

CITY OF ROLLINGWOOD
403 NIXON DRIVE, ROLLINGWOOD, TEXAS 78746

CITY COUNCIL MEETING
Wednesday, October 19, 2016

MINUTES

The City Council of the City of Rollingwood, Texas met in a Regular Meeting on Wednesday, October 19, 2016 in the City Council Chambers of the Rollingwood Municipal Building located at 403 Nixon Drive, Rollingwood, Texas. Mayor Thom Farrell called the meeting to order at 7:00 p.m.

Present were:

Mayor Thom Farrell, Mayor Pro Tem Sara Hutson, Alderman Joe Basham,
Alderman Roxanne McKee, Alderman Michael Dyson,
City Administrator Charles Winfield, City Secretary Robyn Ryan,
Chief of Police Dayne Pryor and City Attorney Doug Young

Jackie Bob Wright and Alderman Bobby Dillard had given advanced notice of their absence at the meeting.

2. PRESENTATIONS, RECOGNITIONS, ROLLINGWOOD EVENTS, SPOTLIGHT ON ROLLINGWOOD BUSINESSES

SPOTLIGHT ON ROLLINGWOOD - 5 Fitness, 2745 Bee Caves Road, Rollingwood, Texas.

Mayor Farrell said The Hills Fitness Club announced they would be closing and 5 Fitness in Rollingwood may benefit from the closing of the health club.

3. CITIZEN COMMENTS

Resident Rich Wakeland 301 Pleasant Drive spoke about a letter he had written to the City Administrator and Mayor regarding a City service sewer pipe - 140 foot running across his property at 301 Pleasant Drive. He said he had paid \$700 to remove the pipe from his property, and had already thrown it away, he was not asking for reimbursement of the \$700. What he wanted was for the City to respond to his letters and for the City to do the following regarding the situation:

1) wanted the City to cap the service pipe, there was currently a cap on it, which he had done, but he wanted the City to cap it. 2) if any portion of that pipe extended, he would like the City to cap that extended area, also. 3) He wanted the City to record in the property records of Travis County that that service pipe no longer ran across the property.

Resident Shanthi Jayakumar spoke about long-time resident George B. Hatley, as it was the anniversary of his death. Hatley was a long-time resident who had deeded the property now known as Hatley Field Baseball field to the City. Ms. Jayakumar shared some of the history of Mr. Hatley, and she read excerpts on Mr. Hatley from former residents.

DISCUSSION AND POSSIBLE ACTION REGARDING THE SETTLEMENT AGREEMENT WITH TEXAS GAS SERVICE.

Representative Thomas Brocato of Lloyd Gosselink spoke about the Texas Gas Service settlement agreement. People would receive a System Live Rate; which means the citizens would all pay the same rates. Mayor Farrell said options were to accept the rates or for the City to process on its own; original rates were \$11.6 million or with the settlement agreement rates increase by \$6 million.

Alderman Basham then moved to approve the settlement agreement with Texas Gas Service, Alderman Dyson seconded; the motion passed 4 to 0.

4. CONSENT AGENDA

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE REGULAR CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 21, 2016.

Alderdwoman McKee moved to approve the minutes from September 21, 2016, Mayor Pro Tem Hutson seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SPECIAL CALLED CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 27, 2016.

This item was **tabled**.

5. CITY ENGINEER REPORT

CITY ENGINEER: LNV, INC. – Report September 2016.

LVN, Inc., Marcus Naiser presented the report; a copy was included in the packet.

DISCUSSION AND POSSIBLE ACTION TO AWARD THE PARK RETAINING WALL CONTRACT TO BORETEX, L.L.C. IN THE AMOUNT OF \$91,691.50 FOR THE BASE BID AND ADDITIVE ALTERNATE NO. 1.

Alderman Basham moved to adopt and include an addendum for prevailing wage from the Department of Labor for this project, Alderdwoman McKee seconded; the motion passed 4 to 0.

Alderman Basham moved to approve the award for the Park retaining wall to Boretex, LLC in the amount of \$91,691.50 with additive alternate No. 1, Alderdwoman McKee seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO AWARD THE 2016 DRAINAGE IMPROVEMENTS CONTRACT TO D&S CONCRETE CONTRACTORS IN THE AMOUNT OF \$74,660.00 FOR THE BASE BID (HATLEY CULVERT REPLACEMENT) ONLY.

Alderman Basham moved to adopt and include an addendum for prevailing wages from the Department of Labor for this project, Alderdwoman McKee seconded. The motion passed 4 to 0.

Mayor Farrell said the resident at the Hatley Culvert drainage area had requested a 6ft wood fence on Hatley Drive; at the top, 7 feet from the curb where dropped off, there is a very high slope, which was in the setback. He stated that the City could do it, or the owner could do it, or the council send the request to the Board of Adjustment for a variance. He said he wanted to add a rock face on the drain so it doesn't look industrial. There was a discussion on the fence type and style, adding the Public Works department could perform the two tasks for approx. \$100.

Alderman Basham moved to approve the award for the Drainage Improvement contract to D & S Concrete Contractors in the amount of \$74,660.00, as stated. Alderdwoman McKee seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE TASK ORDER NO. 17 FOR ADDITIONAL SERVICES ASSOCIATED WITH GRANT REQUIREMENTS IN THE AMOUNT OF \$3,000.

Alderman McKee moved to approve Task Order No. 17 as stated, Alderman Dyson seconded; the motion passed with 3 voting yes to the motion with 1 abstention by Alderman Basham.

DISCUSSION AND POSSIBLE ACTION REGARDING THE INWOOD AND ROLLINGWOOD DRIVE DRAINAGE PROJECT AND TO APPROVE A CONTRACT IN THE AMOUNT OF \$20,000.

There were questions regarding the plan on the project, which City Council wanted to review before approving. The item was **tabled** until November, when the plans could be made available.

DISCUSSION AND POSSIBLE ACTION REGARDING OTHER DRAINAGE PROJECTS - VALLEY GUTTERS ON 1) RILEY ROAD AND VANCE, AND 2) HATLEY DRIVE.

There was a brief discussion on the two drainage projects. Mayor Farrell briefed the council regarding the projects stating the cost would be \$5,000 for each project and the money would come from the road maintenance fund.

Alderman McKee moved to approve both drainage projects as stated, up to \$12,000 for both projects funded from the road maintenance. Alderman Basham seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION REGARDING DRAINAGE ISSUES AT 2824 ROLLINGWOOD DRIVE.

After a briefing by Mayor Farrell, Alderman McKee moved for the City Engineer to review the drainage issue and to bring a task order back to the November meeting regarding the drainage at 2824 Rollingwood Drive. Mayor Pro Tem Hutson seconded; the motion passed 4 to 0.

6. REPORTS AND INFORMATION

The following reports are available to the public at the City's administrative offices and posted to the City's website. Discussion may occur as to any matter included in such reports.

MAYOR'S REPORT - September 2016 – tabled until later in the meeting.

CITY ADMINISTRATOR - City Activity Report for September 2016; talked about Public Works and Police Department and their involvement with ACL; the report was included in the packet.

CITY SECRETARY - Administrative Activity Report for September 2016; Robyn Ryan talked about the Administrative side of ACL and the parking passes that were issued by the Administrative staff; both reports were included in the packet.

PUBLIC WORKS DIRECTOR - Public Works Activity Report for September 2016; the report was included in the packet.

CHIEF OF POLICE - Activity and Service Calls Report for September 2016; Chief Pryor did a recap of ACL, 38 parking tickets were issued, he was pleased by the outcome of the planning and parking by the city; the report was included in the packet.

DISCUSSION AND POSSIBLE ACTION TO UPDATE THE POLICE DEPARTMENT POLICY MANUAL.

There was discussion on a Body Cam Policy; Chief Pryor said the current policy would be reviewed at the 5-year mark during the audit period for 2017-2018. City Attorney Young mentioned the Texas Legislature had looked at a Body Cam Policy and Texas compliance. No action was taken.

MUNICIPAL COURT - Activity Report for September 2016; the report was included in the packet.

Mayor Farrell stepped out of the meeting, and turned the meeting over to Mayor Pro Tem Hutson to continue the meeting.

CITY STATS, CITY FINANCIALS and RCDC FINANCIALS for September 2016 FY 2015-2016, and the 4th Quarter 2015-2016 Investment Report was included in the council packet. The contractor invoices through September 2016 - LNV Inc., City Engineer, Professional Design Group, Building Official, Scanlan, Buckle & Young, City Attorney and AWR Services, Inc., Water and Wastewater Services invoices were included in the council packet. There were no comments or questions.

AWR SERVICES - Water and Wastewater Report for September 2016 and the Top Ten Water Users in the City was included in the council packet. Brett Lanham from AWR was present, there were no comments.

CITY BUILDING OFFICIAL - Professional Design Group - Mike Alexander Report was included in the packet.

Texas Gas Service and Texas Central Appraisal District and Tax Assessor letters were included in the packet.

7. BOARDS AND COMMISSIONS

DISCUSSION AND POSSIBLE ACTION TO MAKE APPOINTMENT(S) TO BOARDS AND COMMISSIONS.

There were no applications for review.

Mayor Farrell returned to the meeting.

PARK COMMISSION REPORT - Met on October 3rd and Special Called meeting on October 17th, 2016.

Park Commission Liaison Mike Dyson briefed the council on Park Commission items; 70 volunteers turned out to It's My Park Day with families, scout troops, and members from the Rollingwood Women's Club. Over \$2,000 was raised in sponsorships to help fund the event. Mr. Dyson said the event was a success. Also, at the meeting there was discussion on the park master plan, and the commission will consider asking the RWC to fund a recycle bin near the ball fields.

PARK COMMISSION ITEM - DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDITIONAL TREE TRIMMING EXPENDITURES FOR TREE MAINTENANCE IN LOWER PARK.

After discussion regarding the agenda item, the council determined they wanted a "scope of work" from Adam's Apple Tree Trimming Company before they would approve the expenditure. The item was **tabled**.

PARK COMMISSION ITEM - DISCUSSION AND POSSIBLE ACTION TO INSTRUCT PUBLIC WORKS TO MOVE THE "NO DOGS" SIGNAGE FROM THE LOWER PARK AND INSTALL IN THE UPPER PARK PLAYGROUND DURING CONSTRUCTION OF THE LOWER PARK RETAINING WALL.

A new sign would be ordered and placed at the upper playscape area, and the Mayor instructed the City Attorney to prepare an ordinance stating "*no dogs allowed in the playscape areas of the parks*". There was no action taken.

PARK COMMISSION ITEM - DISCUSSION OF DEED AND USE RESTRICTIONS FOR HATLEY PARK LAND.

Mayor asked the City Attorney to review the Deed and Use Restrictions for the Hatley Park Land.

PARK COMMISSION ITEM - Update on Master Plan presented by Park Commission (Wendi Hundley and Amy Pattillo).

Park Commission member Wendi Hundley presented information on the Master Plan and the process, i.e. the use of the park, services, accessibility, and a future vision for the park. She said they had held the first Stake

Holder meeting on the 17th, and the Commission came up with several ideas for the Park areas; assign a park liaisons for different areas of the park, assign administrative people and park maintenance people and plans for 5 and 10 year projects. They wanted to work with RCDC and the Rollingwood Women's Club on future project ideas. She added they had met with the softball organizations to coordinate options on potential projects. The commission wanted to get back to the real purpose of the Park Commission; The Master Plan and fund raising for the park. Ms. Hundley ended by stating the engraved family pavers were scheduled to be ordered and installed twice a year. The schedule for the paver install, would be this winter; there were 200 paver spots available on the upper and lower walkways.

UTILITY COMMISSION REPORT - NO October Meeting. There were no comments.

ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION REPORT - Meeting October 20, 2016. There were no comments.

8. OLD BUSINESS

DISCUSSION AND POSSIBLE ACTION TO HIRE ENGINEERING SERVICES FOR THE BIKE LANE PROJECT IN THE CITY.

This item was previously discussed; A Task Order would be developed.

There were comments on the bike lanes from Resident Gayle Rosenthal. She was not in agreement regarding the bike lanes. She had missed all previous public hearings noticed and held earlier in the year regarding placement of the bike lanes in the city. The City Secretary gave a copy of the agreed upon streets to Ms. Rosenthal at the meeting, as requested.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE OAK WILT PROJECT AND THE EXPENDITURE ASSOCIATED WITH THE PROJECT TO CONTAIN THE ACTIVE OAK WILT CENTER IN THE CITY.

Mayor briefed the council on the oak wilt project.

Alderman Basham moved to authorize the mayor to enter in to a contract on terms and conditions approved by the City Attorney for the Oak Wilt Project in the amount of \$34,950. Alderman Dyson seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A FIRST AMENDMENT TO THE TOWNE CENTRE PUD AGREEMENT PROVIDING FOR AMENDMENTS PREVIOUSLY APPROVED BY THE COUNCIL TO CONDITIONALLY ALLOW INCREASED HEIGHTS OF STRUCTURES, A FLAT ROOF WITH SCREENING OF ROOFTOP EQUIPMENT, ADDITIONAL VISUAL AND LIGHT SCREENING OF PARKING STRUCTURE, ACCESS TO A PUBLIC GREEN SPACE, AND IMPROVEMENTS TO THE PUBLIC GREEN SPACE.

The item was **tabled** until November.

DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDINANCE ENACTING THE CHANGES IN ZONING REGULATIONS PROVIDED IN THE FIRST AMENDMENT TO THE TOWNE CENTRE PUD AGREEMENT AND CODIFYING THE ORIGINAL TOWNE CENTRE PUD REGULATIONS.

The item was **Tabled** until November.

9. NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION TO ESTABLISH A "FILMING IN ROLLINGWOOD" POLICY.

Mayor Farrell briefed the council on the recent filming situation. The mayor said the City currently does not have a policy on filming commercials. A policy to notify the City regarding filming would be discussed. No formal action was taken.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE HIRING OF AN ADDITIONAL PUBLIC WORKS TECHNICIAN.

Alderman Basham moved to approve the hiring of a Public Works Department employee, Alderwoman McKee seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A SIGN VARIANCE FOR FIRST UNITED BANK AT 2725 BEE CAVES ROAD.

Mayor Approved and council agreed that if this was no more than just “changing the lettering”, then the council would approve, it is more than that, then it must be returned in November for further consideration and possible action. There was no formal motion made on the item.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE HIRING OF A CODE ENFORCEMENT OFFICER FOR THE CITY

After a lengthy discussion, Mayor Farrell asked for someone to take on the task of preparing a job description on a Code Enforcement Officer, and a salary for that job. Mayor Farrell asked Alderwoman McKee to prepare the job description, and then it was discussed and agreed upon that Mayor Pro Tem Hutson would prepare the job description. When ready, the document would be brought back to the council for review and possible action.

DISCUSSION AND POSSIBLE ACTION TO ADOPT THE DRAINAGE ORDINANCE.

There were additions and clarifications to the ordinance and further discussion. Mayor Farrell wanted to pass on adopting the ordinance and to bring it back in final form in November, which would give everyone a month to review the document. It was Approved in concept, but would be brought back for final approval.

The final document would be forwarded to the council by the 24th of October.

The item was **tabled**.

Alderwoman McKee asked if the council would hold a special called meeting to discuss and review the drainage documents. It was decided by the council to hold a special called meeting on November 9th to review the drainage manual and ordinance.

UPDATE, AND DISCUSSION AND POSSIBLE ACTION TO ADOPT THE ROLLINGWOOD DRAINAGE CRITERIA MANUAL AND THE SITE IMPROVEMENT / DRAINAGE PLAN FORM.

The item was **tabled**.

10. EXECUTIVE SESSIONS

Mayor Farrell called the meeting into Executive Sessions at 10:59 pm for the following:

Agenda item 8.07 - Consultation with Legal Counsel Pursuant to Chapter 551.071 of the Texas Government Code, and

Agenda Item 10.03 - Discussion of Personnel Matters Pursuant to Chapter 551.074 Of the Texas Government Code.

EXECUTIVE SESSION - PURSUANT TO THE TEXAS GOV'T CODE SECTION 551.074 PERSONNEL MATTERS REGARDING PERFORMANCE EVALUATIONS AND COMPENSATION ON CITY EMPLOYEES: CHARLES WINFIELD, ROBYN RYAN, JACKIE BOB WRIGHT, DAYNE PRYOR, ADMINISTRATIVE: RITA OSTRANDER, ABEL CAMPOS, PUBLIC WORKS: ELI ARRIAGA, JASPER LAWRENCE, MUNICIPAL COURT: ANGIE DEJESUS, BELINDA HERRERA, POLICE DEPARTMENT: KRISTAL POMPA, STEVEN POMPA, AARON HOWE, DAN ARISPE, GREG DUARTE, JOSH ODOM, BRYCE JOHNSON AND JESSE HERNANDEZ.

Mayor Farrell reconvened the meeting back into regular session at 12.28 am, stating no action was taken during the Executive Session.

DISCUSSION AND POSSIBLE ACTION TO REQUEST THE PLANNING & ZONING COMMISSION TO RECOMMEND AMENDMENTS TO ZONING REGULATIONS APPLICABLE TO CERTAIN NON-RESIDENTIAL PROPERTIES LOCATED ON BEE CAVE DRIVE, TO PROVIDE FOR RELIEF FROM THE 100 FOOT SETBACK FROM RESIDENTIAL PROPERTIES.

Alderman Basham moved to send a request to the Planning and Zoning Commission to recommend amendments to the Zoning regulations applicable to certain non-residential properties located on Bee Caves Road, to provide for relief from the 100-foot setback from residential properties. The motion was seconded by Alderman Dyson; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO REVIEW THE PERFORMANCE EVALUATIONS AND DETERMINE SALARY INCREASES ON THE FOLLOWING EMPLOYEES: CHARLES WINFIELD, ROBYN RYAN, JACKIE BOB WRIGHT, DAYNE PRYOR, ADMINISTRATIVE: RITA OSTRANDER, ABEL CAMPOS, PUBLIC WORKS: ELI ARRIAGA, JASPER LAWRENCE, MUNICIPAL COURT: ANGIE DEJESUS, BELINDA HERRERA, POLICE DEPARTMENT: KRISTAL POMPA, STEVEN POMPA, AARON HOWE, DAN ARISPE, GREG DUARTE, JOSH ODOM, BRYCE JOHNSON AND JESSE HERNANDEZ.

Alderman Basham moved to adopt Mayor Farrells' recommendation for each employee that was reviewed during the executive session, Alderman Dyson seconded; the motion passed 4 to 0.

EXECUTIVE SESSION - PURSUANT TO THE TEXAS GOV'T CODE SECTION 551.071 - CONSULTATION WITH LEGAL COUNSEL REGARDING WHOLESALE WATER RATES CHARGED BY THE CITY OF AUSTIN WATER.

The council did not go into Executive Session on this item.

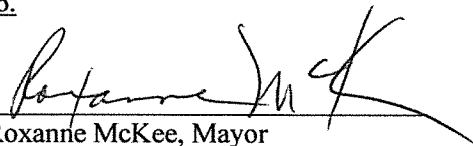
EXECUTIVE SESSION - PURSUANT TO THE TEXAS GOV'T CODE SECTION 551.071 - CONSULTATION WITH LEGAL COUNSEL REGARDING SETTLEMENT WITH TEXAS GAS SERVICE.

The council did not go into Executive Session on this item.

ADJOURNMENT

Mayor Farrell called for adjournment. There was a motion and a second to adjourn; the meeting ended at 12:30 am.

Minutes adopted on the 21st day of December 2016.


Roxanne McKee, Mayor

ATTEST:


Robyn Ryan, City Secretary