



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

**Wednesday, October 21, 2020**

On Wednesday, October 21, 2020 at 6:00 p.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/164119652>

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: 164119652

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. A video recording of the meeting was made and posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request. The following items were discussed:

### **CALL REGULAR CITY COUNCIL MEETING TO ORDER**

1. Roll Call

**Mayor Michael Dyson called the meeting to order at 6:04 p.m.**

**Present Members:** Mayor Michael Dyson, Mayor Pro Tem Gavin Massingill, Council Member Sara Hutson, Council Member Amy Pattillo, and Council Member Buck Shapiro.

**Also Present:** City Administrator Amber Lewis, City Attorney Charles Zech, Assistant City Administrator Ashley Wayman, Finance Director Abel Campos and Development Director Carrie Caylor.

### **PUBLIC COMMENTS**

There were no public comments.

### **PRESENTATIONS**

2. Presentations of proposals for engineering services from K. Fries and Associates, LNV, and WSB.

Joe Cantalupo, Lauren Winek-Morin, and Vicki Ortega with K. Friese and Associates presented their proposal for Engineering Services.

Marcus Naiser and Jay Campbell with LNV Engineering presented their proposal for Engineering Services.

Jay Kennedy and Marc Drouin with WSB Engineering presented their proposal for Engineering Services.

3. Discussion on the Budget Review for the 4th Quarter

Finance Director Abel Campos presented the budget review for the 4<sup>th</sup> quarter.

4. Discussion on the Quarterly Investment Report for the 4th Quarter.

Finance Director Abel Campos presented the quarterly investment report for the 4<sup>th</sup> quarter.

### **PUBLIC HEARING**

5. Public hearing, discussion and possible action on amendments to Subdivision 2. Residential Tree Canopy Management of the City's Code of Ordinances.

**Mayor Michael Dyson opened the public hearing at 7:07 p.m.**

The following individuals spoke during the public hearing:

- Council Member Sara Hutson asked how residents were noticed that the Council was considering changes to the Tree Canopy Ordinance.
- City Administrator Amber Lewis discussed noticing per the city's code.

**Mayor Michael Dyson closed the public hearing at 7:09 p.m.**

Council Member Amy Pattillo discussed the attachments for this item in the packet and the history of discussions regarding the Residential Tree Canopy Management Ordinance.

**Amy Pattillo motioned to postpone action on the amendments to Subdivision 2. Residential Tree Canopy Management of the City's Code of Ordinances. Sara Hutson seconded the motion.**

The City Council discussed the recommendations made by the Planning and Zoning Commission.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0**

## **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.

6. Discussion and possible action on the minutes from the September 16, 2020 Budget Workshop and City Council meeting.
7. Discussion and possible action on the minutes from the October 2, 2020 Special City Council meeting.
8. Discussion and possible action to accept the resignation of Grace Casstevens from the Board of Adjustment.
9. Discussion and possible action to accept Michael Dyson's resignation from the Rollingwood Community Development Corporation.

**Gavin Massingill motioned to approve the consent agenda. Sara Hutson seconded the motion.**

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

## **REGULAR AGENDA**

10. Discussion and possible action on a variance request from Section 101-247 (b) Prohibited Days and Hours/Signage, of the city's Code of Ordinances for 2700 Bee Caves Road.

City Administrator Amber Lewis discussed this variance request.

Jason Teague, representing Austin Eye, discussed why they requested this variance.

The City Council discussed this request and noise concerns.

**Gavin Massingill motioned to approve the variance request from Section 101-247 (b) Prohibited Days and Hours/Signage, of the city's Code of Ordinances for 2700 Bee Caves Road to allow inside construction activities between the hours of 7:00 a.m. and 12:00 a.m., 7 days a week. Amy Pattillo seconded the motion.**

The Council further discussed that these activities must be quiet and not disturb the surrounding areas.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

11. Discussion and possible action on a proposed project for the Tax Note Series 2020 and triggering a public engagement process for a Preliminary Engineering Report for drainage improvements at Nixon and Pleasant Drives which is, a) estimated to cost \$70,000, b) estimated to take 90 days, c) analyze public safety issues posed by flooding, and d) identify easement need.

Gavin Massingill discussed this item and the discussions and actions that have been taken to investigate this potential drainage improvement project. He also discussed the process to get a project on the list of potential projects.

**Gavin Massingill motioned to approve a proposed project for Tax Note Series 2020, to set the public hearing for the November City Council meeting and to authorize the council liaison and the city administrator to work on a task order for the proposed project. Sara Hutson seconded the motion.**

Council Member Amy Pattillo clarified that the process states that this step will add the project to a proposed project list.

**Gavin Massingill amended his motion to reflect that this item project would be included on the project consideration list. Sara Hutson seconded the amendment.**

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

12. Review, discussion and possible action on the impact of wastewater rate changes on citizens.

Sara Hutson asked call up items 13 and 14 to be discussed in conjunction with this item.

**Sara Hutson motioned to postpone all decisions on items 12, 13 and 14 until further review of the commercial LUE analysis and assignment is completed because that information is factored into the rate assessment. Gavin Massingill seconded the motion.**

Sara Hutson discussed the spreadsheet she put together regarding the impacts of the wastewater rate study.

The Council discussed LUE calculation.

City Administrator Amber Lewis discussed the history of calculating LUEs in Rollingwood as well as that the city does not have a formal process to calculate LUEs.

The Council discussed the rate study, the recommendation from the Utility Commission, and the potential option of instituting a stand-by fee.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – No**
- **Council Member Amy Pattillo – No**
- **Council Member Buck Shapiro – No**

**The motion failed 3-1.**

**Gavin Massingill motioned to postpone item 13 upon further review of the LUE classification system. Buck Shapiro seconded the motion.**

The Council discussed the postponement of the stand-by fee.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – No**
- **Council Member Buck Shapiro – Yes**

**The motion passed 3-1.**

**Amy Pattillo motioned to approve ordinance 2020-10-21-14 setting the wastewater rates for the City of Rollingwood and amending the fee schedule accordingly without the stand-by fee. Gavin Massingill seconded the motion.**

The Council discussed the ordinance presented today.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – No**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 3-1.**

13. Discussion and possible action on a recommendation from the Utility Commission regarding a stand-by fee option of the wastewater rate study.

This item was considered during item 12.

14. Discussion and possible action on an ordinance setting the wastewater rates for the City of Rollingwood and to amend the fee schedule accordingly.

This item was considered during item 12.

15. Discussion and possible action to select a firm to provide City Engineering Services to the City of Rollingwood and authorize the Mayor to negotiate a Professional Services Agreement.

**Sara Hutson motioned to select K. Friese and Associates to provide City Engineering Services to the City of Rollingwood and authorize the Mayor to negotiate a Professional Services Agreement. Amy Pattillo seconded the motion.**

The Council and City Administrator Amber Lewis discussed the proposals and presenting firms.

**Mayor Michael Dyson called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

The Council moved to item 28 at the conclusion of this item.

16. Discussion and possible action on a first read of a resolution authorizing a project to make certain improvements that will enhance recreational and community facilities, including athletic facilities, in various locations within Rollingwood Park, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.152.

City Administrator Amber Lewis explained the City Council had requested funds from the RCDC for this project and that RCDC approved this project.

**Amy Pattillo motioned to approve a first read of a resolution authorizing a project to make certain improvements that will enhance recreational and community facilities, including athletic facilities, in various locations within Rollingwood Park, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.152. Buck Shapiro seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

17. Discussion and possible action on a first read of a resolution authorizing a project for development of a comprehensive plan, which will assist in promoting new and expanded business development and provide assistance as to how businesses create and retain jobs, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.158.

City Administrator Amber Lewis explained this item and that the City Council had requested funds from RCDC for this project.

**Buck Shapiro motioned to approve a first read of a resolution authorizing a project for development of a comprehensive plan, which will assist in promoting new and expanded business development and provide assistance as to how businesses create and retain jobs, and to authorize expenditures in an amount not to exceed \$30,000, pursuant to Texas Local Gov't Code Section 505.158. Amy Pattillo seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

18. Discussion and possible action on a first read of a resolution authorizing a project for legal services necessary for the evaluation of the targeted infrastructure included in the design of MoPac South and the potential impacts on the city's commercial corridor which affects the ability to promote new and expanded business development in the city, and to authorize expenditures in an amount not to exceed \$40,000, Pursuant to Texas Local Gov't Code Section 505.158.

City Administrator Amber Lewis stated that City Attorney Charles Zech confirmed that this was an eligible project.

**Amy Pattillo motioned to approve a first read of a resolution authorizing a project for legal services necessary for the evaluation of the targeted infrastructure included in the design of MoPac South and the potential impacts on the city's commercial corridor which affects the ability to promote new and expanded business development in the city, and to authorize expenditures in an amount not to exceed \$40,000, Pursuant to Texas Local Gov't Code Section 505.158. Sara Hutson seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

19. Discussion and possible to approve quotes for installation and ongoing maintenance of an online message board for the city's website.

City Administrator Amber Lewis explained that the quotes for setting up the online message board exceeded what Council had previously approved for this project, therefore it has been brought back. She also discussed the details of the quote.

**Amy Pattillo motioned to postpone item 19 subject to additional quotes. Buck Shapiro seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

20. Discussion and possible action on a recommendation from the Park Commission to donate the funds raised by the Pet Paver Program to WHLL/WHGS to repair/replace gates on the baseball fields.

City Administrator Amber Lewis explained that this item is a recommendation from the Park Commission.

Steve Franke with Western Hills Girls Softball discussed this request from the Park Commission.

**Buck Shapiro motioned to donate the funds raised by the Pet Paver Program to WHLL/WHGS to repair/replace gates on the baseball fields. Sara Hutson seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

21. Discussion and possible action on an Eagle Scout/volunteer project approval process as recommended by the Park Commission.

City Administrator Amber Lewis discussed the need for a project approval process for Eagle Scout and other volunteer projects.

**Buck Shapiro motioned to approve an Eagle Scout/volunteer project approval process as recommended by the Park Commission. Sara Hutson seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 3-0.**



Mayor Pro Tem Gavin Massingill stated for the record that Council Member Amy Pattillo was not on the dais for the vote.

22. Discussion and possible action regarding the WHLL-WHGS Capital Improvement Contribution Plan for 2020-2021.

City Administrator Amber Lewis explained that approval of this plan was a requirement of the new lease.

Buck Shapiro discussed the damages that the University of Texas baseball players caused to the batting cages over the summer.

The Council discussed the damages and potential remedies.

**Buck Shapiro motioned to approve the WHLL-WHGS Capital Improvement Contribution Plan for 2020-2021. Gavin Massingill seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

23. Discussion and possible action on the Arbor Day Foundation Tree City USA program, including possible assignment to P&Z for consideration along with the tree ordinance changes.

Sara Hutson stated that Christie Finnigan asked her to bring this before the Council and discussed this program.

The Council discussed this request and the impact that the program, or other similar programs, would have on the city.

**Sara Hutson motioned to ask the Planning and Zoning Commission to look into the Arbor Day Foundation Tree City USA Program and other similar programs available locally to consider adding those to our Tree Canopy Ordinance and evaluation of the Tree Canopy in Rollingwood. Amy Pattillo seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

24. Discussion and possible action to allow the names of participants in city meetings conducted virtually to be viewable by all participants.

City Administrator Ashley Wayman explained this request and that the City is currently looking into whether this option would be available with IPVideoTalk.

The Council discussed looking into other platforms that may allow this feature, including Zoom and WebEx.

City Administrator Amber Lewis stated that staff would look into the other options available for platforms that have this feature.

**Amy Pattillo motioned to allow names of participants in city meetings conducted virtually to be viewable by all participants. Sara Hutson seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

25. Discussion and possible action on an ordinance amending the city's investment policy and documenting annual review.

City Administrator Amber Lewis discussed this item.

City Attorney Charles Zech discussed his amendments to the Investment Policy.

**Amy Pattillo motioned to approve an ordinance amending the city's investment policy and documenting annual review. Buck Shapiro seconded the motion.**

**Amy Pattillo amended the motion to change the date of review from September 16, 2020 to October 21, 2020. Buck Shapiro seconded the amendment.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

26. Discussion and possible action to direct the City Attorney to draft an Interlocal Agreement with Eanes Independent School District for the purchase of supplies and equipment necessary for return to school in the pandemic and to authorize the Mayor and/or City Administrator to execute the Interlocal Agreement.

Amy Pattillo discussed how this request came about and that Travis County has not finally approved this yet.

The Council discussed this request, how funds have been allocated by Travis County, and the requirements for the City to receive the funding that has been allocated.

**Gavin Massingill motioned to direct the City Attorney to draft an Interlocal Agreement with Eanes Independent School District for the purchase of supplies and equipment necessary for return to school in the pandemic and to authorize the Mayor and/or City Administrator to execute the Interlocal Agreement. Buck Shapiro seconded the motion.**

**Gavin Massingill motioned to amend his motion to state that it would be up to and including \$9,000. Buck Shapiro seconded the amendment.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

27. Discussion and possible action to provide a donation to Eanes Independent School District for the purchase of supplies and equipment necessary for return to school in the pandemic.

Amy Pattillo explained that this item was put on the agenda as a placeholder to ensure that the school district got the support they needed.

28. 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 the applicants. He stated that he believed Emily Doran and Bobby Hempfling would be well suited for the RCDC.

**Mayor Michael Dyson appointed Brook Brown to position 1 of the Board of Adjustment.**

Mayor Michael Dyson left the meeting at this time.

**Sara Hutson motioned to ratify the Mayor's appointment of Brook Brown to the Board of Adjustment. Amy Pattillo seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- **Council Member Sara Hutson – Yes**
- **Council Member Gavin Massingill – Yes**
- **Council Member Amy Pattillo – Yes**
- **Council Member Buck Shapiro – Yes**

**The motion passed 4-0.**

**Gavin Massingill motioned to appoint Emily Doran to position 1 of the Rollingwood Community Development Corporation. Amy Pattillo seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

**Amy Pattillo motioned to appoint Bobby Hempfling to position 7 of the RCDC. Buck Shapiro seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

**Amy Pattillo motioned to appoint Sam Attal to position 7 of the Utility Commission. Buck Shapiro seconded the motion.**

**Mayor Pro Tem Gavin Massingill called for a roll call vote.**

- Council Member Sara Hutson – Yes
- Council Member Gavin Massingill – Yes
- Council Member Amy Pattillo – Yes
- Council Member Buck Shapiro – Yes

**The motion passed 4-0.**

The Council returned to item 16 at the conclusion of this item.

29. 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.

There were no updates on this item.

30. 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.

There were no updates on this item.

## **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.

31. City Administrator's Report
32. Municipal Court Report
33. Chief of Police Report
34. Contract invoices through September 2020 - AWR Services, Inc., Water and Wastewater Services, K. Friese & Associates - IIP & MS4, LNV, Inc., City Engineer, Professional Design Group, Inspections, ATS, Building Official
35. City Engineer- LNV, Inc., Report
36. City Stats for September 2020
37. City Financials for September 2020 - Fiscal Year 2019-2020
38. RCDC Financials for September 2020 - FY 2019-2020
39. Texas Central Appraisal District and Tax Assessor - Notices, Letters and Documents.
40. Texas Gas Service - Notices, Letters and Documents
41. AWR Services, INC., Report on Water and Wastewater for September 2020

## **ADJOURNMENT OF MEETING**

The meeting was adjourned at 9:50 p.m.

**Minutes Adopted on the 18<sup>th</sup> day of November, 2020.**

  
Michael R. Dyson (Nov 19, 2020 11:07 CST)  
**Michael R. Dyson, Mayor**

**ATTEST:**

  
**Ashley Wayman, City Secretary**