from the City Attorney to offer suggestions based on what we discussed. Council Member Brook Brown seconded the motion.

Ellin Wilson discussed ways that people can avoid the parking rules.

Mr. Meakin asked that the police show up tomorrow morning with a decibel meter because it violates number 18-54 (b) (8).

Mr. Harris, 3012 Hatley, explained that the court being discussed is still a tennis court.

Council Member Brook Brown discussed the safety of school buses traveling down these roads with this additional parking as a safety issue.

The motion carried with 5 in favor and 0 against.

Mayor Gavin Massingill moved back to item 12 at 8:43 p.m.

16. Discussion and possible action on the CRCRC survey results and process for making results available to the public

Council Member Phil McDuffee discussed how to release the results to the public of the CRCRC survey.

Dave Bench, 1 Randolph Place, discussed the results of the CRCRC survey. City Administrator Ashley Wayman mentioned that the CRCRC webpage would be the best place to post the survey results.

Mr. Bench asked what level of detail City Council is looking for in the recommendations from CRCRC. Council Member Brook Brown discussed the difference between the comprehensive plan survey and the CRCRC survey. She would like to see recommendations matching the level of detail in the survey.

City Council and City Administrator Ashley Wayman discussed the helpfulness of having a professional present when developing recommendations that could assist with the drafting of the code.

Council Member Kevin Glasheen asked for a proposal from the City Attorney's firm to provide a consultant to assist with the recommendations and drafting of code.

Council Member Phil McDuffee recommended posting of topic discussion on CRCRC webpage.

Mr. Bench thanked Shanthi Jayakumar for helping with the door hangers.

17. Discussion and possible action regarding improvements to the sound and video quality of on-line and recorded city open meetings

This item was heard concurrently with item 12.

18. Report from staff on the status of legal action to trademark the Rollingwood logos

City Administrator Ashley Wayman discussed the trademark applications that have been submitted to the state. The City Council asked about the length of time it takes to process through the state. Council Member Brook Brown asked that this item come back to future meetings.

Shanthi Jayakumar discussed the cost of the graphic design and her frustration with nonofficial use of the logos.

19. Discussion and possible action regarding the role of the Park Commission

Council Member Kevin Glasheen brought up the role of the Park Commission for initial discussion and would like the Park Commission to have a chance to discuss this as well. He envisioned this item as the beginning of a series of discussions. He discussed the frustration of the members of the Park Commission with a perceived lack of Council support, and the proper process of communication with the City Administrator to direct staff for maintenance.

Council Member Kevin Glasheen discussed the purpose of the Park Commission as defined in the Code, the Park master plan, and how they could fundraise for Park purposes. He discussed revising the Park Master Plan and redefining the responsibility and role of the Park Commission.

Mr. Glasheen presented a picture and discussed the erosion problem at the Park Pavilion in the lower park. He discussed the difference between maintenance and capital projects.

Council Member Brook Brown discussed the meeting with Innovative Water Tank solutions with Mayor Gavin Massingill and Mary Elizabeth Cofer. She likes the language in the ordinance about the Park Commission identifying issues, researching, and then presenting solutions to City Council. Ms. Brown suggested having workshops and making priorities and would like to see that at the Council level as well.

Council Member Kevin Glasheen discussed giving tools to the Park Commission and working with City Staff on maintenance issues. The Park Commission needs to have more clear authority and solve issues.

Don Hudson, 4902 Rollingwood Drive, discussed his membership on the Park Commission and the lack of priority and base of skills. He would like to work in directions that City Council would support. He discussed his recent park walk through and the maintenance issues discovered.

Shanthi Jayakumar, 3309 Park Hills Drive, thanked Don Hudson for his drawing of the park that he created with Vicky. She passed out handouts to the City Council.

Council Member Phil McDuffee recommended the Park Commission make a list of priorities and work with the City Administrator to solve maintenance issues.

Council Member Brook Brown brought up fundraising activities including having fun in the park as a community builder. Council Member Phil McDuffee requested to tie fundraising to projects in the park.

Amy Pattillo, 3 Rock Way Cove, appreciated the wording of this agenda item and spoke regarding her previous membership on the Park Commission. She stated that previously, the Chair of the Park Commission would come to each City Council meeting with a report on the Park. Most importantly, the Chair would come and present projects at the Budget meetings. The liaison would present the report if the Chair was unavailable. She believes the tools are in the Code.

20. Discussion and possible action regarding an exception to the curfew for a star gazing night

Council Member Kevin Glasheen discussed a request from a resident to be able to star gaze after curfew in the Park.

Mayor Gavin Massingill will discuss with Chief Muñoz specific exceptions allowed. Chief Muñoz suggested that stargazers notify Rollingwood Police Department that they will be out in the park star gazing.

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 10:28 p.m.

Minutes Adopted on the 20th day of December, 2023.



Gavin Massingill, Mayor

ATTEST:



Desiree Adair, City Secretary

Attachment A
Shanthi Jayakumar's Public Comments
November 15, 2023

Citizen Comments 11.15.2023

Mayor, Council members,

Today, we celebrate an annual tradition of confirming the election of three candidates who have just taken the oath of office to serve our community for another two years. The city of Rollingwood elects a mayor and two council members every even number year and three council members every odd number year. In the absence of an contested election this year, the three incumbent council members continue to serve our community. CONGRATULATIONS to Brook Brown, Phil McDuffee and Alec Robinson. THANK YOU for your past service to our city and for continuing to serve us for another two years.

Some of you have expressed a desire to know more about Rollingwood and its early days. I thought I would share a few highlights of the very first election in August 1955, the year Rollingwood became incorporated as The Village of Rollingwood and at an election in October 1955 when the citizens elected a mayor, 5 aldermen and a sheriff the appropriate number of candidates for the positions needed to operate the newly Incorporated Village of Rollingwood.

Thanks to the generosity of Frank Scofield, son of Frank L. Scofield the very first mayor of Rollingwood, I have a copy of the document(s) that describe the process used to conduct an election.

1. **On July 22, 1955** George B. Hatley and 20 other "persons" filed a petition accompanied by a copy of the plat showing the corporate limits of the proposed village with the Travis County Judge
2. **On August 8, 1955.** an election was held at **3105 Rogers Avenue (does not exist anymore)** "to determine whether or not the qualified voters residing within the proposed corporate limits of the Village of Rollingwood desire to incorporate said Village of Rollingwood into a body corporate for municipal purposes under the provisions of Chapter 11, Title 28, Revised Civil Statutes of Texas 1925.
3. The judge signs a copy of the results certifying that "at said election there were **47 votes cast of which number there were cast for "Corporation : 44 and No Corporation : 3"**. The document is signed by the Presiding Officer

and two judges. The geographical boundary is described by metes and bounds and is part of the Deed Records of Travis County.

4. So, who voted in this election? **"Every person who has attained the age of 21 years and who has resided within the limits of the proposed village of Rollingwood for 6 months preceding, is a qualified elector under the laws of the State of Texas and shall be entitled to vote at the election."**
5. **The sheriff of the County shall give notice of the election by posting a notice at 3 public places in the village of Rollingwood 10 days prior to the date of the said election.**
6. **On October 1, 1955 an election was held for the purpose of filling municipal offices of the Village of Rollingwood, Travis County, Texas pursuant to the election held to incorporate held on August 8, 1955. This was an uncontested election with just the appropriate number of candidates for the positions needed to operate as the Incorporated Village of Rollingwood.**

Frank L. Scofield was elected mayor together with 5 aldermen and one Sheriff. This was the very FIRST election held to elect the very first Mayor and Aldermen for the Village of Rollingwood in 1955. This is the story of our humble beginnings. That was 68 years ago!

-Shanthi Jayakumar