



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, April 15, 2020

On April 15, 2020 at 10:00 a.m., the City Council of the City of Rollingwood, Texas held a regular meeting, open to the public, via video conference and telephone in accordance with an order of the Office of the Governor issued March 16, 2020. The public was able to watch this meeting live and had the opportunity to comment via audio devices at the following link:

<https://meetings.ipvideotalk.com/110664309>

The public was also able to participate in this meeting by dialing one of the following numbers: 1(617) 315-8088 or toll free at 1(888) 330-2489 and entering the Meeting ID: 110664309

The public was permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. The following items were discussed:

CALL REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Michael Dyson called the meeting to order at 10:00 a.m.

Present Members: Mayor Michael Dyson, Council Member Wendi Hundley, Council Member Gavin Massingill, Council Member Amy Pattillo, Council Member Buck Shapiro, and Council Member Sara Hutson.

Also Present: City Administrator Amber Lewis, City Attorney Charles Zech, Finance Manager Abel Campos and City Secretary Ashley Wayman.

PUBLIC COMMENTS

Mayor Michael Dyson gave a brief overview of how the public is able to participate in this meeting.

There were no public comments.

PRESENTATIONS

2. Discussion on the Quarterly Investment Report for the 2nd Quarter.

Finance Manager Abel Campos discussed the Quarterly Investment Report for the 2nd Quarter.

CONSENT AGENDA

3. Discussion and possible action on the minutes from the February 19, 2020 City Council Meeting and the March 25, 2020 Emergency Special Called City Council Meeting.

Gavin Massingill motioned to approve the consent agenda. Wendi Hundley seconded the motion. Michael Dyson called for a record vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

REGULAR AGENDA

4. Discussion and possible action on an appeal of a requirement and determination by the City Engineer in connection with an application for a building permit, pursuant to Section 103-232 (f) Stormwater Detention, at 209 Ashworth Drive.

City Engineer Jay Campbell discussed the detention pond within the ten-foot setback, an issue that is similar to those the Council has seen recently. He stated that he has reviewed the plans and has approved them with the exception of the ten-foot setback rule.

Wendi Hundley motioned to grant an appeal of a requirement and determination by the City Engineer in connection with an application for a building permit, pursuant to Section 103-232 (f) Stormwater Detention, at 209 Ashworth Drive. Gavin Massingill seconded the motion.

Sara Hutson discussed drainage issues on the property along Kristy Drive. City Engineer Jay Campbell responded to her comments and discussed the drainage easement and the driveway that may need to be modified in the future.

Sara Hutson also discussed that currently the driveway is blocking drainage across the property. Jay Campbell showed on the plans that drainage is not blocked on the property but that he would be happy to take a closer look at the property.

Wendi Hundley questioned whether this issue is relevant to the agenda item at hand.

Buck Shapiro stated that this would all need to be inspected in order for them to get their certificate of occupancy, so this is not a pressing issue at this time.

Jay Campbell shared pictures of the site and the area where the easement is. He stated that whether or not it is paved, the water would continue to drain onto Kristy Drive. The Council further discussed the appeal at hand.

Wendi Hundley asked that this issue be put on a future agenda so the Council could consider changing the City's code so that they do not have to consider and approve each case like this.

Michael Dyson called for a record vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

5. Discussion and possible action on an ordinance extending a declaration of local disaster in the City of Rollingwood and adopting the rules and regulations deemed necessary to protect the health and safety of the Citizens of Rollingwood in light of the COVID-19 pandemic consistent with the Mayor's amended Order.

City Attorney Charles Zech explained that if the City Council takes this action it extends the declaration, adopts the governor's order, and allows the city to enforce local rules. He also discussed how this item could be amended to include the recently issued Travis County Judge's updated order, which now requires that masks be worn in certain situations. He stated that this ensures that the city has local enforcement authority in municipal court to prosecute violators.

Mayor Michael Dyson stated that for the most part those in the city are complying with these rules, but it is important to have the proper authority to enforce these rules.

The Council discussed the different options before them.

Wendi Hundley motioned to approve ordinance 2020-04-15-05 extending a declaration of local disaster in the City of Rollingwood and adopting the rules and regulations deemed necessary to protect the health and safety of the Citizens of Rollingwood in light of the COVID-19 pandemic consistent with the Mayor's amended Order. Gavin Massingill stated that he would second the motion if it included removing Exhibit B. Wendi Hundley amended her motion to remove Exhibit B. Gavin Massingill seconded the motion.

Amy Pattillo questioned whether the City Council needed to adopt any other rules as an Exhibit B so that the Council would not have to come back and do this at a later date.

City Attorney Charles Zech discussed the Travis County judge order and stated that if the City Council adopts it they could enforce it in municipal court.

Amy Pattillo stated that there are ambiguities in the different orders and there is a need for clarification. She asked to include the Travis County Judge's order to this item so there is more clarification for the City of Rollingwood.

City Attorney Charles Zech discussed the Travis County and City of Austin orders. The Council discussed further options on what orders to formally adopt at this time.

Mayor Michael Dyson stated that he felt that the process is currently working well.

Development Services Manager Carrie Caylor discussed the current process that the city has in place for monitoring construction. Mayor Michael Dyson stated that the city would continue monitoring these construction sites for safety.

The Council discussed new mask requirements and enforcement measures.

City Attorney Charles Zech gave some proposed motion language.

Gavin Massingill questioned whether the city would be able to enforce facemask wearing in municipal court if that motion was passed. City Attorney Charles Zech stated that it would not, but then the city could include the provisions in the Travis County Judge's order that require people to wear facemasks in certain situations.

Wendi Hundley withdrew her motion.

City Attorney Charles Zech gave some proposed motion language that would include the facemask provisions.

Amy Pattillo motioned to approve the Ordinance extending a declaration of local disaster in the City of Rollingwood and adopting the rules and regulations deemed necessary to protect the health and safety of the Citizens of Rollingwood in light of the COVID-19 pandemic consistent with the Mayor's amended Order, to include the provisions within Section 1, subsection B of the Travis County orders referencing mask requirements in certain situations. Gavin Massingill seconded the motion.

Gavin Massingill clarified that people are not subject to any new rules with this action. This is just an enforcement issue.

Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

6. Discussion and possible action on a first read of a Resolution establishing the COVID-19 Emergency Relief Grant Program.

Mayor Michael Dyson explained this program, which is being put forth by the RCDC. He discussed that there are local businesses that need help. He summarized the program details as discussed at the last RCDC meeting and stated that each applying business could get up to \$10,000.

Amy Pattillo clarified that this is a first reading and asked if the parameters would be elaborated when it comes back for the second reading.

Mayor Michael Dyson stated that there would be parameters on how the grants would be awarded and specific projects would have to be approved.

Amy Pattillo discussed the areas where SBA and other federal dollars are deficient and that the city should focus on those that are left out of those programs, including the sole proprietors and small partnerships.

Gavin Massingill agreed with Amy Pattillo and stated that the city needs to make sure that anyone that receives this grant should have exhausted other federal resources first.

Mayor Michael Dyson stated that he would take these thoughts back to RCDC and make sure they are incorporated.

City Attorney Charles Zech stated that this resolution needs to be read twice and changes to the application and performance agreement can be made before the second reading. He also stated that RCDC would approve each project after City Council has approved the application and performance agreement.

Mayor Michael Dyson stated that the RCDC would be open to having a Council Member provide some oversight on the approval process.

City Attorney Charles Zech stated that a City Council member could be put on the committee that reviews the applications.

Mayor Michael Dyson asked Gavin Massingill if he would be available to sit on that committee.

Gavin Massingill motioned to approve a first read of a Resolution of the Rollingwood City Council approving a project of the Rollingwood Community Development Corporation as authorized by Section 505.158 of the Texas Local Government Code, authorizing certain financial assistance to be used for businesses located within the City of Rollingwood, Texas; and providing for an effective date. Wendi Hundley seconded the motion.

Sara Hutson asked if the city would be looking into doing anything for the residents as well. Mayor Michael Dyson stated that RCDC funds are restricted and would not be able to be used for this purpose.

Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

7. Discussion and possible action to ratify the approval by operation of law of the replat for the properties located at 103 Riley Road and 2408 Vance Lane.

City Administrator Amber Lewis discussed that this plat was conditionally approved by the Planning and Zoning Commission in their last meeting and the plat has now met those

conditions. She stated that because the City Council was not able to have a meeting due to the COVID-19 issue, the plat was administratively approved and this item simply ratifies that approval.

Wendi Hundley motioned to ratify the approval by operation of law of the replat for the properties located at 103 Riley Road and 2408 Vance Lane. Amy Pattillo seconded the motion. Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

8. Discussion and possible action to review applications and make appointments to the Park Commission, Utility Commission, RCDC, Planning and Zoning Commission and the Board of Adjustment.

Mayor Michael Dyson discussed that there are five outstanding applications to Rollingwood boards and commissions. He stated that two applications are for the Park Commission and discussed the applications.

Wendi Hundley motioned to appoint David Raymond to the Park Commission and to keep the other application to the Park Commission on file should another spot open up. Amy Pattillo seconded the motion. Mayor Michael Dyson called for a roll call vote.

Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

Mayor Michael Dyson then discussed that Phil Dixon has applied for the Utility Commission.

Amy Pattillo motioned to appoint Phil Dixon to the Utility Commission. Sara Hutson seconded the motion.

Sara Hutson asked whether they could also appoint Ronald Hasso, who has also applied to the Utility Commission, at the same time.

Amy Pattillo withdrew her motion.

Amy Pattillo motioned to appoint Phil Dixon and Ronald Hasso to the Utility Commission. Sara Hutson seconded the motion.

Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

9. Discussion and possible action on a resolution to deny Texas Gas Service's proposed rates as unreasonable and excessive, as the analysis indicates.

City Administrator Amber Lewis discussed that Texas Gas has proposed rates that combine the Coastal and Central Texas Regions, causing central Texas to subsidize the coastal region.

Wendi Hundley motioned to approve Resolution 2020-04-15-09 to deny Texas Gas Service's proposed rates as unreasonable and excessive, as the analysis indicates. Gavin Massingill seconded the motion. Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**
- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

10. Discussion and possible action to set the winter averaging rate and other sewer billing adjustments for 2020.

City Administrator Amber Lewis explained that this item is not required to be acted on by City Council but explained how the winter averaging rates were calculated.

Sara Hutson stated that the calculations have already been done and reflected in the April bill, but historically the Utility Commission has reviewed these calculations for accuracy. She stated that this did not happen at this time, but she has asked for the information so it can be reviewed.

Amy Pattillo clarified that some residents may see different averaging numbers in their next bill than they have in the last bill and stated that this is unfortunate, but it is good that this issue has been brought up so the city can look at the process for next year.

11. Discussion and possible action on a list of potential locations for the placement of test Electronic Water Meters.

Mayor Michael Dyson discussed the program.

City Administrator Amber Lewis discussed the way the addresses were selected and the City Council discussed other ways to make sure that the sample is representative of the City's water system.

Mayor Michael Dyson stated that this item would be brought back on the 30th with a complete, representative list.

No action was taken.

12. Standing agenda item ----- update, discussion and possible action to pass a resolution, request a meeting with, to provide information or a statement of position of the City to, and/or to request information or analyses from relevant state and local officials in connection with the proposed South Mopac expansion.

Council Member Wendi Hundley asked if there needed to be a motion to submit comments to the CAMPO 2045 plan comment period that closes on April 20.

Wendi Hundley discussed the city's position on this issue. Mayor Michael Dyson stated that he would draft the letter for the City's position. Amy Pattillo offered her assistance and suggested that the letter could also include the city's position on Bee Caves Road.

13. Discussion and possible action on an agreement with Kittelson LLC for the review and evaluation of impacts to the City of Rollingwood from the MoPac South Highway Improvement Project.

Mayor Michael Dyson brought this item up for consideration before item 12.

Mayor Michael Dyson discussed this item and City Administrator Amber Lewis explained that they had been working on the scope of work for this agreement.

Wendi Hundley stated that the city needs an expert to look at the road design and how it would impact the city and that we also need to make sure the Bee Cave and Mopac intersection will be designed in a way that helps east to west traffic.

Mayor Michael Dyson discussed his issues with phase one of the scope of work and stated that he is concerned with the length of time that this would take.

Amy Pattillo stated that the public comment period keeps getting pushed back and the city has a window now where someone could take more time to get up to speed before those hearings start again. She stated that it is important that the city use this window of time to get the requests ready.

The Council discussed this issue further.

Mayor Michael Dyson asked that Wendi Hundley and Amy Pattillo work with City Administrator Amber Lewis to go over the scope and decide what items are necessary.

Wendi Hundley moved to approve an agreement with Kittelson LLC for the review and evaluation of impacts to the City of Rollingwood from the MoPac South Highway Improvement Project. Buck Shapiro seconded the motion. Mayor Michael Dyson called for a roll call vote.

- **Amy Pattillo - Yes**

- **Wendi Hundley - Yes**
- **Buck Shapiro - Yes**
- **Gavin Massingill - Yes**
- **Sara Hutson - Yes**

The motion passed 5-0.

Mayor Michael Dyson returned to item 12 at the conclusion of this item.

14. Standing agenda item ----- update, discussion and possible action regarding the Bee Cave Improvement Project TXDOT has committed to co-sponsoring with the City of Rollingwood that will address the low water crossing flooding issues, expand to 5-lanes with shoulders and sidewalks throughout Rollingwood's portion of Bee Cave Road.

Mayor Michael Dyson stated that TXDOT has begun with the sidewalk at Rollingwood Drive and Bee Caves Road.

Wendi Hundley questioned what design they were using and he stated that he had not seen a design but Development Services Manager Carrie Caylor is working on getting something to the Council.

Development Services Manager Carrie Caylor stated that she had not yet received any plans but would send them when she gets them.

Amy Pattillo commented that there is a big regional push to delay projects so that the I-35 project could be the priority and that may affect funding of this project.

MAYOR AND DEPARTMENT 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.

15. Municipal Court Report
16. Chief of Police Report
17. City Engineer- LNV, Inc., Report
18. Contract invoices through March 2020 - AWR Services, Inc., Water and Wastewater Services, K. Friese & Associates - IIP & MS4, LNV, Inc., City Engineer, Professional Design Group, Inspections, ATS, Building Official
19. City Stats for March 2020
20. City Financials for February 2020 - FY 2019-2020
21. RCDC Financials for February 2020 - FY 2019-2020
22. Travis Central Appraisal District and Tax Assessor - Notices, Letters and Documents.

23. Texas Gas Service - Notices, Letters and Documents

24. AWR Services, INC., Report on Water and Wastewater for February 2020

ADJOURNMENT OF MEETING

The meeting was adjourned at 12:23 p.m.

Minutes Adopted on the 30th day of April, 2020.


Michael R. Dyson (May 1, 2020)

Michael R. Dyson, Mayor

ATTEST:



Ashley Wayman, City Secretary






04-15-2020 City Council Meeting Minutes

Final Audit Report

2020-05-01

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