



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

**Wednesday, December 15, 2021**

The City Council of the City of Rollingwood, Texas held a regular meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on Wednesday, December 15, 2021 at 7:00 p.m. Members of the public and the City Council were permitted to participate in the meeting virtually, as long as a quorum of the Council and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public was permitted watch this meeting live and have the opportunity to comment via audio devices at the link below. The public was also permitted to participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

**Link:** <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUINjNmK5RnJrelRFUT09>

**Toll-Free Numbers:** (833) 548-0276 or (833) 548-0282

**Meeting ID:** 530 737 2193

**Password:** 9fryms

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

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

#### **1. Roll Call**

**Mayor Gavin Massingill called the meeting to order at 7:00 p.m.**

**Present Members:** Mayor Gavin Massingill, Councilmember Sara Hutson, Councilmember Phil McDuffee, Councilmember Brook Brown and Councilmember Alec Robinson.

**Also Present:** Assistant City Administrator Ashley Wayman, City Attorney Charles Zech, Police Chief Jason Brady, Development Services Director Carrie Caylor

### **PUBLIC COMMENTS**

Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Council with regard to matters on the agenda will be received at the time the item is considered.

## 2. Public Comments

The following individuals spoke during public comments:

- Shanthi Jayakumar thanked the City Council for their service and wished them well. She also discussed Rollingwood Park and recent actions and discussions surrounding the park.

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

## **PUBLIC HEARING**

3. Public hearing, discussion and possible action to approve an ordinance to update Chapter 107, Article 5, Division 3, Board of Adjustment of the City of Rollingwood Code of Ordinances to meet State requirements

City Attorney Charles Zech discussed the state law requirements that were changed with respect to Exhibit A in the packet and discussed the recommended changes to the city's Code of Ordinances.

Development Services Director Carrie Caylor discussed the action and discussion at the last Planning and Zoning Commission meeting, explaining that after the draft went to the Planning and Zoning Commission the City Attorney advised that this could go straight to City Council.

Councilmember Brook Brown discussed the document before them today and that the Planning and Zoning Commission had tabled this item and suggested that the City Council not take up this item until it has gone back to the Planning and Zoning Commission. She also requested that when it comes back to the City Council it be sent back in redline with a memo explaining the changes that have been made.

Mayor Gavin Massingill discussed that he would work with counsel to make sure this comes back in that format. He also discussed that we need more clarity on what is required due to statutory changes.

Development Services director Carrie Caylor discussed that in the draft before them no change was made to the noticing provisions discussed earlier.

City Attorney Charles Zech discussed what action needs to be taken depending on whether the City Council wants this to go back to the Planning and Zoning Commission or just brought back to City Council.

Councilmember Brook Brown further discussed that this should go to the Planning and Zoning Commission for further consideration. She also discussed a 2019 change to the statute that was not included in the code and City Attorney Charles Zech discussed that these updates could be made to the code if the City Council would like them to be made.

Councilmember Brook Brown and City Attorney Charles Zech discussed the roles of the statute, Planning and Zoning Commission and Zoning Board of Adjustment. They discussed the criteria for granting a variance and what state statute states is the authority of the Zoning Board of Adjustment. Councilmember Brook Brown stated that she would like a briefing on this topic from the City Attorney.

Councilmember Brook Brown recommended that City Council take no action on this matter until the Planning and Zoning Commission acts on it. She also discussed whether there should be a time frame in this motion and that the Planning and Zoning Commission should recommend amendment of the ordinance based on the memo they get from counsel.

**Councilmember Brook Brown motioned that the Council table action on this item and that we do so with direction back to the Planning and Zoning Commission that we will refrain from further action until the Planning and Zoning Commission has the opportunity to act on the matter that is pending before them. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

4. Public hearing, discussion and possible action to consider a request for variance from the City's code of ordinances section 24-90 (d) (4), a monument sign must be set back at least ten feet from the boundary line of the property

**Mayor Gavin Massingill opened the public hearing at 8:02 p.m.**

Development Services Director Carrie Caylor discussed this request for variance from the City's code of ordinances.

Andy Leffler, with Custom Sign Creations and representing Austin Eye, discussed the topography of the area and the request for a variance from the City's Code of Ordinances.

Councilmember Brook Brown discussed that if Bee Caves Road is ever widened the placement of this sign may become an issue and suggested that this variance be granted with the condition that if that happened and the sign needed to be relocated that this would be at no expense to the city.

The City Council, Development Services Director Carrie Caylor and City Attorney Charles Zech discussed concerns regarding the placement of this sign and the implications of road widening by TXDOT and imminent domain.

The City Council and City Attorney Charles Zech discussed ways to word the motion to ensure that the city is protected in case of changing road or right-of way conditions.

Councilmember Sara Hutson discussed the information contained on one of the proposed signs and that it does not conform to the section of the code dictating information that can be on the signs.

Development Services Director Carrie Caylor explained that these are considered wayfinding signs and recommended that the applicant apply for a second variance specific to including wayfinding on a monument sign.

**Mayor Gavin Massingill closed the public hearing at 8:14 p.m.**

**Councilmember Sara Hutson motioned to approve the request for variance from the City's code of ordinances section 24-90 (d) (4), a monument sign must be set back at least ten feet from the boundary line of the property as requested on the condition that if**

**the road location is altered that the variance is voided and needs to be reconsidered. Councilmember Phil McDuffee seconded the motion. The motion passed 4-0.**

Development Services Director Carrie Caylor stated that she would make sure that the second variance is brought back at the next meeting.

## **PRESENTATIONS**

5. Discussion and possible action on a presentation from Bickerstaff Heath Delgado Acosta LLP regarding updates for the proposed South MoPac expansion project and possible public comment on behalf of the City of Rollingwood

Phillip Arnold, with Bickerstaff Heath Delgado Acosta LLP, gave an update regarding the South MoPac Expansion Project and how to put forth the city's position regarding this project. He also discussed the best ways for the City of Rollingwood to make an impact on this planning process.

The City Council and Phillip Arnold discussed available options, the timeline for comments to be filed on behalf of the City of Rollingwood, other concerns to the city that aren't on the criteria list, and how to guide comments from citizens.

The City Council discussed the work that has already been done on this topic and having the information updated for the next public comment period before the deadline on January 7.

Shanthi Jayakumar, discussed a 2015 meeting with CTRMA at Rollingwood City Hall and that not having elevated lanes was the consensus of those in attendance representing Rollingwood. She also asked what happens if Rollingwood doesn't support any of the presented options.

Phillip Arnold discussed that there is still a chance that CTRMA would bring back other options given that some should be ruled out because they don't meet the requirements of the 2045 plan.

Phillip Arnold and the City Council further discussed the city's options for commenting.

**Councilmember Brook Brown motioned to direct outside Counsel to proceed with the preparation of comments along the lines of the discussion this evening and to authorize the Mayor to review the filing of a response in the open house by January 7<sup>th</sup> and that the Mayor be the point person for the Council to review and authorize the filing of those comments. Councilmember Sara Hutson seconded the motion.**

**The motion passed 4-0.**

*Mayor Gavin Massingill called up item 17 at this time.*

6. Update, discussion and possible action regarding a scope of services for the Vance, Vale, and Bettis waterlines replacement

Greg Blackburn, with K. Friese and Associates, discussed the scope in the packet for the Vance, Vale, and Bettis waterlines replacement. He also discussed a rough estimated cost of construction.

The City Council and Greg Blackburn discussed past water line work and replacements, specifically that the water line on Vale has been replaced recently. They also discussed budget constraints for this and other waterline project as well as options the city has to understand the condition of water lines.

Greg Blackburn discussed the process of determining waterline materials and depth as well as that the pressure relief valve that was discovered to be broken was likely a contributing factor to increased breaks in this area.

The City Council and Greg Blackburn discussed logging and mapping breaks, and the work being done between staff, Crossroads and K. Friese and Associates.

The City Council and Shanthi Jayakumar discussed past water line projects and asked what as-builts and other information is available.

**Councilmember Brook Brown motioned that this be tabled for reconsideration to the February Council meeting and in the meantime, we seek to find the information we need to make a decision on this. Councilmember Phil McDuffee seconded the motion.**

The City Council and Greg Blackburn discussed the exploratory subsurface utility locates that would need to be done on this stretch of road and Mayor Gavin Massingill stated that he would work with staff to consider subsurface utility locates between now and the February meeting.

**The motion passed 4-0.**

7. Presentation and update regarding the water Capital Improvements Plan (CIP)

Greg Blackburn, with K. Friese and Associates, discussed that they hope to have the CIP ready for the January Council meeting, or the February meeting at the latest, and that they will build in time for staff to review it before the meeting.

He discussed the purpose of the CIP and what information the plan would provide to the city. He also explained the main water feeds for the city and discussed the main considerations for the plan.

Mayor Gavin Massingill discussed the projects identified in the city's IIP and asked if water projects would be similarly presented in the CIP. Greg Blackburn explained how those projects would be presented.

The City Council discussed past and present water projects and what considerations are made for new construction and waterlines.

8. Presentation, discussion and possible action regarding the city's ordinances concerning Oak Wilt

Development Services Director Carrie Caylor discussed what Oak Wilt is, how it spreads, how to mitigate the spread, how oak wilt is treated, and the work that the city did with the Texas A&M Forest service. She also discussed the active oak wilt case in the city, and that she has been approached by a resident concerned that the active oak wilt may have spread beyond the trenching.

Councilmember Sara Hutson discussed that Roxanne McKee, who was Mayor at the time, has offered to provide historical context on the oak wilt. She also discussed the importance of treatment of Oak Wilt and that the City can't allow this to spread because a property owner doesn't properly treat their trees.

Kevin Schell discussed the history on this oak wilt outbreak and trenching that was done. He also discussed current active late stage oak wilt on a property that is outside the area that was supposed to be protected by the trench. He discussed that he does not want this problem to happen to other neighbors and that he would like to make the City Council aware of this important issue.

Development Services Director Carrie Caylor discussed the City's ordinances regarding Oak Wilt. She also discussed that the A&M forest service has regional reps that monitor active oak wilt outbreaks.

Kevin Schell stated that the forest service was here in November and discussed that they work with municipalities regarding Oak Wilt education and treatment.

Mayor Gavin Massingill asked Development Services Director Carrie Caylor to reach out to the regional representative with the forest service to get on a regular schedule, as well as to include more information and resources for residents.

Councilmember Sara Hutson asked if it would be helpful to have the regional representative present to the City Council.

Councilmember Brook brown suggested that Councilmember McDuffee and the Mayor work with the forest service to get information and resources to the City Council.

9. Update, discussion and possible action regarding direction on future action on the Comprehensive Plan

City Attorney Charles Zech discussed state law regarding Comprehensive Plans which can be found in chapter 213 of the local government code.

Councilmember Brook Brown discussed that she added this item to the agenda because at the current time the Comprehensive Plan Strike Force has recommended a document to the City Council. She discussed the areas that the plan covers and that the next step would be for this document to go to the Planning and Zoning Commission and that at this time they have not made a recommendation on the plan. She also talked about the recommendations in the plan that she believes are time sensitive. She also discussed that the town hall in which this plan was revealed was poorly attended.

Mayor Gavin Massingill discussed the recommendations in the plan and asked Councilmember Brown how this document should be considered. Councilmember Brook Brown discussed the plan and that it would be a way to plan for the future and that a larger discussion could be had to determine whether a plan could be adopted.

Councilmember Alec Robinson discussed that getting the public engaged in this is crucial and that he would like to see a presentation of the key points of the document presented.

Mayor Gavin Massingill discussed treating this like the budget, and having a series of work sessions in which the community could get engaged and then at the conclusion of that the plan could be looked at in its entirety. He asked if Council Member Brook Brown would work to break up the plan into sections that could be covered in the hour-long work sessions and she stated that she could work with Thom Farrell to accomplish this.

## **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.

10. Discussion and possible action on the minutes from the November 17, 2021 City Council Meeting
11. Discussion and possible action on a resolution amending the City of Rollingwood's Authorized Representatives for Texpool

Councilmember Sara Hutson asked if these two items could be considered separately.

**Councilmember Sara Hutson motioned to approve the minutes from the November 17, 2021 City Council Meeting. Councilmember Phil McDuffee seconded the motion. The motion passed 4-0.**

Councilmember Sara Hutson stated that she would like to wait until item 25 has been discussed to discuss item 11.

*Item 11 was discussed and acted on in conjunction with item 25.*

## **REGULAR AGENDA**

12. Discussion and possible action on a resolution honoring Mayor Michael Dyson for his service to the City of Rollingwood

Mayor Gavin Massingill thanked Michael Dyson for his service to the City of Rollingwood.

**Councilmember Sara Hutson motioned to approve a resolution honoring Mayor Michael Dyson for his service to the City of Rollingwood. Councilmember Brook Brown seconded the motion. The motion passed 4-0.**

13. Nomination and election of the Mayor Pro Tempore for a term of one year and to perform the duties of the Mayor in the Mayor's absence

**Councilmember Brook Brown motioned to appoint Sara Hutson to serve as Mayor Pro Tempore for a term of one year and to perform the duties of the Mayor in the Mayor's absence. Councilmember Phil McDuffee seconded the motion. The motion passed 3-0 with one abstention.**

14. Discussion and possible action on recommendations from the Park Commission regarding policies, procedures and fees for park facility and park pavilion use

Assistant City Administrator Ashley Wayman discussed the recommendations made by the Park Commission regarding policies, procedures and fees for park facility and park pavilion use.

The City Council asked questions regarding how the rates were determined and Councilmember Phil McDuffee discussed the reasoning and discussions had by the Park Commission during this process.

Assistant City Administrator Ashley Wayman discussed the waivers that the Park Commission recommended as well as the waiver from the City Attorney included in the packet.

City Attorney Charles Zech discussed the general claims that cities have immunity from and explained that he does not believe that a waiver is necessary for the recreational use of the park, but that if the city wanted to have one, he has drafted one that he would be more comfortable with.

Councilmember Sara Hutson discussed concerns with the pavilion rental rates and it discouraging rentals altogether.

Councilmember Phil McDuffee discussed the Park Commission's reasoning for the rental rates, including parking concerns and issues with people not cleaning up after use.

The City Council and City Attorney Charles Zech further discussed the rental rates.

Mayor Gavin Massingill asked that each matter included in the packet be taken up for a vote separately.

**Councilmember Phil McDuffee motioned to adopt Proposed Payment Fee and Payment Agreement. Councilmember Brook Brown seconded the motion.**

The City Council further discussed the payment fee and payment agreement.

**The motion passed 4-0.**

**Councilmember Phil McDuffee motioned to approve the pavilion reservation requirements, rules and regulations. Councilmember Brook Brown seconded the motion.**

Councilmember Alec Robinson discussed the method for repealing this if necessary and Mayor Gavin Massingill stated that this could be repealed or amended at a future Council Meeting if there are issues or complaints.

**The motion passed 4-0.**

**Councilmember Phil McDuffee motioned to adopt the rental form and application procedures. Councilmember Brook Brown seconded the motion.**

Mayor Gavin Massingill discussed what constitutes a party.

Councilmember Sara Hutson discussed that when there were rentals like this in the past there was a place to post at the lower park.

Mayor Gavin Massingill also asked staff to follow up with the park commission regarding how to post and notify that there is a pavilion rental.

**The motion passed 4-0.**

The City Council and City Attorney Charles Zech discussed whether there is a need for a waiver and decided not to include a waiver.

15. Discussion and possible action on a resolution approving the Commercial LUE Assignment Policy

Assistant City Administrator Ashley Wayman discussed the resolution included to approve the Commercial LUE Assignment policy that follows what the City Council discussed and approved at their last meeting.

**Councilmember Brook Brown motioned to approve the proposed ordinance and the proposed resolution with changes to the proposed resolution; indicating that the Council approved “the attached” method for calculating LUEs in the second to last whereas clause, indicating that the City Council “adopted the attached policy” in the last whereas clause, and indicating in the resolved clause that the City Council do hereby “approve the attached” Commercial LUE Assignment Policy.**

Assistant City Administrator Ashley Wayman stated that those changes will be made to the resolution.

**Councilmember Brook Brown amended her motion to address only approval of the resolution with the suggested changes. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

16. Discussion and possible action on an ordinance amending Appendix A (Fee Schedule) of the City's Code of Ordinances Section A9.003 Water service rates to include that Living Unit Equivalents are defined by policy of the city

Assistant City Administrator Ashley Wayman discussed the ordinance and what it accomplishes.

City Attorney Charles Zech asked the City Council if they would like to see line numbers in the future on proposed resolutions and ordinances and the City Council agreed that this would be helpful.

**Councilmember Sara Hutson motioned to approve an ordinance amending Appendix A (Fee Schedule) of the City's Code of Ordinances Section A9.003 Water service rates to include that Living Unit Equivalents are defined by policy of the city as presented. Councilmember Brook Brown seconded the motion. The motion passed 4-0.**

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

17. Discussion and possible action with respect to the formation of a MoPac South Expansion Task Force, process for selection and appointment of a MoPac South Expansion Task Force Chair and members

Councilmember Brook Brown discussed that she would like to set for the January meeting proposed action for the adoption of a MoPac South Expansion task force and asked Bickerstaff to review the attachments and provide back any comments on the scope of the Task Force.

Councilmember Brook Brown and Mayor Gavin Massingill discussed setting the date for consideration of applications, and Mayor Gavin Massingill stated that he would visit with Councilmember Brown ahead of the January meeting.

Councilmember Brook Brown discussed that her intent is to get feedback on the task force document before it is adopted at the January meeting and Assistant City Administrator Ashley Wayman stated that staff could disseminate this information to the community via the website, the Swift 911 notification and the city's social media.

**Councilmember Brook Brown motioned to postpone item 17 to a time certain, to the January City Council meeting. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

*Mayor Gavin Massingill called up item 6 at this time.*

18. Discussion and possible action to approve and set dates for various workshops to include water and wastewater system issues and improvements, drainage system issues and improvements and City Hall issues and improvements

Councilmember Brook Brown discussed that there is a need as a new Council Member to be brought up to speed on the various plans so that a discussion can be had on these items and priorities can be set. She also discussed the timing on these items.

Mayor Gavin Massingill discussed that he had planned to set workshops on these and potentially other items and that he liked the idea of giving members of the community the chance to participate. He discussed also scheduling briefings on the mapping and GIS systems, and discussed the timing of some of these workshops.

Councilmember Brook Brown discussed that she would put this on her to-do list to be brought up at a later time.

19. Update, discussion and possible action regarding the Zilker Park Vision Planning process

Mayor Gavin Massingill discussed the Zilker Park Vision Planning Process and the draft proposal discussed at community meeting number 3. He stated that he viewed the South MoPac project as more urgent than the Zilker Planning process and encouraged everyone to familiarize themselves with the options to have a discussion on the issue. He also discussed the importance of keeping this on the radar.

Councilmember Alec Robinson discussed the information presented on the website and the opportunities to comment on this issue.

Councilmember Brook Brown recommended that Councilmember Alec Robinson post on Next Door about his experience commenting, as well as placing a blurb and a link on the website to allow residents greater access to this website.

Mayor Gavin Massingill stated that they would bring this back and encouraged the City Council members to come back with ideas on spreading the word on this topic. He also discussed some of the city resources that are available for getting this information out, including engaging Buie and Co.

Councilmember Alec Robinson stated that he would write up his experience with the commenting process.

20. Discussion and possible action on amendments to the Hybrid Meetings Policy

City Attorney Charles Zech discussed his proposed change to the Hybrid Meetings Policy and explained how the statute defines a hybrid meeting, explaining that a true hybrid meeting would need to be terminated if audio and video feed is lost if at least one Council member was participating remotely. He further discussed the statute and why, even if a quorum is present, the meeting would need to be canceled if audio and video feed is lost.

Assistant City Administrator Ashley Wayman discussed that the other change in the policy came from the action at the last meeting. She also discussed making the City Attorney's change apply to Council Members as well as Board and Commission Members.

**Councilmember Sara Hutson motioned to approve the Hybrid Meetings policy with the amendment to include reference to Commission members under item E. Councilmember Brook Brown seconded the motion. The motion passed 4-0.**

21. Discussion and possible action to reappoint board and commission members whose terms are expiring for an additional two year term, and to consider granting a term-limit extension to Chris Braden to continue serving on the Board of Adjustment, Jim Beneke to continue serving on the Board of Adjustment, Pat Sheehan to continue serving on the Rollingwood Community Development Corporation, Clark Wilson to continue serving on the Utility Commission, and Christopher Meakin to continue serving on the Utility Commission

Assistant City Administrator Ashley Wayman discussed the process of determining which members whose terms were expiring expressed intent to stay as well as how those requiring a term-limit extension were determined.

Mayor Gavin Massingill discussed the decision before the City Council today as well as the list of residents waiting to join a Board or Commission.

The City Council discussed concerns regarding term limit extensions, alternate ways to handle a situation in which someone has reached their term-limit, wait times to get on Boards and Commissions, and the ways the Board of Adjustment is different from other boards and commissions.

Mayor Gavin Massingill discussed his intent, during the next agenda item, to bring up an alternate member on the BOA to a regular member at his request and that it would leave an alternate spot open.

**Councilmember Sara Hutson motioned to grant a term-limit extension to Pat Sheehan to continue serving on the Rollingwood Community Development Corporation, Clark Wilson to continue serving on the Utility Commission, and Christopher Meakin to continue serving**

**on the Utility Commission. Councilmember Phil McDuffee seconded the motion. The motion passed 4-0.**

Mayor Gavin Massingill discussed that there are still two members whose terms are expiring that have not been granted term limit extensions.

Councilmember Sara Hutson discussed that there are limited opportunities for people to move up on the Board of Adjustment.

The City Council discussed the implications of either action to grant the term limit extension for the remaining members or moving them to alternate positions. They also discussed the Board of Adjustment structure including regular members and alternates.

City Attorney Charles Zech discussed that Zoning Board of Adjustment members can only be removed for cause under the statute and that they are entitled to fill out the remainder of their term.

The City Council discussed asking all the Board of Adjustment alternates if they were interested in serving as regular members

Mayor Gavin Massingill discussed that he would not be making any appointments to the Board of Adjustment until next month.

**Councilmember Sara Hutson motioned to reappoint members whose terms are expiring but have not exceeded their term limits for another two-year term. Councilmember Phil McDuffee seconded the motion. The motion passed 4-0.**

22. 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 Gavin Massingill stated that he would not make any recommendations concerning the Board of Adjustment until January.

**Councilmember Sara Hutson motioned to appoint Chris Kirksey and Elizabeth Bray to the Utility Commission. Councilmember Phil McDuffee seconded the motion.**

The City Council discussed the qualifications of these candidates and that one other person had indicated that they would be willing to serve on the Utility Commission in their application.

**The motion passed 4-0.**

**Councilmember Phil McDuffee motioned to appoint Brian Rider and Colin Harvey to RCDC. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

**Councilmember Phil McDuffee motioned to appoint Jennifer Meyer to the Park Commission. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

*Mayor Gavin Massingill called up item 24 at this time.*

23. Discussion and possible action regarding parking and safety along Rollingwood Drive between the Riley and Timberline intersection with Rollingwood Drive

Councilmember Brook Brown discussed a letter that she received from Jim and Catherine Harris regarding parking on Rollingwood Drive and discussed the parking issues they described in this area.

Catherine Harris, 2501 Timberline Drive, discussed the intersection of Rollingwood Drive and Timberline Drive and asked that this curb be designated as a no parking zone.

The City Council and Catherine Harris discussed traffic and parking issues in this area.

Police Chief Jason Brady discussed his experience with this and other intersections of the city and some options the city might have to alleviate this issue.

The City Council and Police Chief Jason Brady further discussed this issue and potential solutions.

Councilmember Sara Hutson discussed directing the police department to look around the city for other intersections with issues of safety and visibility.

City Attorney Charles Zech discussed the state law requirements to prohibit parking.

**Councilmember Brook Brown motioned to authorize Chief Brady to work with Mrs. Harris for the placement of cones along the side of her property on Rollingwood Drive as a temporary solution while we consider whether or not to mark that portion of the street as “no parking” on a permanent basis. Councilmember Sara Hutson seconded the motion. The motion passed 4-0.**

The City Council discussed whether there was a need for roll-call votes.

*Mayor Gavin Massingill called up item 3 at this time.*

24. Discussion and possible action regarding the vacancy on City Council to be filled by appointment or special election

Mayor Gavin Massingill discussed that the intent of this item and the options that the City Council has to fill this vacancy at this time.

Councilmember Sara Hutson discussed the implications of waiting for a special election. She also discussed that when she was appointed to fill an unexpired term there was an application process and that would be her suggestion.

The City Council discussed the timing of the applications and when they could be reviewed and considered for appointment at a meeting. The City Council discussed setting the deadline for January 12, 2022, a week before the January City Council meeting. They also discussed the information that would be included in the application form, discussing that the Board/Commission form was a good example.

Mayor Gavin Massingill discussed that the application form should include the necessary information to meet the requirements to hold office.

**Councilmember Brook Brown motioned to set the date of January 12 for receipt of applications for the vacancy in the City Council position, that we ask applicants to present the same information as is contained in the Board and Commission application form but to also include whether they are a qualified voter, and residency within the City of Rollingwood for 6 months, and must be over 18 years of age and citizenship of the United States. Councilmember Sara Hutson seconded the motion.**

Shanthi Jayakumar discussed that she is happy that the applications for boards and commissions are now in the packet and drew the City Council's attention to the packet for the February 19, 2020 City Council Meeting which included a redline version of the changing of the membership requirements for boards and commissions. She discussed that the citizenship requirement was removed and that it was not codified yet, but the application on the website still asks if you are a citizen of the United States.

Mayor Gavin Massingill gave context around the time that this section of the ordinance was changed and stated that he would work with the City Attorney to determine whether there was action taken that was not properly codified and report back.

**The motion passed 4-0.**

25. Update, discussion and possible action to fill vacant staff positions

*Mayor Gavin Massingill called up item 11 to be discussed in conjunction with item 25.*

Mayor Gavin Massingill discussed vacancies in city positions and stated that he would specifically like to go into executive session to discuss the City Administrator and Public Work Superintendent positions.

Councilmember Sara Hutson discussed whether there should be clarity on titles before filling out the resolution amending the City of Rollingwood's Authorized Representatives for Texpool.

Mayor Gavin Massingill discussed all the current vacant staff positions.

*The City Council adjourned into executive session under section 551.074 of the Texas Local Government Code personnel matters at 11:48 p.m.*

*The City Council reconvened into open session at 12:07 a.m. on December 16, 2021.*

Mayor Gavin Massingill stated that no action was taken in executive session and discussed the 6 vacant staff positions.

**Councilmember Sara Hutson motioned to appoint Ashley Wayman as the Interim City Administrator for a period of 6 months. Councilmember Phil McDuffee seconded the motion.**

Mayor Gavin Massingill discussed that this is a great first step and that he looks forward to working with the City Council and Ashley Wayman.

**The motion passed 4-0.**

Mayor Gavin Massingill stated that he would work with Interim City Administrator Ashley Wayman to post for the executive assistant.

The City Council discussed that some of the positions are already posted.

Mayor Gavin Massingill called up item 11 and discussed amending the document to state “Interim City Administrator” instead of Assistant City Administrator.

**Councilmember Sara Hutson motioned to approve a resolution amending the city’s authorized representatives for TexPool and to amend the document to reflect interim City Administrator Ashley Wayman. Councilmember Brook Brown seconded. The motion passed 4-0.**

Mayor Gavin Massingill discussed that the reports below may be being revisited in the future.

## **REPORTS**

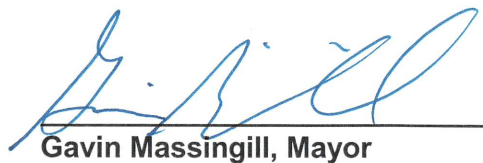
All reports are posted to inform the public. No discussion or action will take place on items not on the regular or consent agenda.

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

## **ADJOURNMENT OF MEETING**

The meeting was adjourned at 12:10 a.m. on December 16, 2021.

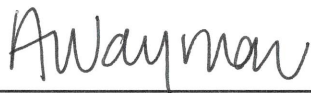
**Minutes Adopted on the 19<sup>th</sup> day of January, 2021.**



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Gavin Massingill, Mayor

ATTEST:



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Ashley Wayman, Interim City Administrator