



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

**Wednesday, July 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 July 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 BUDGET WORKSHOP AND REGULAR CITY COUNCIL MEETING TO ORDER**

#### 1. Roll Call

**Mayor Gavin Massingill called the meeting to order at 6:04 p.m.**

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

Council Member Alec Robinson joined the meeting at 7:31 p.m.

**Also Present:** City Administrator Ashley Wayman, Assistant to the City Administrator Makayla Rodriguez, City Attorney Charles Zech, Finance Director Abel Campos, Development Services Manager Nikki Stautzenberger, Public Works Director Izzy Parra, and Senior Corporal Leonardo Cantu.

### **BUDGET WORKSHOP**

#### 2. Update and discussion on the FY 2024-2025 Budget

Mayor Gavin Massingill asked if there were any public comments for items not on the agenda at this time. There were no public comments for items not on the agenda.

Mayor Gavin Massingill introduced this month's budget workshop and discussed that updates were made to the budget worksheets. Mayor Gavin Massingill and City Administrator Ashley Wayman discussed the 5 year averages on major revenue items and the initial revenue estimates.

Mayor Gavin Massingill discussed the proposed exceptional items for cost of living adjustments for staff, explaining the three options provided.

Council Member Kevin Glasheen discussed that he is overall very interested in providing enough salary dollars in the budget to stay competitive, particularly in the Public Works and Police Department.

Mayor Gavin Massingill presented the next exceptional item to grant mileage stipends for staff. He stated that he will withdraw the exceptional item and add funding to the salary fund and will revisit this item next month.

Mayor Gavin Massingill discussed an exceptional item for a new vehicle for the Public Works department. City Administrator Ashley Wayman presented the item and that the truck will cost \$72,000. Mayor Gavin Massingill stated that the vehicle would be worth financing.

City Administrator Ashley Wayman discussed the exceptional item to purchase a CCTV camera for the wastewater lines for the Public Works department. She explained the details of the camera. Council Member Sara Hutson and Council Member Kevin Glasheen asked Public Works Director Izzy Parra questions regarding the CCTV camera.

Mayor Gavin Massingill presented an exceptional item for annual tree trimming services to perform tree work throughout the City's right-of-way. He would like to increase the budget to have tree trimming on a regular schedule.

Mayor Gavin Massingill discussed an exceptional item for street maintenance and repairs. He stated that City Council set aside \$150,000 in the previous budget for additional street paving and he would like to keep the same approach for this year and set aside another \$150,000 for the street repaving project. Mayor Gavin Massingill explained that there is a presentation on the agenda to go over Rollingwood's prioritization for the project. He explained that the money will come out of the unexpended balance in the street fund.

Mayor Gavin Massingill presented an exceptional item for beautification projects. He discussed the beautification project along Edgemoor Drive and would like to continue those types of projects in the city's right-of-way. Mayor Gavin Massingill mentioned areas that could benefit from beautification such as the area in front of the Western Hills Athletic Club pool. He stated that there are other beautification opportunities that the city can engage in if there are dollars available.

Council Member Kevin Glasheen said he would like clarification on where the city's right-of-way is at Western Hills Athletic Club and that he would like to beautify the area and add maintenance as a Capitol Improvement project using RCDC funds. Mayor Gavin Massingill stated that Mr. Glasheen's desire falls within the line item's description.

City Administrator Ashley Wayman stated that Mayor Gavin Massingill sponsored an exceptional item for the Park Commission to add trees in the upper park. Melissa Morrow, Chair of the Park Commission, discussed a proposal received to add trees in the upper park. She would like to know City Council's appetite for park improvements.

Brook Brown asked Attorney Charlie Zech if planting additional trees along the park is a capital improvement. Mr. Zech stated that he will bring back more information next month. Council Member Brook Brown would like to request make a request to RCDC by budget time if appropriate. Council Member Kevin Glasheen supports the project and agrees with Council Member Brook Brown.

Mayor Gavin Massingill presented the last exceptional item to add a revenue line item in the budget to allow for future policy decision in relation to grinder pumps. City Administrator Ashley Wayman explained that half of the lots in Rollingwood have grinder pumps and that they are city property. She continued to say that the city spends an average of \$4,200 per month on the grinder pump maintenance and repair. Ms. Wayman said there has been discussion with Crossroads Utility Services on passing the cost to those who have grinder pumps. She stated that to say that fees can be assessed or the city can continue to cover all of the expenses, however, the wastewater rates may need to be reevaluated to ensure enough is budgeted.

Council Member Brook Brown would like to have a line item in the budget for grinder pumps as well as have the Utility Commission look at solutions.

Council Member Phil McDuffee explained that Utility Commission will want more information and direction for solutions. The City Council members discussed grinder pumps, possible fees, and solutions. Council Member Brook Brown stated that LCRA insisted on taking on the responsibility of the grinder pumps when the system was built, and the pumps transferred to the city when it bought the system.

Council Member Kevin Glasheen stated that homeowners should have responsibility of maintaining the grinder pumps. Council Member Sara Hutson said she is in favor of having a line item for grinder pumps and shared a concern that if homeowners do not take care of their grinder pumps, it could affect the entire system.

Melissa Morrow, 2502 Timberline Drive, stated that homeowners made the choice to have grinder pumps in their backyard when they were first installed. She continued to say that residents had the responsibility of maintaining their grinder pump at the time.

Mayor Gavin Massingill said that he will bring back the exceptional items as well tax rates, revenue available, and unexpended balances next month. City Administrator Ashley Wayman stated that the special City Council meeting to deliver the rates has been scheduled for early August.

**Mayor Gavin Massingill called for a recess at 7:23 p.m.**

**Mayor Gavin Massingill called the meeting back to order at 7:31p.m.**

*Council Member Alec Robinson joined the meeting at 7:31 p.m.*

## **PUBLIC COMMENTS**

The following individuals spoke during public comment:

Shanthi Jayakumar, 3309 Park Hills Drive spoke about the 4<sup>th</sup> of July celebration. She thanked Macey Delcambre and the board of the Rollingwood Women's Club for organizing the event, the Rollingwood Women's Club volunteers, and Mayor Massingill and his family for providing the food for the event. She also thanked the Public Works Department, Police Department and staff for their help. She also gave a brief history of how residents of Rollingwood sourced water, how the city's water system came to be, and Rollingwood's certification through the Public Utilities Commission.

## **PRESENTATIONS**

3. Presentation, discussion and possible action on a Long-Term Pavement Priorities Plan prepared by WSB

Mayor Gavin Massingill welcomed Jay Kennedy of WSB to give a presentation on a payment priorities plan. He said this presentation is in regards to the repavement project and the street maintenance and repairs exceptional item discussed in the budget workshop. He continued to say that the money set aside could be used to fund portions of the project if approved.

Jay Kennedy of WSB Engineering explained that Rollingwood has made progress in assessing the road system and that they are ready to move to the next phase. He discussed the existing road conditions, preventative maintenance, and Rollingwood's priorities for road improvements.

Council Member Kevin Glasheen asked questions regarding cost and the timeline of the water CIP project. City Administrator Ashley Wayman confirmed that the roads affected by the Water CIP project were not a part of the assessment and will be considered new when completed.

Jay Kennedy continued to present road improvement plans, reclamation, estimated costs, and recommendations.

Mayor Gavin Massingill stated that the city is in a good position because many of the streets are in a good shape. He continued to say that the goal is to complete the road assessment, have the priorities and cost estimates, and repair roads over time to keep the cost down.

Council Member Phil McDuffee asked questions regarding rejuvenation. Mayor Gavin Massingill asked Mr. Kennedy to make corrections to the long term pavement priorities plan.

Council Member Brook Brown asked about the timeline of Google Fiber. City Administrator Ashley Wayman explained that Google Fiber completed phase 1 and are expected to complete phase 2 by the end of the year. She continued to say the estimated completion date is Mid 2025. Council Member Brook Brown would like to have the street rejuvenation to come after Google Fiber.

Council Member Kevin Glasheen asked questions regarding repavement on Almarion Drive. Jay Kennedy stated that he will look into it.

**Council Member Brook Brown moved to accept the 2024 Long Term Pavement Priorities Plan as presented by WSB. Council Member Phil McDuffee seconded the motion. The motion passed with 5 in favor and 0 against.**

Mayor Gavin Massingill thanked Jay Kennedy for his work on this project and asked him to make the changes discussed at the meeting tonight and send them to staff.

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

The quarterly investment report for the third quarter was presented.

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

Finance Director Abel Campos presented the budget review for the 3<sup>rd</sup> quarter, highlighting the main revenue items of interest.

### **CONSENT AGENDA**

6. Discussion and possible action on an ordinance regarding the City of Rollingwood's Texas Municipal Retirement System benefits authorizing actuarially determined city contribution rate payments
7. Discussion and possible action on an Interlocal Agreement for Cyber Liability and Data Breach Response Coverage between the City of Rollingwood and the Texas Municipal League Intergovernmental Risk Pool
8. Discussion and possible action the first renewal of the Interlocal Agreement between the City of Rollingwood and the City of Austin for Public Health Services
9. Discussion and possible action on the 2024 Joint Election Agreement with Travis County
10. Discussion and possible action on the 2024 Election Services Agreement with Travis County
11. Discussion and possible action on the minutes from the June 12, 2024 City Council meeting

**Council Member Brook Brown moved to approve the Consent Agenda. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.**

### **REGULAR AGENDA**

12. Update and discussion regarding the Electronic Meter Project

City Administrator Ashley Wayman gave an update on the Electronic Meter Project, stating that 89% of meter installations have been completed. She explained that staff is working on the billing side of the system soon and that they would be working to get information out to the community about signing up for the resident portal.

The City Council and Public Works Director Ismael Parra discussed the different lid colors that can be seen around, and Mayor Pro Tem Sara Hutson brought up a concern about the notification process to residents ahead of the meter installation. Public Works Director Ismael Parra stated that these concerns have been reported to the project manager.

13. Update and discussion regarding Water CIP Packages 1-4 and the Nixon/Pleasant and Hubbard/Hatley/Pickwick Drainage Projects

City Administrator Ashley Wayman gave an update on Water CIP Packages 1-4, Nixon/Pleasant and Hubbard/Hatley/Pickwick Drainage Projects including the status of the Google Fiber installation.

Mayor Gavin Massingill asked the community to be patient as we work through these projects and associated water shutoffs and boil water notices.

Council Member Brook Brown asked about the causes of various boil water notice and the Council and Public Works Director Ismael Parra discussed recent boil water notices and how to handle repeat offenders.

Council Member Brook Brown stated that it would be helpful to do a write up to the community so that people will know what is happening when there are Boil Water Notices, including what is caused by city projects, contractors and how the city is handling it.

Public Works Director Ismael Parra complimented AO Services on their work on these projects and for helping us update our GIS Maps when we find new information about our system.

The City Council and Public Works Director Ismael Parra further discussed the construction process and methods.

Mayor Pro Tem Sara Hutson discussed gas line breaks and how the city could possibly identify repeat offenders in the city and Mayor Gavin Massingill and the City Council discussed consequences for these actions.

14. Discussion and possible action on a request to change the address of 4717 Timberline Drive to 503 Inwood Road

City Administrator Ashley Wayman discussed this address change request from Chris Wilbratte to change the address of 4717 Timberline Drive to 503 Inwood Drive. She discussed the history of the address of this property. .

The Mayor and Council and property owner discussed the current orientation of the house, yard measurements.

Council Member Brook Brown discussed that the current building permit designated Timberline the front of the property, but also approved the front door facing Inwood and asked City Attorney Charles Zech if the address is changed to Inwood but the building permit is based on Timberline being the front of the home, what the status of the house would be- whether it would be non-conforming.

The applicant was asked whether the home was on the market and he stated that the home was no longer on the market.

City Attorney Charles Zech stated that from his understanding at this time if the address was changed it would become an existing non-conforming structure if the setbacks are inconsistent with the new addressed front of the house. He explained that if they wanted to do something to the house they couldn't increase the non-conformity.

City Administrator Ashley Wayman and Development Services Manager Nikki Stautzenberger explained the setbacks on this property and the code regarding these setbacks.

The City Council further discussed this request.

**Council Member Alec Robinson moved to approve the request to change the address of 4717 Timberline Drive to 503 Inwood Road. Council Member Kevin Glasheen seconded the motion.**

Mayor Pro Tem Sara Hutson stated that she would like the code to be cleaned up so this does not happen again and Council Member Brook Brown asked whether there were other homes out there with this same issue.

The City Council further discussed the facts of this request and the setbacks of the home, and the process for all future address changes.

Council Member Phil McDuffee asked if this negatively affects the neighboring lot facing Rollingwood Drive and the City Council discussed the impact.

The City Council discussed the plat for this property.

**The motion carried with 3 in favor and 2 abstentions (Brown and McDuffee).**

15. Update, discussion and possible action regarding proposals and additional information related to park drainage from K. Friese and Associates, Innovative Water Solutions and Maas Verde Landscape Restoration

City Administrator Ashley Wayman gave a recap of presentations and quotes from K. Friese and Associates, Innovative Water Solutions and Maas Verde Landscape Restoration.

Abe Salinas with K. Friese and Associates presented the results of his analysis and recommendations based on the contributing drainage issues and runoff from the park.

Mayor Gavin Massingill thanked Mr. Salinas for his presentation and discussed the Maas Verde proposal attached.

Council Member Brook Brown discussed the other projects from the IIP that are associated with the area of concern being discussed and that the Maas Verde proposal could provide smaller ways to keep additional runoff from coming off of the park and into the street. She also discussed an existing culvert that is clogged between Park Hills and Gentry on Nixon, and that there is a waterfall from the park that contributes to that.

The Mayor and Council discussed the Maas Verde Proposal.

Council Member Glasheen discussed that he believes that improvements in the park would have to have a substantive and meaningful improvement to street drainage to make them worth it, and the City Engineer has shown that there are not significant prospects to improve street drainage.

Abe Salinas discussed that there would still be value in smaller maintenance projects that would provide improvements in the park.

Mayor Gavin Massingill thanked Abe Salinas for his time.

*Mayor Gavin Massingill called up item 18 at this time.*

16. Discussion and possible action to authorize the Mayor to execute an agreement with ABIP, PC for professional auditing services for the fiscal year ending September 30, 2024 with an option for four, one-year extensions

City Administrator Ashley Wayman stated that the city has reached the end of the service contract with ABIP and explained that staff enjoys working with them as well as shared that executing an agreement will not the city to go through the bidding process.

**Council Member Brook Brown move to authorize the mayor to execute an agreement with ABIP for professional auditing services for the fiscal year ending September 30, 2024 with the option for four, one-year extensions. Sara Hutson seconded the motion . The motion passed with 5 in favor and 0 against.**

17. Discussion and possible action on an ordinance calling the General Election to elect two (2) Council Members and a Mayor on the General Election date of November 5, 2024

Mayor Gavin Massingill explained that this is a procedural item calling the election and if nobody is opposed the election will be canceled at a later date.

**Council Member Brook Brown moved to approve Ordinance 2024-07-17-17 calling for the General Election to elect two Council Members and a Mayor on the General Election date of November 5, 2024. Council Member Alec Robinson seconded the motion.**

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

*Mayor Gavin Massingill moved to item 20 at this time.*

18. Discussion and possible action on an ordinance amending Section 18-56 of the City's Code of Ordinances regarding the regulation of outdoor pickleball play

Mayor Gavin Massingill discussed the agenda item from the June Council meeting regarding a letter the city received regarding making amendments to the ordinance regulating outdoor pickleball play, and that after the executive session related to that item Mr. Glasheen indicated that he would bring an item to this agenda.

Council Member Kevin Glasheen discussed the original intent of the ordinance to address club-like pickleball play and explained the decibel limitations that were placed at the time. He discussed his proposed amendments to the ordinance.

Council Member Brook Brown stated that she is in favor of the proposed changes.

The City Council and City Attorney Charles Zech discussed applying the regulation of number of courts that could be used at a time to lots smaller than 3 acres and additional ways to word the ordinance.

**Council Member Kevin Glasheen moved to approve the ordinance as proposed except that 18-56 (d) would now read “no more than one pickleball game may be played at the same time with no more than one pickleball in play at any time on lots smaller than three acres.” Council Member Brook Brown seconded the motion.**

The City Council discussed limiting the play to one game at a time, the pickleball courts and pickleball played at the Western Hills Athletic Club.

Jay Howard, 907 Ridgewood Drive, explained that he is a pickleball enthusiast and is friends with Bridgit and Corky Logue. He discussed the information in the packet credited to Bob Unetich that



has been provided by Mr. Glen Harris and explained the information in the study that he believes is not applicable or being interpreted correctly in this instance. He explained that the Logues would likely consider noise mitigating improvements if there was an attainable ordinance, but that the current and the proposed ordinance still effectively ban pickleball. Mr. Howard also stated that Bridget Logue has tried to reach out to Mr. Harris to try to work through this issue and suggested, related to the ordinance, keeping the use limitations but dropping the decibel level limit.

The City Council and Mr. Howard discussed incentivizing making improvements that would mitigate sounds, the need to work with Mr. Harris who is the most impacted, and getting additional information from the Logues that the Council can evaluate.

Glen Harris, 3012 Hatley Drive, explained that this issue has been about the club level play and that he believes some level on noise restriction is appropriate.

Council Member Kevin Glasheen explained that if the City Council had a little more time they could try to put together an ordinance that didn't ban pickleball but still didn't allow the club style play that was going on.

Glen Harris stated that he has not heard from Bridget Logue and that his intent is also not to ban pickleball.

**Council Member Kevin Glasheen moved to withdraw his motion.**

19. Discussion and possible action on CRCRC Building Height recommendations

Mayor Gavin Massingill recognized Dave Bench, Chair of the CRCRC, to present this item.

Dave Bench, 1 Randolph Place, discussed the approved recommendations in the packet from the CRCRC relating building height. He explained that a member of the CRCRC had spoken to half a dozen architects who were in support of what they were doing. He asked Council what the next step was and requested that it be the shortest path possible.

Jeff Ezell, 4709 Timberline, passed out a presentation to the City Council for them to follow along with. He discussed his participation in this process with the CRCRC, the survey results, and the conclusions that the CRCRC have made. He discussed the rules that are being proposed and asked the Council to ensure that there is a public forum where a third party engineer could observe the plans that are in existence or in permitting to determine how the parallel plane would impact them. He also asked Council to not approve the parallel plane as proposed. He talked about the CRCRC process and data, and asked Council to ask CRCRC provide the data and analysis they have done. He further discussed the data, survey interpretations, proposals being provided by the CRCRC, and what he believes should happen in order to create equitable rules.

The City Council and Mr. Ezell discussed the information he presented and asked Mr. Ezell what his background is.

Mayor Gavin Massingill stated that Mr. Ezell's presentation would be uploaded to the packet for posterity.

Ryan Clinton, 4714 Timberline Drive, discussed his concerns that the parallel plane proposal was something that the CRCRC was set on from the beginning, that the survey was poorly

written and the data would be manipulated, and that information being proposed in the packet was different from what the CRCRC passed. He also talked about the request to have an engineer independently verify the proposal in a public forum, and that the founding document allows for a minority view to be placed in the record but that the CRCRC voted down a request from Thom Farrell to do this. He also discussed that the CRCRC is presenting a stylistic preference, not solving the problems the CRCRC was formed to solve.

Council Member Brook Brown asked Ryan Clinton to send in his main recommendations to the City Council.

Tony Broglio, 2403 Vance Lane (present via Zoom) stated that he agrees with Mr. Ezell and Mr. Clinton. He discussed the impact that the proposal would have on homes in the city, and that he would like the chance to prove that with a third party engineer review. He stated that he believes that there is a simpler method to address the issues that the CRCRC is trying to address.

Dave Bench discussed maximum heights in the city's code, the topographical change on his lot, and addressed the comments made about the survey responses. He defended the proposal presented by the CRCRC. He also explained why a public meeting with an engineer review was not scheduled.

The City Council discussed and asked questions of Dave Bench about survey data relating to the parallel plane concept.

The City Council and Dave Bench further discussed the survey responses and questions.

Council Member Kevin Glasheen discussed that he doesn't see the proposal as excessively severe, that he believes that addressing unusual lots through the special exception procedure, and that he would like to support what the CRCRC came up with.

**Council Member Kevin Glasheen moved to adopt the recommendation, and send it to counsel for drafting and then to the Planning and Zoning Commission for Public Hearing. The motion failed for lack of a second.**

Council Member Alec Robinson asked whether these recommendations had gone to the Planning and Zoning Commission and Dave Bench explained that a different document was reviewed and approved by the Planning and Zoning Commission. Dave Bench further discussed the history of this topic before the Planning and Zoning Commission and City Council.

Council Member Alec Robinson also pointed out that what was approved by the CRCRC regarding this topic was different than what is in front of the Council now. Mayor Gavin Massingill addressed this process and stated that the actual verbiage that is approved is what should be sent to Council exactly as adopted by the CRCRC.

Council Member Alec Robinson further explained that he did not agree with the way this recommendation is presented and that he would like a session where an outside party would look at the proposal to assess the impact. He also stated that he believes this should go to the Planning and Zoning Commission before Council acts on it.

Brook Brown discussed the Planning and Zoning Commission recommendation that the CRCRC recommend to Council that the proposal be drafted by legal and then it would come

back to the Planning and Zoning Commission. She explained her recommendation that the Council ask legal to draft this and take it to the Planning and Zoning Commission through the Public Hearing process so it can be refined and act as a working document that the public can comment on. She also explained that it could be a joint public hearing between the City Council and the Planning and Zoning Commission, or that the public hearings could be held separately. She also discussed her concern of preserving privacy in the community.

**Council Member Kevin Glasheen moved to ask Counsel to draft the CRCRC's recommendations into ordinance form and that we send that to the Planning and Zoning Commission and that we then schedule a joint hearing on this.**

The Council and staff discussed the details of the public hearing on this item.

**The motion failed for lack of a second.**

Mayor Gavin Massingill asked for the motion to be broken up into two parts.

**Council Member Kevin Glasheen moved to ask Counsel to draft the CRCRC's recommendations into ordinance form. Council Member Brook Brown seconded the motion.**

Mayor Gavin Massingill asked for the council to allow staff to go back and check the actual definitional recommendation that was made at the CRCRC level to make sure that that adopted recommendation is what is reflected in the draft.

**The motion carried with 4 in favor and 1 against (Robinson).**

City Administrator Ashley Wayman discussed the upcoming Planning and Zoning Commission public hearing in August and stated that it was too late for this to be scheduled for that hearing.

City Attorney Charles Zech stated that they would draft this as soon as possible and would work with Chair Dave Bench.

The Mayor and Council and City Administrator Ashley Wayman discussed the possible timeline for this draft and public hearing.

**Council Member Kevin Glasheen moved to set the matter for a joint public hearing on September 4th. Council Member Brook Brown seconded the motion. The motion passed with 4 in favor and 1 against (Robinson)**

Mayor Pro Tem Sara Hutson explained that she is bothered by the nefarious motivations being attributed to the CRCRC members who have spent a lot of time working on this process. She thanked the CRCRC for their work and stated that she believes they have good intentions.

*Mayor Gavin Massingill called up item 23 at this time.*

20. Discussion and possible action on CRCRC Residential Landscape and Tree Canopy Management recommendations

CRCRC Dave Bench discussed that there were a number of changes made to this proposal since it had been seen by the Planning and Zoning Commission and recommended that this go back to them before being brought back to Council.

Council Member Kevin Glasheen asked if it would be helpful for the recommendations to be drafted into code language so that it can be followed, and suggested that he thought it would be helpful.

The City Council and Dave Bench discussed whether this recommendation go back to the Planning and Zoning Commission in this form or if it should be drafted into code language first.

**Council Member Brook Brown moved to ask legal counsel to work with Mr. Bench from CRCRC to draft up the proposed changes to the residential landscape and tree canopy management sections of the code in ordinance form and take it to the Planning and Zoning Commission. Council Member Phil McDuffee seconded the motion.**

The City Council discussed whether this needed to go through the public hearing process and determined that it did because it was in the zoning code.

**The motion carried with 4 in favor and 1 against (Robinson).**

*Mayor Gavin Massingill called up item 21 at this time.*

*Mayor Gavin Massingill returned to this item at the conclusion of item 20.*

City Administrator Ashley Wayman asked for clarification about whether this item would go to the Planning and Zoning Commission through the public hearing process or just for discussion at this time.

Council Member Brook Brown suggested that it go to them for discussion first then the next meeting to be a public hearing or joint public hearing.

The City Council and Dave Bench discussed the history of this topic before the Planning and Zoning Commission and the process this proposal should follow.

**Council Member Brook Brown moved to set a joint public hearing on this topic for September 4th. Council Member Kevin Glasheen seconded the motion.**

Mayor Pro Tem Sara Hutson stated that there needs to be limits set for public comment times and Mayor Gavin Massingill stated that as long as the limits are fair and across the board they could do that.

**The motion passed with 4 in favor and 1 against (Robinson).**

*Mayor Gavin Massingill called up item 22 at this time.*

21. Discussion and possible action on the timeline for CRCRC recommendations and work completion

Council Member Kevin Glasheen wanted to get an understand when the CRCRC will finish their work and what they have been working on.

Dave Bench, Chair of the CRCRC, stated that the CRCRC will move forward with tenting and the tree ordinance to the codification process. He continued to say that they have recommendations for lighting and are still working on drainage, connecting driveways, enforcement, fence height, and what can be built n setbacks. Mr. Bench stated that the CRCRC will not be making recommendations for FAR, impervious cover, zoning by topography, and allowable number of stories.

Dave Bench stated that he will be working on codification with staff and compiling all of the recommendations into one document. He mentioned that he plans to finish by Christmas.

Council Member Kevin Glasheen stated that he would be happy if the work was completed by next January.

*Mayor Gavin Massingill returned to item 20 at this time.*

22. Discussion and possible action regarding recommended capital improvement projects from the Park Commission

Council Member Kevin Glasheen briefly discussed that the purpose of this item is that he would like to express to the RCDC that council would like them to fund park projects, giving an example of the tree project that has been discussed.

Mayor Gavin Massingill stated that there were some items in the budget process where this topic could be discussed.

*Mayor Gavin Massingill moved to item 24 at this time.*

23. Discussion and possible action on a draft amendment to the city's Code of Ordinances regarding right-of-way encroachments

Mayor Gavin Massingill said that this item has returned with clarification from last month.

City Administrator Ashley Wayman stated that she received feedback from Council requesting more information on what can be allowed in the right-of-way. She explained a new document from DNRBSZ that has more information with criteria, notes, and examples. She would like to know more information on how to proceed with the process.

Ms. Wayman discussed the Council's desire to know more information about the rights-of-way in Rollingwood. She provided a one sheet with a plat showing areas in Rollingwood and explained that there is additional street right-of-way going into resident's yards. City Administrator continued to say that staff does not have enough information at this time to show how the right-of-way is split up and that it would be a case by case basis to figure out. She stated that she trying to understand better ways to present the information from TCAD.

Council Member Sara Hutson stated that she is more about defining what cannot be put in the right-of-way to preserve the use of the right-of-way.

Council Member Brook Brown discussed rights-of-way and what is allowed and not allowed in the right-of-way at the City of Westlake Hills. Council Member Kevin Glasheen stated that the right-of-way is city property and in order to prohibit what is allowed in the right-of-way, they must define what is allowed to in the right-of-way.

Council Member Kevin Glasheen and Council Member Alec Robinson are not convinced that this is an issue.

Dave Bench, 1 Randolph Place, discussed the drainage criteria manual and it's relation to right-of-way with City Council.

Ryan Brewer, 2810 Rollingwood Drive, stated that he has landscaping in the right-of-way at his home but can remove it if needed. He likes the idea of creating draft language that would be discerning of what gets approved in the right-of way. Mr. discussed corner lots in Rollingwood with beautification in the right-of-way.

Patrick Mack of Austin Sanctuary Garden discussed removing landscaping in the right-of-way.

Mayor Massingill stated that this item will be back at the Council's discretion.

*Mayor Gavin Massingill called up item 16 at this time.*

24. Discussion and possible action to make appointments to the Board of Adjustment

Mayor Gavin Massingill discussed the process for appointments to the Board of Adjustment.

Mayor Gavin Massingill appointed Amy Pattillo to the Board of Adjustment, Position 2, Alternate 1.

**Council Member Kevin Glasheen moved to confirm the Mayor's appointment of Amy Pattillo to the Board of Adjustment, Position 2, Alternate 1. Council Member Alec Robinson seconded the motion. The motion carried with 5 in favor and 0 against.**

Mayor Gavin Massingill appointed Richard Hoffman to the Board of Adjustment, Position 3, regular member.

**Mayor Pro Tem Sara Hutson moved to confirm the Mayor's appointment of Richard Hoffman to the Board of Adjustment, Position 3, regular member. Council Member Phil McDuffee seconded the motion.**

Council Member Brook Brown asked Mayor Massingill to appoint the current alternate Ellin Wilson to the regular position because she has been serving as an alternate since 2018 but Mayor Gavin Massingill and City Administrator Ashley Wayman explained that she has expressed that she would like to remain an alternate.

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

Mayor Gavin Massingill appointed Kendra Roloson to the Board of Adjustment Position 8, alternate 3.

**Kevin Glasheen moved to confirm the Mayor's appointment of Kendra Roloson to the Board of Adjustment Position 8, alternate 3. Council Member Alec Robinson seconded the motion.**

Council Member Brook Brown recommended that we postpone consideration of Ms. Roloson until she has finished building her house.

Mayor Gavin Massingill stated that this would be an alternate position and that he would not anticipate her serving as a regular member and that he would expect her to abstain from any votes pertaining to her property.

**The motion failed with 2 in favor (Glasheen and Robinson) and 3 against (Hutson, McDuffee and Brown).**

Mayor Gavin Massingill stated that he was not making any additional appointments at this time.

25. Update on the status of the Rollingwood Trademark Applications


Mayor Gavin Massingill stated that last we heard our applications were in the top 25.

City Administrator Ashley Wayman stated that she was informed that the city's trademark applications are number 22, 23 and 24 in line and that they told her that they have hired two new attorneys who are being trained to review these applications.

**ADJOURNMENT OF MEETING**

The meeting was adjourned at 12:01 am.

Minutes adopted on the 21st day of August, 2024.

  
Gavin Massingill, Mayor

ATTEST:

  
Ashley Wayman, City Administrator

