



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, February 16, 2022

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, February 16, 2022 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 City 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=QmNUbmZBQ1lwUINjNmK5RnJreIRFUT09>

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 7:10 p.m.

Present Members: Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Brook Brown, Council Member Alec Robinson, Council Member Roxanne McKee, and Council Member Phil McDuffee.

Also Present: Interim City Administrator Ashley Wayman, Police Chief Jason Brady, City Attorney Charles Zech, Development Services Director Carrie Caylor, and Greg Blackburn, Dale Murphy and Allison Densler with K. Friese and Associates.

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.

The following individuals spoke during public comments:

- Shanthi Jayakumar, 3309 Park Hills Drive, thanked the Rollingwood Police Department for their work ensuring that the city's vulnerable residents had water and were taken care of during the Austin Water issues of the past week.

SWEARING IN OF NEWLY APPOINTED OFFICIAL

2. Swearing-In of Council Member Roxanne McKee

Mayor Gavin Massingill performed the swearing-in ceremony for Council Member Roxanne McKee.

PRESENTATIONS

3. Presentation, discussion and possible action on the Water Capital Improvements Plan (CIP) prepared by K. Friese and Associates

Dale Murphy with K. Friese and Associates presented the Water Capital Improvements Plan. He discussed the basics of the city's water system, pressure relief valves and the city's contract with Austin Water.

Greg Blackburn with K. Friese and Associates discussed the city's existing pressure planes, the water modeling used in the city's water system and to identify projects for the CIP, the proposed new pressure planes, and specific projects listed in the CIP.

The City Council and K. Friese and Associates representatives discussed the individual projects listed in the plan.

Mayor Gavin Massingill discussed the need to update the city's GIS database as features are discovered and improvements are made.

The City Council and K. Friese and Associates representatives further discussed the individual projects listed in the plan, water line relocations in conjunction with new builds, where the city's wastewater lines are located, and the next steps of this project.

Council Member Brook Brown asked about the most likely funding sources for these projects and Greg Blackburn discussed that the Texas Water Development Board may be the best place to look for grant funding. Dale Murphy also discussed that there are usually high administrative costs associated with these grants.

The City Council discussed previous projects regarding fire-flow.

Mayor Gavin Massingill called up item 16 at this time.

Mayor Gavin Massingill returned to this item at the conclusion of item 15.

Mayor Gavin Massingill thanked K. Friese and Associates for their work on this CIP, asked them to correct and incorporate things discussed tonight and bring it back at a future meeting.

Council Member Brook Brown asked that they include John Hinton's question in their review.

4. Presentation of the GIS Mapping tool by WSB Engineering

Jay Kennedy with WSB Engineering discussed the progress made in locating and mapping the city's easements and the different features of the city's GIS maps.

The City Council and Jay Kennedy discussed how updates to this map are made.

Development Services Director Carrie Caylor discussed the internal process for documenting these updates as they are found in the field and that there is a quarterly meeting with K. Friese and Associates and Crossroads where staff can ensure these updates are being made.

The City Council and Jay Kennedy discussed the preservation and accuracy of this data, the data that is used to create these maps and the public and/or private nature of the data.

Mayor Gavin Massingill and Jay Kennedy discussed the steps moving forward.

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.

5. Discussion and possible action on the minutes from the January 19, 2022 City Council Meeting
6. Discussion and possible action on the minutes from the January 25, 2022 Oak Wilt Town Hall Meeting
7. Discussion and possible action to accept Jordan Scott's resignation from the Planning and Zoning Commission

Mayor Pro Tem Sara Hutson moved to approve the consent agenda. Council Member Phil McDuffee seconded the motion. The motion passed 5-0.

REGULAR AGENDA

8. Discussion and possible action regarding the status of the City's official zoning map, including incorporation of the action by the Council on September 16, 2020, to reflect 6 Pleasant Cove within the Residential zone

Mayor Gavin Massingill discussed the Zoning Map that is in the packet and the outstanding parcels that staff is reviewing. He explained that this version came from the GIS work that has been done.

Development Services Director Carrie Caylor discussed how information was transferred to WSB to create this map.

Mayor Gavin Massingill discussed that he agrees that adopting this map is important though the original prevailing document that created this map is what would ultimately control.

City Attorney Charles Zech discussed that under the law, in order to rezone or zone a piece of property, there is an appropriate process that must be followed, and if the mayor signs a zoning map but it is determined in the future that the appropriate process was not followed to come up with that zoning designation, it is not a valid designation.

The City Council and Development Services Director Carrie Caylor discussed questions regarding certain areas and parcels of the zoning map provided.

Shanthi Jayakumar, 3309 Park Hills Drive, discussed the property line between the city and the athletic club and potential discrepancies with what is presented.

Mayor Gavin Massingill asked that Development Services Director Carrie Caylor work through the list systematically, solve what the city can solve, and then bring it back for the City Council to review the remaining work that needs to be done.

The City Council discussed additional concerns with the map.

Mayor Gavin Massingill called up item 10 at this time.

9. Discussion and possible action on a proposal from Crossroads to replace the broken Pressure Relief Valve at Hatley and Almarion

Greg Blackburn and Dale Murphy with K. Friese and Associates discussed the broken pressure relief valve at Hatley and Almarion and explained that it is a primary backup for the city's system but is not in operation at all times.

Mayor Gavin Massingill discussed this and asked the City Council to take no action on this item tonight. He also explained that the city is over budget on Crossroads line items and would be reviewing this budget soon.

Interim City Administrator Ashley Wayman discussed that this quote provided by Crossroads is the worst-case scenario and that it does not work into the CIP plan to change the pressure planes as proposed by the plan.

Mayor Gavin Massingill discussed why this quote was on the agenda and asked that the City Council push pause on this for the time being and review this PRV in conjunction with plans in the CIP.

Mayor Gavin Massingill called up item 15 at this time.

10. Discussion and possible action to authorize the Mayor to take action related to emergency oak wilt trenching

Council Member Phil McDuffee discussed the proposal in the packet for emergency trenching and explained the steps that need to be taken to protect against Oak Wilt spread.

Development services Director Carrie Caylor discussed the priority of sections to be trenched to best contain the spread of oak wilt in this area.

The City Council and Development Services Director Carrie Caylor discussed the first Oak Wilt trenching project, the trenching to be done in connection with the Nixon/Pleasant Drainage Project, estimated trenching costs and testing costs.

Council Member Phil McDuffee moved to authorize Mayor Massingill to engage with the vendors or delegate engagement for the purpose of getting estimates and finding a timeline for trenching for the first orange emergency trenching phase. Mayor Pro Tem Sara Hutson seconded the motion.

The City Council discussed bringing this item back for funding after quotes are gotten. They also discussed whether this action is enough to get on a contractor's calendar.

The motion passed 5-0.

11. Staff briefing as to current building enforcement policies and procedures, and Council discussion and possible action with regard to enforcement of building permit requirements, including processes for enforcement of violations, actions with respect to repeat violations, periodic on-site inspection of permit activities and as-built construction

Council Member Brook Brown discussed why she requested this item, explaining a situation in which contractors were working on the weekends. She also discussed other working conditions she has seen and become aware of.

Mayor Gavin Massingill discussed a new process relating to weekend work and that he would ask Development Services Director Carrie Caylor and Police Chief Jason Brady to discuss the status of that process.

Development Services Director Carrie Caylor discussed the process that is now in place concerning weekend work that was in violation of the city's ordinances.

Police Chief Jason Brady discussed how this process is initiated and the tracking system that the police department now has in place.

Council Member Brook Brown discussed the designation of a responsible person and that someone must be aware of subcontractors showing up and working on weekends or after hours.

Mayor Gavin Massingill further discussed that with the new process that has been put in place the feedback loop back to the contractor is being closed.

Development Services Director Carrie Caylor discussed the process from pre-construction meetings to issuance of a certificate of occupancy.

Council Member Brook Brown discussed that the contractors that have been in violation of weekend rules are also in violation in other ways, and that there was other onsite supervision that should be happening for construction projects in the city.

Development Services Director Carrie Caylor discussed that the city needs to be made aware of complaints when they are made so that they can be addressed.

The City Council discussed how complaints are called in and that the city needs to create a process to enforce the building code.

Council Member Brook Brown asked about the permit list posted online and discussed that some are missing contact information and Development Services Director Carrie Caylor discussed that updates can be made to the list if they are brought to her attention.

John Hinton discussed 3810 Gentry and the repeated weekend violations and his suggestions for alleviating these issues.

The City Council and Development Services Director Carrie Caylor discussed how many warnings a violator is given, that there is not a requirement for construction fences in the city's code, issues with garbage being left on properties in violation of ordinances, and whether there was a past discussion regarding an ordinance requiring construction fences.

Mayor Gavin Massingill asked staff to make note of this discussion and to bring back more information and a discussion relating to requiring construction fences next month.

Development Services Director Carrie Caylor discussed the code related questions brought up last month and that this report addresses those questions.

Mayor Pro Tem Sara Hutson discussed her concerns with the placement of construction fences and safety issues they create, as well as onsite storage of materials.

The City Council further discussed onsite and in right-of-way storage of materials.

Mayor Pro Tem Sara Hutson further discussed the enforcement of trash on properties and what kind of system needs to be put in place for enforcement of building rules.

Mayor Gavin Massingill stated that a note was made to bring a construction fence ordinance back and that the staff would commit to improving the process of correcting these issues.

Mayor Pro Tem Sara Hutson asked if we could enforce parking on the wrong side of the street and Police Chief Jason Brady stated that they do but that they could do more.

Mayor Pro Tem Sara Hutson further discussed situations of illegal parking that she has seen. She also discussed construction hours and the definitions in the code about what is considered construction, and what can be built within setbacks, easements and rights of way.

Development Services Director Carrie Caylor discussed the way the city considers occupancy of the setbacks and that the primary structure is not allowed to extend beyond the setbacks.

The City Council further discussed this concern of building past the foundation and what is allowed in setbacks, including flower beds and other structures.

Police Chief Jason Brady discussed how officers respond when there are complaints.

12. Discussion and possible action to update building permit applications to mirror current ordinances and requirements, including Ordinance No. 2018-09-19(B) requiring designation of a responsible person for permit compliance, and discussion and possible action as to current permits not in compliance with ordinance requirements

Council Member Brook Brown discussed that she brought this item up because the code discusses the designation of a responsible person but that it is not on the application.

The City Council and Development Services Director Carrie Caylor discussed the responsible party form and process for recording that information.

The City Council further discussed the process for enforcing the code and citing accordingly.

Development Services Director Carrie Caylor stated that she would review the list and make necessary updates.

Shanthi Jayakumar, 3309 Park Hills Drive, thanked the city for beginning to post this to the website again and discussed that permit dates were not included in the spreadsheet, and that there are other things that are missing on this list.

13. Presentation on the city process regarding the granting of variances from our city ordinances regarding residential plats and building permits. Discussion and possible action to address clarifications needed to our code regarding set backs, property address assignment and changes, notice requirements and other issues related to the division of authority between the building office, P&Z and BOA and to enforcing our code

Mayor Gavin Massingill explained that there was a mistake made in the way the city posted for a variance in a specific meeting that this item refers to and that he would like to turn the discussion over to City Attorney Charles Zech

Mayor Pro Tem Sara Hutson discussed that there was a Planning and Zoning Commission meeting last week in which a replat was heard and there was confusion about whether it should go to the Planning and Zoning Commission or the Board of Adjustment.

City Attorney Charles Zech discussed this matter and what happened in this instance, explaining that a zoning variance was necessary because the zoning setback was more restrictive based on the way that houses were facing, and that the applicants will need to seek a zoning variance even though a subdivision variance was approved.

Mayor Gavin Massingill stated that in this instance, the city made a call, it was not correct and that the next step is to send this to the BOA and notice appropriately.

Mayor Pro Tem Sara Hutson asked what needed to be changed in the code to make this clearer. She also discussed the reason the code is written this way it is so that the building lines along a street are consistent. She also discussed that there is no notice requirement for address changes and that the adjoining neighbors are not given the opportunity to object.

City Attorney Charles Zech stated that he and staff could sort through those issues and that he would like to look into the address change portion. He stated that they will come back with a solution that he thinks can solve the issues discussed.

The City Council and City Attorney Charles Zech further discussed this concern and he agreed to work with staff and Mayor Pro Tem Sara Hutson to come up with a solution.

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

Mayor Gavin Massingill discussed that he and Council Member Alec Robinson have taken the lead on following and understanding the proposals for the Zilker Park Vision Planning process. He discussed both the meeting with representatives of the City of Austin and the design team, as well as the community meeting that was held virtually.

Council Member Alec Robinson discussed that this was the 4th community meeting, and explained that they have presented three plan concepts and they intend to use sections of each concept for the final plan. He also discussed the potential consequences to the City of Rollingwood on some of the proposed options.

Mayor Gavin Massingill stated that this presentation should be shared widely and discussed that he is appreciative that they reached out and for the chance to work with them. He also discussed that there would be another chance to meet with the City of Austin and the design group, and that it does not appear that there are plans to put a large parking structure on Rollingwood's side of MoPac.

The City Council further discussed some of the proposed options and the timeline.

Mayor Gavin Massingill stated that they would follow up, stay engaged, and try to get further detail on some of the proposed ideas.

Mayor Gavin Massingill returned to item 16 at this time.

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

Interim City Administrator Ashley Wayman discussed that this item was postponed to a time certain to this City Council meeting and that the city is working with Crossroads and the city engineers to get quotes for subsurface utility locates in this area.

The City Council and representatives of K. Friese and Associates discussed project A in the CIP and how it relates to this original scope of services.

Shanthi Jayakumar, 3309 Park Hills Drive, discussed previous waterline projects completed in this area.

The City Council and Shanthi Jayakumar discussed whether the entire Vale water line was replaced previously or if it was only part of the line.

Mayor Gavin Massingill further discuss the subsurface utility locates.

Council Member Roxanne McKee discussed talking to previous employees about what exactly was replaced here.

Mayor Gavin Massingill returned to item 3 at this time.

16. Discussion and possible action regarding the preparation and submittal of certain applications for monetary support for the Texas Water Development Board

Interim City Administrator Ashley Wayman discussed that there may be federal monies available through the Texas Water Development Board and relayed a conversation she had with a

gentleman who has experience in writing the applications for grants with the TWDB. She explained that Commissioner Ann Howard pointed her in the direction of this gentleman and stated that Travis County may be interested in helping cities in their jurisdiction pay for help to submit applications. She discussed the process that he discussed with her.

Mayor Gavin Massingill discussed that there would be a cost associated with this and if the City Council wanted to pursue this they would need to include a dollar amount.

The City Council discussed the cost to get an application submitted and the window for applications.

Mayor Gavin Massingill discussed that if we submitted an application in this year it would be something we could build on going forward. He also discussed that strings may be attached to this money that the city doesn't have the resources to manage.

Mayor Gavin Massingill stated his intent to call up items 15 and 9 while representatives of K. Friese and Associates are in attendance.

Council Member Brook Brown asked that the Council postpone item 16 until later in the evening.

Council Member Brook Brown moved to table item 16 to be recalled at the approval of the Mayor. Mayor Pro Tem Sara Hutson seconded the motion. The motion passed 5-0.

Mayor Gavin Massingill called on John Hinton, present virtually, to speak.

John Hinton discussed previous experiences with the Texas Water Development Board and stated that the Financial Advisor would likely be able to help the city work on this. He also discussed his property at 2 Jeffrey Cove, which is in a cul-de-sac that was supposed to be part of the last bond project, and asked whether the engineers had considered connecting Jefferey Cove to Randolph Place to create an additional loop in the system.

Greg Blackburn with K. Friese and Associates discussed the current modeling for this cul-de-sac and stated that they would look at this previously discussed solution.

Mayor Gavin Massingill called up item 9 at this time.

Mayor Gavin Massingill returned to this item at the conclusion of item 14.

The City Council discussed that the CIP and IIP are documentation of need, the comments John Hinton made regarding past TWDB grants and the rate increase aspects, other potential funding structures for this and future grants, and projects that could be done in the city.

Council Member Sara Hutson moved to authorize the Mayor and Interim City Administrator to work towards preparation of applications for monetary support from the Texas Water Development Board with a budget not to exceed \$5,000. Council Member Roxanne McKee seconded the motion. The motion passed 5-0.

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

Council Member Brook Brown discussed the purpose of this item and that after hearing from the applicants there is a high level of advice that would be needed and that they should appoint the Mayor to be the Chair of the Task Force.

Council Member Brook Brown moved to appoint Thom Farrell, Gay Erwin, John Hinton, Victor Alcorta and Wallace Graner to the MoPac South Expansion Task Force and to come back at the next meeting with an amended resolution that allows there to be six members with the Mayor to be the Chair. Council Member Phil McDuffee seconded the motion.

Mayor Gavin Massingill discussed that he is happy to serve as chair and give guidance to this Task Force and that he does not expect that there would be a large number of meetings.

Council Member Sara Hutson discussed that hopefully Amy Pattillo is still planning on being engaged and advocating for Rollingwood in her role.

The City Council discussed that this group would understand the city's position on the proposed MoPac South Expansion and would help to disseminate that message and make connections with nearby stakeholders.

The motion passed 5-0.

18. Appointment of members of City Council to serve as Council liaisons for Police and Courts, Utility Commission, Streets and Roadways, Park Commission, Personnel, Budget, Planning and Zoning Commission, Board of Adjustment, and the Rollingwood Community Development Corporation

Mayor Gavin Massingill discussed that the selection of liaisons is up to the City Council.

Interim City Administrator Ashley Wayman read the section of the code pertaining to the selection of liaisons.

Mayor Gavin Massingill discussed the slate of liaisons that he has proposed and discussed the role of the liaison.

Council Member Sara Hutson discussed that there is no female representation in personnel liaisons.

The City Council further discussed the liaison assignments.

Mayor Pro Tem Sara Hutson moved to approve the Council Liaison recommendations as presented with the one change being that Mayor Gavin Massingill is taken off the official list of personnel liaisons and Sara Hutson is added. Council Member Phil McDuffee seconded the motion.

The motion passed 5-0.

19. Discussion and possible action on appointments to the Planning and Zoning Commission and the Board of Adjustment

Interim City Administrator Ashley Wayman stated that currently there is one opening on the Planning and Zoning Commission and one alternate position open on the Board of Adjustment,

and that there is currently one application for the Planning and Zoning Commission by Greg Demas.

Council Member Phil McDuffee moved to appoint Greg Demas to the Planning and Zoning Commission. Council Member Alec Robinson seconded the motion. The motion passed 5-0.

20. Discussion and possible action to set dates for the 2nd and 3rd public workshops on the Comprehensive Plan and discuss tentative dates with respect to the consideration and adoption of the Comprehensive Plan

Council Member Brook Brown discussed the intent to schedule the next two workshops for the Comprehensive Plan. She also discussed the topics that will be covered at the next workshops.

Interim City Administrator Ashley Wayman stated that of the dates circulated, the only date that worked as a stand-alone workshop was Wednesday, February 23 at 6:00 p.m.

Council Member Brook Brown moved to set a date of February 23 for the second Comprehensive Plan Workshop and March 10 for the third Comprehensive Plan Workshop.

The City Council and Interim City Administrator Ashley Wayman discussed the date options for the next workshop.

Council Member Brook Brown withdrew her motion.

Council Member Brook Brown moved to set the date of February 23 for the second Comprehensive Plan workshop. Council Member Phil McDuffee seconded the motion.

The City Council confirmed that this would be held at 6:00 p.m.

The motion passed 5-0.

21. Discussion and possible action to reschedule the March 2022 regular City Council Meeting

Interim City Administrator Ashley Wayman stated that of the options circulated for the March meeting reschedule, March 9 was the only one that worked for everyone. She also stated that if the meeting is moved to March 9 not all reports may be ready for the packet at that meeting but that they could double up on reports at the next meeting.

Mayor Pro Tem Sara Hutson moved to reschedule the March City Council meeting to March 9. Council Member Roxanne McKee seconded the motion. The motion passed 5-0.

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.

22. City Administrator Report
23. Chief of Police Report

24. Municipal Court Report
25. City Engineer Report - K. Friese & Associates
26. Crossroads Utility Services Report on Water and Wastewater for January 2022
27. City Stats for January 2022
28. Contract invoices through January 2022 - Crossroads Utility Services, Water and Wastewater Services, K. Friese & Associates - IIP & MS4, K. Friese & Associates, City Engineer
29. City Financials for January 2022 - Fiscal Year 2021-2022
30. RCDC Financials for January 2022 - Fiscal Year 2021-2022
31. Texas Gas Service - Notices, Letters and Documents
32. Texas Central Appraisal District and Tax Assessor - Notices, Letters and Documents

ADJOURNMENT OF MEETING

The meeting was adjourned at 12:15 a.m. on Thursday, February 17, 2022.

Minutes Adopted on the 9th day of March, 2022.



Gavin Massingill, Mayor

ATTEST:



Ashley Wayman, Interim City Administrator