

MINUTES OF CITY COUNCIL REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, February 14, 2018
7:00 p.m.

Present: Mayor Linda Anthony, Councilmembers Rhonda McCollough, Brian Plunkett, Beth South, and Darin Walker.

Absent: Mayor Pro Tem Jim O'Connor.

1. **Called to Order by Mayor Linda Anthony at 7:03 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 January 24, 2018 Regular Meeting Minutes. City Secretary Lacie Hale.
 - b. Street Use: Approve Street Use Permit for Life is Good in the Wood 5K to be held on Friday, April 13, 2018 from 6:00 p.m. to 7:00 p.m. The street closures in West Lake Hills will be on Brady Lane, Gentry Drive, and Ridgewood Road. Applicant Roseann Ferraro.

COUNCILMEMBER PLUNKETT MOTIONED TO APPROVE THE CONSENT AGENDA WITH THE ADDITION OF AGENDA ITEM 7 FOR APPROVAL AND PULLING ITEM C FROM THE CONSENT AGENDA FOR DISCUSSION. COUNCILMEMBER MCCOLLOUGH SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

- c. Public Safety: Presentation of Racial Profiling Statistics 2017 Report. Chief Scott Gerdes.

Chief Scott Gerdes explained that presenting this report to the governing body is a legal requirement. He presented the breakdown of the statistics. Council asked about the specifics of the data and what type of training is required of officers for racial profiling. City Administrator Robert Wood added that this is a data gathering exercise, the State has put together, and they just want to see the information.

4. Finance: Discussion/decisions on submitted proposals regarding the Request for Qualifications for financial advisor services. City Administrator Robert Wood.

- a. **Staff Briefing. City Administrator Robert Wood shared that the financial advisor shepherds the City through the process. Assists with deciding what type of financing is appropriate, for the work the City is trying to do, and determine what a reasonable amount of debt the City can manage. Finance Officer Vonda Ragsdale explained that the most important factor are the fees, and staff recommends using PFM Financial Advisors.**

- b. Public Hearing: **No one spoke.**

- c. Deliberation and action.

Council asked about the timeframe for the contract with the advisor, estimate of outside costs for each proposal, what the par versus proceeds are, and shared that they were comfortable with the staff recommendation.

COUNCILMEMBER McCOLLOUGH MOTIONED TO ADOPT THE STAFF PROPOSAL FOR PFM AND ACCEPT THEIR PROPOSAL FOR FINANCIAL ADVISOR. COUNCILMEMBER SOUTH SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

5. Finance: Discussion/decisions on submitted proposals regarding the Request for Qualifications for professional architectural services. City Administrator Robert Wood.

- a. **Staff Briefing. Mayor Anthony explained that staff is recommending Council to revise the RFQ to emphasize the need for municipal building and law enforcement experience. City Administrator Robert Wood added that the staff recommends Council to reject all of the bids and redo the RFQ document with a few changes.**

- b. Public Hearing: **No one spoke.**

- c. Deliberation and action.

Council asked if those who submitted proposals will be notified of the reason for rejecting the proposals, and if the proposed timeline would be enough time for firms that have not already submitted a proposal, to put one together.

COUNCILMEMBER WALKER MOTIONED TO ACCEPT STAFF RECOMMENDATION TO REISSUE THE RFQ FOR ARCHITECTURAL REQUESTS AND REJECT THE PROPOSALS. COUNCILMEMBER PLUNKETT SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

6. Public Safety: Discussion/decision on code amendment regarding small cell nodes. City Administrator Robert Wood.
- a. Staff Briefing. Mayor Anthony explained that the City code needs to be amended to make sure it complies with state law. City Administrator Robert Wood shared the legislative background on the management of public right of way in the city and compensation for the use of public right of way. Assistant City Attorney Laura Mueller briefly explained the statute restrictions. Cities have to allow placement in the right of way. It does not allow a maximum size requirement of the nodes and location. Graffiti removal and requirements are addressed, along with the timing to review the application, and a maximum amount for fees.
 - b. Public Hearing: No one spoke.
 - c. Deliberation and action.
Council asked about the fee per node is in line with other fees the city charges, where TML was during the legislative discussion and if there was any state monetary interests. Councilmember McCollough would like to send a letter sharing opposition.

COUNCILMEMBER PLUNKETT MOTIONED TO APPROVE THE CODE AMENDMENT REGARDING SMALL CELL NODES. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 3-1 VOTE. COUNCILMEMBER MCCOLLOUGH OPPOSED.

7. Public Safety: Discussion/decision on code amendment regarding permit bonds. 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 approval.

8. Public Safety: Discussion/decision on code amendment regarding septic and propane tanks. City Administrator Robert Wood.
- a. Staff Briefing. City Administrator Robert Wood explained that the current code did not allow for anything in the setbacks. The City has received numerous requests to allow this. The proposed ordinance would only let underground septic and propane tanks in the setbacks.
 - b. Public Hearing:
Colleen Galvin of 514 Yaupon Valley Road asked why Council is changing the rule for a few people who are building new homes when most of the resident's tanks are not in the setback. She does not think it is good to build anything close to the property line. A variance is a better way to go than an ordinance. She asked for more understanding of why this is moving in the direction of an ordinance.
 - c. Deliberation and action.

Council asked if they were required to be buried, what the screening requirements are, and the statistics of how many variance requests have been made for tanks in the setback.

No Council action was taken.

9. Public Safety: Discussion/decision on code amendment regarding weapons. City Administrator Robert Wood.

a. Staff Briefing. **City Administrator Robert Wood explained that this amendment updates the weapons portion of the code to comply with state law.**

b. Public Hearing: **No one spoke.**

c. Deliberation and action.

Council shared their concerns about including archery bows in the weapons definition, and they discussed adding a restriction so that arrows cannot leave the property. Council requested that the definition be added for of a long bow, compound bow, crossbow to the amendment. Also, include provisions that prohibit the discharge of compound bow and crossbows, but any arrows discharged from a long bow cannot cross property lines.

COUNCILMEMBER McCOLLOUGH MOTIONED TO ADOPT THE ORDINANCE AS DISCUSSED. COUNCILMEMBER SOUTH SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

10. Land Use: Discussion regarding selection criterion for evaluation and discussion of proposals received for potential sale of 110 Westlake Drive (property currently owned by the City of West Lake Hills.) Mayor Linda Anthony.

a. Staff Briefing. **Mayor Anthony explained that the proposed criterion for selecting a proposal have been posted on the City's website. Does not expect Council will be making a decision at the town hall meeting on Sunday, February 18, 2018. Council is still gathering information, taking testimony, and listening to what people have to say. Mayor Anthony then explained the proposed criterion that will be used to consider the proposals.**

b. Public Hearing: **Neighboring residents shared additional proposed criterion, their preference for the type of development for that lot, and requested Council to consider the Master Plan when choosing the proposal.**

Erica Alejandro of 201 Westhaven Drive asked for clarification on what the statement of qualifications mean, in the request for proposals. She also asked Council to consider adding adherence to the City of West Lake Hills Master Plan and traffic impact to the immediate adjacent streets to the list of criterions.

c. Deliberation and action.

Councilmember Plunkett would like to add sensitivity to the view from Westlake Drive as one of the criterions. Council asked when the zoning

would be determined in the process, and thanked the residents for providing feedback.

No Council action was taken.

11. Administration: Discussion regarding the proposed creation of the Southwestern Travis County Groundwater Conservation District. Mayor Linda Anthony.
- Staff Briefing. **Mayor Anthony explained the City was unaware that this had been added as an amendment to a state bill. A resident approached Mayor Anthony to be the City's representative for this district. The creation for this district will be on the ballot for the May 5, 2018 Election.**
 - Public Hearing: **No one spoke.**
 - Deliberation and action.

No Council action was taken.

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.
- Staff Briefing. **City Administrator Robert Wood explained that TXDOT has a road closure that they might have to extend past 4 pm, in order to do some water line work, for one day. TXDOT also notified the City that could include the Camp Craft intersection as a work order for the Bee Cave Road project. It will help the City with quantity pricing.**
 - Public Hearing: **No one spoke.**
 - Deliberation and action.

No Council action was taken.

13. Adjourned by Mayor Linda Anthony at 9:25 pm.

Certificate


LINDA ANTHONY, MAYOR

ATTEST:


LACIE HALE, CITY SECRETARY

