



CITY OF ROLLINGWOOD BUDGET WORKSHOP AND CITY COUNCIL MEETING MINUTES

Wednesday, July 20, 2022

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 July 20, 2022. 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 BUDGET WORKSHOP AND REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Gavin Massingill called the meeting to order at 6:02 p.m.

Present Members: Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Brook Brown, Council Member Alec Robinson, Council Member Phil McDuffee, and Council Member Roxanne McKee.

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

Present Virtually: Public Works Superintendent Ismael Parra, Brandon Melland with K. Friese + Associates, and Dondi Atwell with ATS.

BUDGET WORKSHOP

2. Update and discussion on the FY 2022-2023 Budget

Mayor Gavin Massingill explained the base budget from last meeting and opened the discussion for exceptional items. The Mayor brought up the following exceptional item requests from Mayor and staff:

- Cost of Living Adjustment options of 1%, 2%, and 3% for City staff salaries,
- New Gator for Water, Wastewater, Streets and Parks departments,
- Backhoe for Public Works Department,

Council Member exceptional item requests:

- Council Member Phil McDuffee \$30,000 for Oak Wilt mitigation.

- Council Member Brook Brown requested funds for commercial zoning changes in the Comprehensive Plan. City Administrator Ashley Wayman, City Attorney Charles Zech, and Brandon Melland estimated \$30,000 for code updates by a planner and potential legal fees. The Rollingwood Community Development Corporation (RCDC) may be able to consider this request as a project and contribute funds if it meets the legal standard. City Administrator Ashley Wayman explained revenues, expenditures, and exceptional items funding.
- City Administrator Ashley Wayman discussed \$40,000 from RCDC for Council's discretion on legal fees on the MoPac project.
- Council Member Brook Brown requested funds for a computer for residents to view building permit files and plans.

Mayor Gavin Massingill, City Administrator Ashley Wayman, and Finance Director Abel Campos discussed department budget action requests and debt service.

Exceptional item request for a new push camera and sonde for wastewater. Public Works Superintendent Ismael Parra discussed the purpose of the Sonde camera for proactive, preventive care, and blockages.

Mayor Gavin Massingill and City Administrator Ashley Wayman discussed the scheduling of a special council meeting regarding tax and budget.

PUBLIC COMMENTS

The following individuals spoke during public comments:

- Shanthi Jayakumar, 3309 Park Hills Drive, recognized the work of staff and council, congratulated City Administrator Ashley Wayman on her appointment by Council, and thanked Gavin Massingill for hosting the July 4th barbecue and continuation of traditions.

PRESENTATIONS

3. Presentation and discussion on the Quarterly Investment Report for the 3rd Quarter

Finance Director Abel Campos discussed the City investments required to be presented to Council by the Public Funds Investment Act.

4. Presentation and discussion on the Budget Review for the 3rd Quarter

Finance Director Abel Campos presented and discussed with Mayor and Council the status of taxes collected, sales, revenues, and expenditures.

5. Presentation from K. Friese + Associates regarding the Drainage Infrastructure Improvements Plan

Abe Salinas, of K. Friese + Associates, presented and discussed the Infrastructure Improvements Plan (IIP) including areas of interest, and mitigating problems with effective solutions to reduce risk. Twenty-three projects including cost estimates were identified, summarized, and prioritized. Mr. Salinas presented Pleasant/Nixon and Hubbard/Hatley project updates, next steps including funding, and answered questions from Council Members.

6. Presentation from K. Friese, ATS in regard to Building Code Questions - Agenda Item 6 from June 15 Council meeting - Brown memo dated June 13, 2022, as follows:
 - A. 1. Setbacks as applied to upper levels and cantilevered properties-
 - a. Is the setback requirement applied only to the foundation or does it apply as well to an upper level (above foundation) wall or structure, or cantilevered structure above the foundation?
 - b. Who does the inspection and when is setback compliance inspected, both for the foundation and any upper level cantilevered portions of a building - only when the foundation is poured and/or at any time later in the building process?
 - c. Address these requirements as to the properties at 601 Riley and 3225 Park Hills.
 - A. 2. Residential height limitations -
 - a. Ord 107-71 seems to allow a height of any wall up to 35 feet, as it applies to any "portion of a building or structure". The Ord. 101-2 definition seems to allow any wall of a height up to 10 above 35 feet limit in Ord. 107-71 when the lot has a slope and the natural grade at the wall being measured is less than 10 feet below the highest natural grade. Do these requirements conflict and how are they applied?
 - b. When is height setback compliance inspected, and are reference datum independently verified before a permit is issued?
 - c. Address these requirements as to the properties at 601 Riley and 3225 Park Hills.

Council Member Brook Brown introduced the topic and City Administrator Ashley Wayman introduced Brandon Melland, of K.Friese + Associates, and Dondi Atwell, of ATS. Mr. Melland answered the questions with his interpretations of the Code. He explained that the zoning administrator interprets the spirit and the intent of the Code. Mr. Melland and Mr. Atwell discussed the relevant types of inspections, surveys, and plans and answered the questions presented.

Shanthi Jayakumar asked if the Code still requires that a building not be more than three stories high. She explained that building height is a serious concern of citizens.

Council Member Brook Brown asked what controls the height of the foundation. Mr. Atwell explained Code and allowances. Mr. Atwell, Mr. Melland, and the Council discussed options for inspection of residential builds in connection with the permitting process, what the existing code permits as to the height of residential buildings, and how height is measured with respect to the "original" and "finished" grade, and concerns with respect to the multi-storied homes - three stories and greater - within the residential zone. The Council also discussed concerns with respect to verifying as-built compliance with setback and height requirements, and discussed with the engineers options for post-construction height verification. The Council also asked the engineers about the code's application to cantilevered structures within the setback and was advised as to concerns with existing code language as to limits on such structures.

Council member Brown also asked about the progress of the inspections of 601 Riley and 3225 Park Hills requested by the Council at the June 20 council meeting. The Mayor and city administration confirmed that inspections would be conducted to determine compliance with both the height and setback requirements of the code for these properties, and that K. Friebe would also advise the Council with respect to recommended options as to limiting projections (cantilevered structures) within residential setbacks, including conversions of cantilevered roofs to outdoor living spaces. The Council was advised that these inspections were expected to be completed by the end of the week and would be prepared and presented to the Council at the August council meeting. The Mayor thanked Mr. Melland and Mr. Atwell for their time and expertise.

7. Presentation from City staff regarding Building Permit Issues 1, 4-8 from Brown memo dated June 13, 2022.

Issue 1: Sixteen active builds and demolitions with no posted permit: 205 Ashworth, 2801 Hubbard, 304 Almarion, 303 Bettis, 302 Bettis, 601 Riley, 104 Riles, 102 Riley, 200 Vale, 301 Vale, 5015 Timberline, 4917 Timberline, 4815 Timberline, 1003 Ewing, 104 Laura Lane, 3018 Hatley

Issue 4: Five properties where construction and other materials have been left on street on a recurring basis and/or materials stacked in drip line of existing trees: 3200 Park Hills, 4701 Timberline, 3207 Park Hills, 2801 Hubbard, 301 Nixon, 301 Vale

Issue 5: One property where a construction fence has been erected at curb on corner lot, blocking views or traffic on intersecting street: 2500 Farley Trail

Issue 6: One property where salvage materials have been left within public view after lot was demolished.

Issue 7: One commercial property where construction debris has been dumped in the back of the property and has spilled over the silt fence and onto adjacent property: 2802 Bee Caves Road

Issue 8: One property on the edge of a drainage channel with no silt fence: 3225 Park Hills

City Administrator Ashley Wayman discussed the answers to the questions in the provided memo and described the action that has been taken.

Council Member Brook Brown discussed enforcement and citation procedures. City Attorney Charles Zech offered to work with City Staff and Police for enforcement procedures.

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.

Council Member Roxanne McKee moved to pull item 9. Mayor Pro Tem Sara Hutson seconded the motion. The motion passed 5-0.

Council Member Brook Brown moved to pull item 8. Council Member Alec Robinson seconded the motion. The motion passed 5-0.

8. Discussion and possible action on the minutes from the June 15, 2022 City Council Meeting
9. Discussion and possible action on an agreement with Travis County to conduct the City of Rollingwood's Elections
10. Discussion and possible action on an ordinance amending the Fiscal Year 2021-2022 budget to include interim development services

Mayor Pro Tem Sara Hutson moved to approve the Consent Agenda. Council Member Phil McDuffee seconded the motion. The motion passed 5-0.

Council Member Brook Brown moved to postpone discussion and action on the minutes and bring back Item 8 for next meeting. Council Member Phil McDuffee seconded the motion. The motion passed 5-0.

Mayor ProTem Sara Hutson moved to bring back Item 9 for the next City Council meeting. Council Member Roxanne McKee seconded the motion. The motion passed 5-0.

REGULAR AGENDA

11. Discussion and possible action on a recommendation from the Park Commission to pursue possible installation of turf infield at Field 1 of the Athletic Field

No recommendation was made from the Park Commission. No action was taken.

12. Discussion and possible action regarding a draft ordinance calling a bond election for potable water infrastructure, drainage infrastructure and facilities

Mayor and City Council discussed questions they have for bond advisors, prioritization of projects, facilities, and next steps. Additional discussion is determined to be needed with US Capital Advisors.

No action was taken at this time.

13. Discussion and possible action to create a Rollingwood City Council Message Board in compliance with Sec. 551.006 of the Texas Government Code regarding Open Meetings

Council Member Phil McDuffee introduced and described the item involving a City Council Message Board. Mayor Gavin Massingill discussed previous Council action regarding approval and funds.

Council Member Phil McDuffee moved to authorize City Staff to add the Online Message Board to the City website. Mayor Pro Tem Sara Hutson seconded the motion. Council Member Phil McDuffee amended his motion to put a \$3000 cap on the financing. Mayor Pro Tem Sara Hutson seconded the motion. The motion passed 5-0.

14. Discussion and possible action on an amendment to the City's Code of Ordinances related to the expiration of building and tree permits

City Administrator Ashley Wayman discussed repealing the parts of the ordinance that involve building permit expirations and tree permit expirations. City Attorney Charles Zech described the details of the amendments to the ordinance.

Mayor Pro Tem Sara Hutson moved to approve the amendment. Council Member Phil McDuffee seconded the motion. Discussion ensued. The motion passed 5-0.

15. Discussion and possible action on an ordinance amending the process for assessing late fees and for termination of water and wastewater services

City Administrator Ashley Wayman increase late fees from 2 to 5 percent. City Attorney Charles Zech explained the presentation of water and wastewater in the Code.

Mayor Pro Tem Sara Hutson moved to approve the ordinance as presented. Council Member Phil McDuffee seconded.

Shanthi Jayakumar discussed the Code and asked that the citizens be informed with a letter sent with the utility bill. Mayor Gavin Massingill agreed.

The motion passed 5-0.

16. Discussion and possible action in regard to designation of a code compliance officer

Council Member Brook Brown discussed designating a member of the police department as a code compliance officer.

Council Member Brook Brown moved to approved the designation of a code compliance officer. Council Member Phil McDuffee seconded.

Discussion ensued regarding tabling the item for the next meeting in terms of a new Police Chief being appointed.

Sergeant Greg Duarte presented issues with peace officers being code enforcement officers. City Attorney Charles Zech discussed the difference between code enforcement violations and police citations.

Shanthi Jayakumar spoke regarding a past code enforcement officer.

Council Member Brook Brown withdrew the motion.

17. Discussion and possible action in regard to residential zoning ordinances including but not limited to building height ordinances and minimum required depth and width of yards

Council Member Brook Brown discussed setbacks in commercial zoning, and yards in residential zoning. Mayor Pro Tem Sara Hutson discussed items that need to be reviewed and addended in terms of the residential zoning ordinances. City Attorney Charles Zech described the process involved with going to the Planning and Zoning Commission. An official of the City would appeal the zoning administrator's decision to the zoning Board of Adjustment. City Council would give the City Administrator authority to tell the Planning and Zoning Commission to change the Code.

Council Member Brook Brown moved to direct the City Administrator to request that the Planning and Zoning Commission take up two provisions of the residential zoning code (1) the definition of yard in 107-3 and (2) the definition of building height and the height ordinance in the residential portion of the code and the regulation of those provisions. Mayor Pro Tem Sara Hutson seconded. The motion passed 5-0.

Mayor Gavin Massingill stated that there could be a joint meeting between Planning and Zoning and City Council.

Mayor Pro Tem Sara Hutson moved to request that Planning and Zoning begin an assessment of our residential zoning ordinances for recommended adjustments to add an addendum to our Comprehensive Plan. Council Member Brook Brown seconded. The motion passed 5-0.

18. Discussion and possible action to review applications and make appointments to the Board of Adjustment

Mayor Gavin Massingill appoints Wendi Hundley to the vacant position on the Board of Adjustment (BOA). Discussion ensued regarding residency and was clarified by City Attorney Charles Zech.

Shanthi Jayakumar spoke regarding residency requirements for BOA members, City Council, and elections.

No action was taken.

Mayor Gavin Massingill brought up item 20 at this time.

Mayor Gavin Massingill called up items 19 and 21 together and convened into Executive session pursuant to section 551.074 of the Texas Local Government Code for personnel matters at 11:42 p.m.

Mayor Gavin Massingill brought the meeting back into order at 12:26 a.m. No action was taken in Executive Session regarding items number 19 and 21.

19. Discussion and possible action regarding the process by which to select the Chief of Police

Mayor Gavin Massingill recommended that in next month's meeting we be prepared to accept the resignation of Chief Brady and have another discussion about moving forward.

20. Discussion and possible action on an ordinance adopting a Burn Ban

Council Member Brook Brown addressed concerns and amended the previous ordinance brought from last meeting.

Council Member Brook Brown moved to approve the ordinance adopting a Burn Ban. Council Member Alec Robinson seconded the motion.

If passed, the ordinance would require public posting due to penalties involved.

The motion passed 5-0.

21. Discussion and possible action to approve an employment agreement with City Administrator Ashley Wayman

No action was taken in Executive Session. Mayor Pro Tem Sara Hutson moved for approval of the employment agreement with City Administrator Ashley Wayman. Council Member Roxanne McKee seconded the motion. The motion passed 5-0.

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. Chief of Police Report
24. Municipal Court Report
25. City Financials for June 2022 - Fiscal Year 2021-2022
26. RCDC Financials for June 2022 - Fiscal Year 2021-2022
27. City Stats for June 2022
28. Contract invoices through June 2022 - Crossroads Utility Services, Water and Wastewater Services, K. Friese & Associates - IIP & MS4, K. Friese & Associates, City Engineer
29. Crossroads Utility Services Report on Water and Wastewater for June 2022
30. City Engineer Report - K. Friese & Associates
31. Texas Central Appraisal District and Tax Assessor - Notices, Letters and Documents
32. Texas Gas Service - Notices, Letters, and Documents

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 12:29 a.m. on Thursday, July 21, 2022.

Minutes Adopted on the 17th day of August, 2022.



Gavin Massingill, Mayor

ATTEST:



Desiree Adair, City Secretary