

MINUTES OF CITY COUNCIL REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
Wednesday, July 25, 2018  
7:00 p.m.

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

**Absent: None.**

1. **Called to Order by Mayor Linda Anthony at 7:05 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 July 11, 2018 Regular Meeting Minutes. City Secretary Lacie Hale.
  - b. Public Works: Approval of Utility Facilities Construction and Conveyance Agreement to extend wastewater main on Buckeye Trail.
  - c. Administration: Approval to amend the March 28, 2018 City Council Meeting Minutes.
  - d. Public Safety: Approval of the Public Safety Report for June 2018. Chief Scott Gerdes.
  - e. REQUEST TO POSTPONE: Land Use: Variance to remove a tree larger than 14 inches in diameter (Tree #239 – multi-trunk 11” and 16” Cedar Elm) at 14 North Peak. (Section 22.03.304 of the West Lake Hills Code.) Applicant David Burton.

**COUNCILMEMBER WALKER MOTIONED TO APPROVE THE CONSENT AGENDA WITH AN AMENDMENT TO THE JULY 11, 2018 COUNCIL MINUTES, AGENDA ITEM #7 “BENEFICIAL SIN IN UPCOMING YEARS” SHOULD SAY BENEFICIAL IN. MAYOR PRO**

**TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5 -0 VOTE.**

4. Personnel: Confirmation and Oath of Office for new Lieutenant Robert Mills. Police Chief Scott Gerdes.

**Chief Gerdes introduced Lt. Mills and explained the hiring process. Gave a brief explanation of Lt. Mills' background and experience. Chief Gerdes also shared the duties that the Lieutenant will be tasked with. Oath administered by Mayor Linda Anthony.**

5. Administration: Review quarterly permit report presented by Building Inspector David Brasich.

- a. **Staff Briefing. City Building Inspector David Brasich gave a brief overview of the statistics for new residential and commercial permits issued and closed out, for this quarter. There are 14 houses under construction and 9 new house applications that are being reviewed. He also included information for site visits, preventative maintenance drainage work, sign permits and septic permits.**
- b. Public Hearing: **No one spoke.**
- c. Deliberation and action.

**No Council action was taken.**

6. Land Use: Proposed Amendment to a Planned Development District and Roadway Agreement for Trinity Episcopal School at 3901 Bee Cave Road. (Article 38.06 of the West Lake Hills Code.) Applicant David Hartman.

- a. **Staff Briefing. Mayor Anthony explained that Council received a new draft of the proposed Planned Development District agreement with Trinity. The three major items are the size of the community building, reconsider the enrollment cap figures, and discussion about the traffic and roadway agreement. Trinity Representative Alan Smith explained that they would like to be treated the same as public schools, regarding the enrollment cap. They are requesting to follow the same standard as other educational institutions. It would make a final cap of 594 students. Mr. Smith also shared the configuration of the buildings if the community center building is reduced and the proposed Roadway Agreement. Project Architect explained the reasoning for the color of the proposed buildings.**
- b. Public Hearing: **Colleen Galvin shared that the look of the school isn't within the look of West Lake Hills.**
- c. Deliberation.

**Council shared their concerns about the aesthetics and color of the proposed buildings. Requested the enrollment cap number be included in the PDD and that it will be reported to the City every year.**

**COUNCILMEMBER McCOLLOUGH MOTIONED TO ADOPT THE FOLLOWING PROPOSAL IN FRONT OF COUNCIL AND ADD THE DISTINCT CAP OF 594 STUDENTS, REFLECTING 3 SECTIONS PER GRADE K – 8<sup>TH</sup>, APPROVE THE 32,000 SQUARE FOOT BUILDING CONDITIONAL UPON A DESIGN CONSISTENT WITH THE REST OF THE CAMPUS, MORE SUBTLE STRUCTURE, LESS MONOLYTHIC AND APPROVE THE ROADWAY AGREEMENT. MAYOR PRO TEM O’CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.**

7. Land Use: Discussion/decision on code amendment regarding definition for height of structures. (Section 22.03.001 of the City of West Lake Hills Code of Ordinances). City Administrator Robert Wood.
  - a. Staff Briefing. City Administrator Robert Wood explained that this is to clean up the language in the code. The actual definition of height refers to average grade but should reference the natural or original grade. This is so the definition matches the calculation.
  - b. Public Hearing: No one spoke.
  - c. Deliberation and action.

**COUNCILMEMBER PLUNKETT MOTIONED TO APPROVE THE AMENDMENT TO THE CONSTRUCTION CODE AS PRESENTED. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5 -0 VOTE.**

8. Land Use: Discussion/decision on code amendment to clarify requirements for tree surveys (tree tagging, information to be included, etc.). (Sections 22.03.303, 22.03.304, and 36.01.008 (1) (E) of the City of West Lake Hills Code of Ordinances). City Administrator Robert Wood.
  - a. Staff Briefing. City Administrator Robert Wood explained that two issues have come up with tree surveys, one is that the surveyor didn’t agree that the trees had to be tagged. To be clear, language was added that every tree had to be tagged. The second issue is to add the type of tree to match up to the tree tag. Also added references to the tree section in the subdivision and platting requirement section of the code.
  - b. Public Hearing: No one spoke.
  - c. Deliberation and action.

**COUNCILMEMBER WALKER MOTIONED TO APPROVE THE AMENDMENT TO CLARIFY THE REQUIREMENT FOR TREE SURVEYS AS PROVIDED. COUNCILMEMBER McCOLLOUGH SECONDED THE MOTION AND IT PASSED BY 5 -0 VOTE.**

9. Land Use: Discussion/decision on code amendment to clarify subdivision platting requirements in the City’s extra-territorial jurisdiction (ETJ). (Section 36.01.004 (e) of the City of West Lake Hills Code of Ordinances). City Administrator Robert Wood.
  - a. Staff Briefing. City Administrator Robert Wood explained that this amendment is to remove the exemptions regarding excluding the dimensional regulations. It is contradictory to some of the other sections.
  - b. Public Hearing: No one spoke.
  - c. Deliberation and action.

**COUNCILMEMBER WALKER MOTIONED TO APPROVE THE CODE AMENDMENT TO CLARIFY SUBDIVISION PLATTING REQUIREMENTS PERTAINING TO THE ETJ. COUNCILMEMBER**

**McCOLLOUGH SECONDED THE MOTION AND IT PASSED BY 5 -0 VOTE.**

10. Finance: Review and discussion of the quarterly budget update. Finance Officer Vonda Ragsdale.
- a. Staff Briefing. **Finance Officer Vonda Ragsdale briefed Council on the revenue and expenditure summaries for the quarter ending June 30<sup>th</sup>.**
  - b. Public Hearing: **No one spoke.**
  - c. Deliberation and action.

**Council thanked the Finance Officer Vonda Ragsdale for all her work on the providing the summaries.**

**No Council action was taken.**

11. Finance: Discussion regarding Mayor Anthony's proposed 2018-2019 City Budget. Mayor Linda Anthony.

- a. Staff Briefing. **Mayor Anthony shared that a few budget items will be covered. They include the tax rate, revenues, items for police recruiting, and staff salaries. City Administrator Robert Wood added that Council will need to vote on the proposed tax rate and the dates for the two public hearings. Mayor Anthony asked Council to consider an increase in the tax rate and how the proposed tax rate would impact the average home owner. Chief Scott Gerdes presented proposed items to assist with retaining and recruiting police officers.**
- b. Public Hearing: **No one spoke.**
- c. Deliberation and action.

**Council asked Chief Gerdes to bring back additional information, to a future Council meeting, on some of the proposed retaining and recruiting items.**

**COUNCILMEMBER PLUNKETT MOTIONED TO SET THE PROPOSED TAX RATE AT \$0.070 AND SET THE TWO PUBLIC HEARING ON THE PROPOSED TAX RATE ON AUGUST 8<sup>TH</sup> AND AUGUST 29<sup>TH</sup>. COUNCILMEMBER McCOLLOUGH 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. **Mayor Anthony shared that Camp Craft is off the table for this year. Water District #10 is going to hold off until the late Fall to start new projects. They are going to be paving Circle Ridge within the next couple of weeks.**
  - b. Public Hearing: **No one spoke.**
  - c. Deliberation and action.

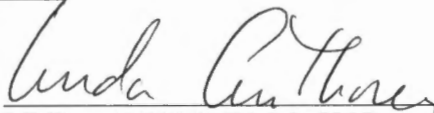
**No Council action was taken.**

13. Land Use and Litigation: Update and possible action on Cause No. D-1-GN-001858, City of West Lake Hills vs. Yaupon Partners, LLC and Ray McMackin; Case No. 12-12734-tmd, In re: Raymond McMackin; and Adversary No. 13-01049-tmd, City of West Lake Hills v. Raymond McMackin. Legal Counsel.
- 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 #13 FROM 10:28 PM TO 10:30 PM. NO COUNCIL ACTION WAS TAKEN.**

14. **Adjourned by Mayor Linda Anthony at 10:31 pm.**

Certificate

  
LINDA ANTHONY, MAYOR

Attest:

  
LACIE HALE, CITY SECRETARY

