

MINUTES OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, April 13, 2016
7:05 p.m.

Present: Mayor Linda Anthony, Mayor Pro Tern Stan Graham, Councilmembers Jim O'Connor, Brian Plunkett, Beth South, and Darin Walker.

Absent: None.

- 1. Called to Order by Mayor Linda Anthony at 7:10 PM, suspended at 7:20 PM then reconvened at 8:01 PM.**
- 2. Citizens Communications:** The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Citizens Communication agenda item or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to matters not listed on the agenda until a future meeting. Speakers must sign up with the City Secretary before speaking. Speakers shall limit their comments to five (5) minutes each.
Amber Forest of 3622 Doe Trail shared her concerns regarding a proposed office building that will be built next door to her house.

Laurie Maccinni of 202 Reveille Road read a statement regarding her application for the vacant Zoning and Planning Commission.

Carrie Peace of Westhaven Drive shared that she is taking a break this week from her presentations of facts about their lawsuits with the City of Westlake Hills. She also shared the toll that it has taken on her family.

Al Cowen asked Council about reducing Walsh Tarleton from two lanes to one lane, to implement bike lanes. He shared his concerns about this idea and felt that this would be detrimental to the current traffic flow. He encourage Council to work with the City of Austin on this project.

- 3. CONSENT AGENDA:** The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council Meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or Citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Citizens requesting items be removed from the consent agenda must submit a written Speaker Card to the City Secretary before the meeting begins. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.
 - a. Approval of the March 23, 2016 Regular Meeting Minutes. City Secretary Lacie Hale.**

- b. Approval of ordinance regarding prior annexations by Travis County Water District 10.

COUNCILMEMBER O'CONNOR MOTIONED TO APPROVE THE CONSENT AGENDA WITH THE ADDITION OF POSTPONING AGENDA ITEM #4. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

4. Personnel: Recognize promotion of Officer Brooke Stewart to Detective. Chief of Police Scott Gerdes.

Item was moved to consent agenda for postponement.

5. Administration: Presentation of draft Citywide Drainage Master Plan from K. Friese and Associates. Mayor Linda Anthony.
 - a. Staff Briefing. Mayor Anthony gave background that the City had hired K. Friese and Associates to conduct a city side drainage plan. She also introduced Charlotte Gilpin from K. Friese and Associates.

Charlotte Gilpin introduced the team that is working on this project. They then went through details of the methods and results of Phase 1.

- b. Public Hearing: Mayor Anthony opened it up for residents to ask the representatives of K. Friese questions regarding the process for putting out the data to the residents and drainage plan.
- c. Deliberation and action. Council shared their thoughts on how to prioritize the problems. They also expressed how pleased they were with the study and what it achieved before going into phase 2.

No Council action was taken.

6. Land Use: Variance request to remove a tree greater than 14 inches in trunk diameter at 118 Reveille Road. (Section 22.03.304 of the West Lake Hills Code.) Applicants Paul and Maureen Christen.
 - a. Staff Briefing. City Planner Ashby Grundman added that updated information was provided to Council compared to what was reviewed by the Zoning and Planning Commission. ZAPCO had requested more information.
 - b. Presentation by applicant. Applicant Paul Christen gave a brief presentation of the home renovation that is causing them to request the removal of the tree.
 - c. Public Hearing: No one spoke.
 - d. Deliberation and action. Council deliberated and wanted more information on the proposed new house, condition and location of the trees along with a plot plan. Councilman Walker explained that if the property was visited then it becomes blatantly obvious how poorly the driveway was designed.

COUNCILMEMBER WALKER MOTIONED TO APPROVE THE TREE VARIANCE REMOVAL. COUNCILMEMBER PLUNKETT SECONDED

THE MOTION AND IT PASSED BY 3-2 VOTE. COUNCILMEMBER O'CONNOR AND MAYOR PRO TEM GRAHAM OPPOSED.

7. Land Use: Request from applicant to amend approved revegetation plan associated with previously approved tree variances at 711 Butler Cove. (Section 22.03.304 of the West Lake Hills Code.) Applicant John Hagy.
- a. Staff Briefing. **Mayor Anthony gave briefing that conditions were originally placed on the tree plan and now the applicant is coming back to adjust it.**
 - b. Presentation by applicant. **Applicant John Hagy explained that the plan reflects the required replacement trees necessary, which is 77 inches. The issue is that in reality they have planted 66 inches worth and need guidance on what needs to be done to compensate for the remaining 11 inches.**
 - c. Public Hearing: **No one spoke.**
 - d. Deliberation and action.
Council deliberated
Council deliberated and agreed that the applicant will need to contribute to the tree fund to compensate for the 11 inches.

COUNCILMEMBER WALKER MOTIONED TO APPROVE THE TREE VARIANCE REMOVAL CONDITIONED UPON A CONTRIBUTION TO THE TREE FUND FOR 11 TREE REPLACEMENT INCHES. COUNCILMEMBER O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

8. Public Safety: Discussion/decision on request for traffic calming measures on North Peak Road. Mayor Linda Anthony.
- a. Staff Briefing. **Mayor Anthony gave briefing that several residents have expressed concerns of speeding, blind curves, and have asked Council to look at their traffic issues for possible solutions.**
 - b. Public Hearing:
Becky Combs of 12 North Peak Road requested Council to consider putting traffic calming devices on North Peak and Gentry. She also asked Council to appoint a subcommittee to address these issues, and she would like to serve on it.

Robyn Hammond of 3 North Peak explained that a neighbor had started the initiative. It was started in 2002 but it has become such a problem now it needs to be addressed. She also explained that Google uses North Peak Road as a main directional road through the neighborhood.

Charlie Kreidler of 8 North Peak Road shared that he has seen the evolution of North Peak Road. He also explained that there is an issue of speeding.

- c. Deliberation and action.
Council nominated Councilmembers South and Plunkett to serve on the subcommittee along with Becky Combs, Jules Elkins, and Robyn Hammond.

COUNCILMEMBER O'CONNOR MOTIONED TO APPOINT COUNCILMEMBERS SOUTH AND PLUNKETT TO SERVE ON A SUBCOMMITTEE TO STUDY TRAFFIC CALMING MEASURES ON NORTH PEAK AND GENTRY. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

9. Land Use: Discussion/decision on second draft of resident survey regarding short-term rental of single-family homes. Mayor Pro Tem Stan Graham and Councilmember Darin Walker.

a. Staff Briefing. Mayor Pro Tem Graham gave a brief update and explained the history of how the second draft of the survey was produced.

b. Public Hearing:

Wilfred Navarro is glad that the survey is brief and to the point. He also urged Council to find out what the residents want but also find out if the city has the authority to regulate short-term rentals. He explained that the City is a General Law Type A City and is limited in what they can regulate. He recommended that the City get an opinion from the Attorney General's Office to determine if the city can regulate this activity.

Charles Kreitler shared his concerns on how the survey does not address what defines a short-term rental and constitutes a hotel, bed and breakfast, and a variety of things.

Trey Wattinger of Live Oak Ridge Road shared that this is a new technology and there really is not any rules that govern this. He encourage Council to look at this as something new and that it is a potential problem for the city. He also hopes that the Council does not succumb to money from outside interests.

Scott Griffin of Wildcat Hollow shared that he is surprised by the switch in the survey. He explained that he is not sure what the Council is going to learn from this survey. The comments are going to be difficult to summarize.

Tom Cable of 902 Live Oak Ridge thanked the Council for taking this seriously and the subcommittee for their work. He thinks that we should get this out and get a response.

Robyn Hammond of North Peak Road appreciates the survey. She thinks that the survey is a good start that will help get through this issue.

Al Cowan of Live Oak Circle also appreciates the time to study the matter seriously and seek input from the residents of the community. He asked how the respondents would be verified that they are actual residents in West Lake Hills.

Gretchen Lara Shartle of 1624 Westlake Drive hopes that if the survey comes back and a majority of the people feel one way or the other, Council will not stereotype everyone. She does not think people should be punished because a few people have done something wrong.

c. Deliberation and action.

Mayor Pro Tem Graham gave a timeline that the survey will be on the website and for how long. He also proposed hosting a town hall meeting to address the survey results and this topic.

Council went through the proposed questions and added language to better clarify a few of the questions. They discussed how the submitted surveys could be verified it came from a resident and details about the reverse 911 call.

COUNCILMEMBER O'CONNOR MOTIONED TO PROCEED WITH THE SURVEY AS CORRECTED AT THE DIAS. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 4-0-1 VOTE.

Councilmember Plunkett recused himself from the dais.

10. Personnel: Discussion/possible decision on filling vacant position on Zoning and Planning Commission and Building Design Committee. Mayor Linda Anthony.
- a. Executive Session per Section 551 .074 of the Texas Government Code for personnel matters.
 - b. Public Hearing:
Kathy Tullos introduced herself and shared the reasons why she submitted an application.
 - c. Deliberation and action.
Mayor Anthony introduced the candidates for the vacancy.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #10 FROM 10:20 PM TO 10:35 PM. COUNCILMEMBER O'CONNOR MOTIONED TO APPOINT KATHY TULLOS TO THE ZONING AND PLANNING COMMISSION AND THE BUILDING DESIGN COMMITTEE. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

11. Personnel: Recognition of staff for work on 2016 Warrant Roundup. City Administrator Robert Wood.

City Administrator Robert Wood gave a briefed Council on the statistics from the 2016 Warrant Roundup.

12. Administration: Update on improvements to policies and procedures including plan review, building inspections, information in Council meeting packets, and financial information available on city website. Mayor Linda Anthony.
- a. Staff Briefing. **City Administrator Robert Wood gave Council an update on the Comptroller's program. He also shared what has been added to the website for this program.**
 - b. Public Hearing: **No one spoke.**
 - c. Deliberation and action.

Mayor Anthony commended Finance Officer Wendy Bates for all of her work.

13. Administration: Update on City and other area infrastructure improvement projects including Bee Cave Road, drainage master plan, and Camp Craft Road. City Administrator Robert Wood.
- a. Staff Briefing. **City Administrator Robert Wood shared the projected start date for the Bee Cave Road project is first or second week of June. He then explained that a meeting with the Bee Cave Road project coordinators would be held next week. As for Oak Wilt, we are working on a training to detect**

oak wilt. Mayor Anthony gave an update on the Redbud Bridge and how the City of Austin will be requesting citizens input.

- a. Public Hearing: No one spoke.
- b. Deliberation and action.

14. Public Works: Discussion/decision on engineering proposal for Camp Craft Road Improvements. City Administrator Robert Wood.

- a. Staff Briefing.
- b. Public Hearing: All persons wishing to speak for or against shall be heard.
- c. Deliberation and action.

Item was postponed.

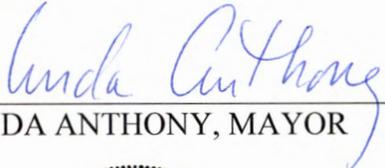
15. Litigation and Land Acquisition: Legal matters regarding 102 Westhaven Drive and 101 McConnell Drive including update on the civil lawsuit (Peace v. Hovis, Cause Number: D- I -GN-13-003985, regarding real estate transactions) and eminent domain process to acquire a fee simple interest in and to approximately 0.104 acre of land located at 101 McConnell Drive, owned by Jeffrey Peace and Caroline Peace, that is required for the public purpose of constructing proposed improvements to RM 2244/Bee Cave Road and any related facilities. City Attorney Alan Bojorquez.

- a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney regarding status of above-listed litigation and related legal issues.
- b. Deliberation and action.

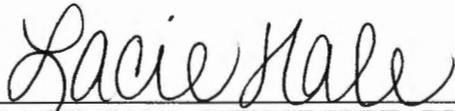
COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #15 FROM 10:48 PM TO 11:10 PM. NO COUNCIL ACTION WAS TAKEN.

16. Adjourned by Mayor Linda Anthony at 11:11 PM.

Certificate


LINDA ANTHONY, MAYOR

Attest:


LACIE HALE, CITY SECRETARY

