

MINUTES OF CITY COUNCIL REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, March 28, 2018
7:05 p.m.

Present: Mayor Linda Anthony, Mayor Pro Tem Jim O'Connor, Councilmembers Rhonda McCollough, Brian Plunkett, Beth South, and Darin Walker.

Absent: None.

1. **Called to Order by Mayor Linda Anthony at 8:00 pm, suspended at 8:07 pm, and reconvene at 8:20 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.

No one spoke.

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 February 28, 2018 Regular Meeting Minutes. City Secretary Lacie Hale.
 - b. **Public Safety:** Approval of the Public Safety Report for February 2018. Chief Scott Gerdes.
 - c. **Public Safety:** Discussion/decision on code amendment regarding fee for small cell node applications. City Administrator Robert Wood.
 - d. **Administration:** Consideration and action to not record the final plat of True North Plat (102 Skyline Drive, 1200 Westlake Drive) pursuant to property owner request.
 - e. **Land Use:** Proposed Monument Sign for Pearl Snap Cuisine at 4238 Bee Cave Road. (Section 32.03.008 of the West Lake Hills Code.) Applicant Alicia Bolton.

- f. Land Use: Proposed Commercial Landscape Permit for Shepherd of the Hills Lutheran Church at 3525 Bee Cave Road. (Section 22.03.302 of the West Lake Hills Code.) Applicant Bill Dawson.
- g. POSTPONE: Land Use: Discussion regarding request for proposals for potential sale of 110 Westlake Drive (property currently owned by the City of West Lake Hills.) Mayor Linda Anthony.

COUNCILMEMBER McCOLLOUGH MOTIONED TO APPROVE THE CONSENT AGENDA WITH THE ADDITION OF AGENDA ITEM #10 TO POSTPONE. MAYOR PRO TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 4-0-1 VOTE. COUNCILMEMBER PLUNKETT ABSTAINED.

- 4. Financial: Discussion/decision on Annual Financial Report for the Year Ended September 30, 2017 and Independent Auditor's Report. Representative from Singleton, Clark and Company, PC.
 - a. Staff Briefing. **Robert Gattilia, from Singleton, Clark and Company, PC presented the audit to Council. He discussed the opinion, net position, fund balance of the General Fund, and GASB 98, the net pension liability.**
 - b. Public Hearing: **No one spoke.**
 - c. Deliberation and action.

Council asked questions regarding adjustments, estimated uncollectable property taxes, stabilization cash reserve, pension liability and accepted the audit report.

No Council actions was taken.

- 5. Land Use: Variance to remove three trees larger than 14 inches in diameter (15 inch Cedar Elm, 15 inch multi-trunk Cedar Elm and 15 inch Live Oak) at 5001 Rollingwood Drive. (Section 22.03.304 of the West Lake Hills Code.) Applicant Brad Walters.
 - a. Staff Briefing. **City Planner Ashby Grundman explained that the applicant is requesting removal for three variance trees. These trees require 68 inches of replacement. ZACPO voted to recommend approval unanimously.**
 - b. Presentation by applicant. **Applicant Brad Walters explained that it is a relatively small corner lot. Two of the three trees, the cedar elms, were evaluated by an independent arborist, which recommended removal. The live oak is in the middle of the buildable area.**
 - c. Public Hearing: **No one spoke.**
 - d. Deliberation and action.

Council asked about the basis that the arborist used to recommend the removal of tree T-30 and if it was near the current footprint. They requested additional information because Council could barely read the arborists report and requested a complete site plan of the proposed project. City Administrator Robert Wood added that former City Arborist Christy Shull visited the site and determined that the three trees needed a variance.

COUNCILMEMBER WALKER MOTIONED TO APPROVE THE VARIANCE TO REMOVE TREES 11 AND 29. DEFER THE DECISION TO REMOVE TREE 30 PENDING ADDITIONAL INFORMATION. MAYOR PRO TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

6. Land Use: Variance request for a driveway setback encroachment and the removal of one tree larger than 14 inches in diameter (Tree #34, a 19-inch Live Oak) for the construction of a new residence at 405 Buena Vista Circle. (Sections 22.03.175 and 22.03.304 of the West Lake Hills Code.) Applicant David Kilpatrick.
- Staff Briefing. **None was given.**
 - Presentation by applicant. **None was given.**
 - Public Hearing: **No one spoke.**
 - Deliberation and action.
(Note: This item requires dual action. BOA action on the driveway setback and City Council action on the tree variance.)

COUNCILMEMBER PLUNKETT MOTIONED TO APPROVE THE VARIANCE REQUEST TO REMOVE TREE T-34 FOR THE CONSTRUCTION OF A NEW RESIDENCE AT 405 BUENA VISTA CIRCLE. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

7. Land Use: Variances to remove two trees larger than 14 inches in diameter (T-171 – 14 inch Juniper and T-266 – 18 inch Juniper) and allow off-street parking for the renovation of an existing residence at 1406 Circle Ridge Drive. (Sections 22.03.304 and 22.03.175 of the West Lake Hills Code.) Applicant Kathryn Stevens.
- Staff Briefing. **None was given.**
 - Presentation by applicant. **Applicant Kathryn Stevens explained that tree T-171 is to allow access of heavy excavation machinery, and tree T-266 root zone will be damaged when the pool is excavated.**
 - Public Hearing: **No one spoke.**
 - Deliberation and action.
(Note: This item requires dual action. BOA action on the driveway parking variance and City Council action on the tree variance.)

Council asked the applicant to reiterate the rationale for tree T-171. Councilmember Plunkett shared that he is having a hard time finding the hardship to remove T-266.

COUNCILMEMBER SOUTH MOTIONED TO APPROVE THE VARIANCE REQUEST TO REMOVE TREES T-171 AND T-266. MAYOR PRO TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

8. Public Safety: Update on traffic calming measures. City Administrator Robert Wood.
- Staff Briefing. **Mayor Linda Anthony explained that when Council went through the process, the additional expense was made to install removable**

speed humps, with the possibility that once Bee Cave, 360 and Mopac improvements were done then they might possible be removed. In the interim, there were residents that asked Council to get data before and after there were installed to see if there were any discernable impact. City Administrator Robert Wood presented the data collected for Cedar Park Drive, Rocky River Road, Forest View Drive, McConnell Drive, Westhaven Drive, West Spring Drive, N. Peak Road, Ridgewood Road, Laurel Valley Road, Yaupon Valley Road, and Redbud Trail.

b. Public Hearing:

Sandra Frederick of 201 Laurel Valley shared that the speed bumps work. Since the speed bumps have been installed, she feels that the traffic has slowed down. She does not have to shout at cars to slow down. It is noticeable for her.

Barry Aidman of 802 Yaupon Valley Road thanked Council for installing the speed bumps and collecting the data. They are generally happy. The speed hump is at their mailbox, right outside their bedroom window. They want keep it there. Traffic has slowed down, calmed traffic, and feels safer because of where the speed bumps are located. They would like to see additional traffic calming measures, including flashing lights, additional signs, and increase the police presence.

Randy Redfern of 303 Laurel Valley Road was one of the first individuals that approached the City to look at their stretch of road. Their experience was that people used it as a speedway. Since the speed bumps have been installed, their experience is that they no longer see the egregious speeders. They do see cars slow down and feel a lot safer in general. If anything were to be changed, he recommends adding more speed bumps on the straightaway. He would not remove the speed bumps. They are doing their job.

Mike Mahoney of 209 Laurel Valley Road would like to see a speed bump in front of their house. Cars speed by. There is a speed bump of the road then nothing until you get to Ledgeway. He has a problem at the top, when going down to Yaupon, curvy part of the road. Cars are out of their lane.

Mieko Akutsu of 1116 Redbud Trail thanked Council for approving the speed humps. She feels that they have been very effective. It seems like there is less through traffic. She knows that there are many people who have problems with the speed bumps and it is a matter of convenience, but when they started this project, it was about public safety. Feels safer on the road and sees more people walking on the street. Some of her neighbors have a problem with the noise. There is a speed hump outside of her bedroom window and it is not as noisy as she thought it would be. The big issue is big trucks. In general, the noise is not intrusive.

Debbie Martin of 1004 Yaupon Valley Road also thanked Council for making improvements. The speeding was getting to be ridiculous and asked Council if the data collected how fast people were going. She thinks the maximum speeds have declined.

Bernie Tejada of 1421 Redbud Trail is glad that the City approved the placement of the speed humps. He thinks that they need more, especially from the top of Yaupon Valley to Bee Cave Road. He predicts that when Water District 10 completes the Redbud Project that there will be more speeders because of the new pavement.

Stan Graham of 201 Allegro Road asked why this is on the agenda. He thinks that Council has received enough information from the people that have spoken. If they work, then the argument against them is more convenience than safety. Safety should never be trumped by convenience.

c. Deliberation and action.

Council asked what the ratio is for those who are for and against the speed humps. They decided to revisit this again after Water District 10 has completed their project. They also asked that the spacing of the signs be reconsidered and adding a red border to any additional new signs.

No Council action was taken.

9. Public Works: Discussion/decision on adoption of proposed Drainage and Erosion Control Design Manual and amendments to Code of Ordinances to update city regulations regarding storm water drainage. Mayor Linda Anthony.
- a. Staff Briefing. **Mayor Anthony explained that the proposed manual and amendments are the same that were brought to Council last November. The one big change is that the net site area has been removed. City Engineer Vicky Ortega presented the proposed drainage design manual and code amendments. The net site area has been removed from the code and manual.**
 - b. Public Hearing: **Mike Masterson shared that it was a great collection of rules and regulations. The one item that caught his eye was how residential and commercial were categorized. He asked that Council not be as restrictive on the residential side because it can be costly.**
 - c. Deliberation and action.

Council asked about a definition for infrastructure, process for granting a waiver, possibility of revisiting net site area, and if there was a way to score the drainage system. They requested that a data collection plan be created to inform Council in a year on how well the tactics are working, also assess how much it will cost the average homeowner to comply and then review the manual in a year for any possible changes or updates.

MAYOR PRO TEM O'CONNOR MOTIONED TO ACCEPT THE DRAINAGE MANUAL AND ORDINANCE CHANGES, ALSO DEVISE A

PLAN GOING FORWARD COLLECTING DATA THAT WILL INFORM COUNCIL IN THE FUTURE OF ANY NEEDED ADJUSTMENTS. COUNCILMEMBER PLUNKETT SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

10. Finance: Discussion/decision on submitted proposals Architectural Services. 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 moved to Consent Agenda for postponement.

11. Public Works: Discussion/decision on authorizing Mayor Anthony to execute an interlocal agreement with Water District 10 regarding the paving of Old Stonehedge.
- a. Staff Briefing. **Mayor Anthony explained that Water District #10 is not repaving the entire width of the road, so the City would contribute \$8,100 to pave the road. City Administrator Robert Wood added that Water District #10 wanted to do this as an interlocal agreement. He shared that two changes need to be made, one is in Section 3, homeowner contributions need to be removed and the second is Section 9, the City will maintain the road but Water District #10 needs to get a two year maintenance bond for the repair work and list the City on the maintenance bond.**
 - b. Public Hearing: **No one spoke.**
 - c. Deliberation and action.

Council asked about the total cost to pave the road, how much elevation will be added to the road, and

COUNCILMEMBER McCOLLOUGH MOTIONED TO AUTHORIZE MAYOR ANTHONY TO SIGN THE AGREEMENT WITH THE CHANGES WE DISCUSSED. MAYOR PRO TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

12. Administration: Update on City and other area infrastructure improvement projects including Bee Cave Road, drainage master plan, Water District 10, and Camp Craft Road. City Administrator Robert Wood.
- a. Staff Briefing. **City Administrator Robert Wood shared that Water District #10 does have new projects that will be starting in the next few months. Water District #10 and the City's engineer are working together to combine the plans for improvements and water line on Camp Craft Road.**
 - b. Public Hearing: **No one spoke.**
 - c. Deliberation and action.

No Council action was taken.

13. Personnel: Discussion/decision on possible appointment of Municipal Court Judge. City Administrator Robert Wood.
- a. Staff Briefing
 - b. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and Section 551.074 of the Texas Government Code for Personnel Matters.
 - c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #13 FROM 10:35 PM TO 11:22 PM.

COUNCILMEMBER PLUNKETT MOTIONED TO APPOINT ROBBY CHAPMAN AS PRESIDING MUNICIPAL COURT JUDGE FOR THE CITY OF WEST LAKE HILLS. COUNCILMEMBER McCOLLOUGH SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

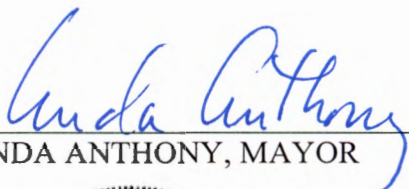
14. Personnel: Discussion/decision on salary for City Planner. City Administrator Robert Wood.
- a. Staff Briefing.
 - b. Executive Session per Section 551.074 of the Texas Government Code for Personnel Matters.
 - c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #14 FROM 10:35 PM TO 11:22 PM.

COUNCILMEMBER PLUNKETT MOTIONED TO AUTHORIZE THE CITY ADMINISTRATOR ROBERT WOOD TO MAKE A SALARY ADJUSTMENT FOR CITY PLANNER WITHIN IN THE RANGE DISCUSSED, IN CONSULTATION WITH THE MAYOR. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

15. **Adjourned by Mayor Linda Anthony at 11:25 pm.**

Certificate


LINDA ANTHONY, MAYOR

ATTEST:


LACIE HALE, CITY SECRETARY

MINUTES OF CITY COUNCIL PUBLIC HEARINGS
AND REGULAR MEETING
MARCH 28, 2018

