

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, September 13, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:13 p.m.

CITY COUNCIL PRESENT:

Mayor Linda Anthony
Mayor Pro Tem Gordon Bowman
James Vaughan
Brian Plunkett
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Finance Director Vonda Ragsdale
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Patty Akers

2. Citizen 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 Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Mayor Anthony opened the meeting for public comments. Hearing none, the public comment section was closed.

3. Proclamation Mayor to proclaim October 5, 2023 as World Teachers' Day in the City of West Lake Hills.

Mayor Anthony presented the proclamation to Jenna Scott, Eanes ISD Educator of the Year.

4. Consent Agenda All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Council Member.

- a. Approval of the August 23, 2023 Regular Meeting Minutes.
- b. Approval of the September 6, 2023 Special Meeting Minutes.
- c. Approval of the FY 2023-24 Holiday Schedule for City employees.
- d. Reappoint Mayor Linda Anthony as the General Assembly Representative to the Capital Area Council of Governments (CAPCOG).
- e. Approval to change the following regular City Council and Board of Adjustment Meetings:
 1. Reschedule the September 27, 2023 City Council meeting to Monday,

- September 25, 2023;
- 2. Cancel the October 11, 2023 City Council meeting; and
- 3. Postpone the October 11, 2023 Board of Adjustment meeting to Wednesday, October 25, 2023.

- f. Approval of resolutions regarding:
 - 1. General Fund Balance Policy;
 - 2. Investment Policy & Strategy; and
 - 3. Financial Procedures & Controls.

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember Walker, the Council voted five (5) for and none (0) opposed to approve the consent agenda as presented. Motion carried.

- 5. Finance Discuss and consider an ordinance adopting the proposed budget for Fiscal Year 2023-24.

RECORD VOTE

MOTION: Upon a motion made by Councilmember Bowman and a second by Councilmember Walker, the Council voted five (5) for and none (0) opposed to approve the ordinance as presented, adopting the FY 2023-24 proposed budget. Motion carried with voting as follows:

RECORD VOTE	Aye	Nay	Absent / Abstain
Councilmember James Vaughan - Place 1	X		
Councilmember Brian Plunkett - Place 2	X		
Councilmember Beth South - Place 3	X		
Councilmember Darin Walker - Place 4	X		
Councilmember Gordon Bowman - Place 5	X		
Mayor Linda Anthony			(does not vote)

- 6. Finance Discuss and consider an ordinance ratifying the property tax revenue increase reflected in the Fiscal Year 2023-24 budget.

RECORD VOTE

MOTION: Upon a motion made by Councilmember Bowman and a second by Councilmember Plunkett, the Council voted five (5) for and none (0) opposed to approve the ordinance as presented, ratifying the property tax revenue increase reflected in the FY 2023-24 budget. Motion carried with voting as follows:

RECORD VOTE	Aye	Nay	Absent / Abstain
Councilmember James Vaughan - Place 1	X		
Councilmember Brian Plunkett - Place 2	X		
Councilmember Beth South - Place 3	X		
Councilmember Darin Walker - Place 4	X		
Councilmember Gordon Bowman - Place 5	X		
Mayor Linda Anthony			(does not vote)

7. Finance Discuss and consider an ordinance adopting the proposed tax rate for Fiscal Year 2023-24.

RECORD VOTE

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember Bowman, the Council voted five (5) for and none (0) opposed to approve the ordinance as presented, adopting the City of West Lake Hills FY 2023-24 ad valorem tax rate of \$0.1786 per \$100 assessed valuation, the debt service portion being \$0.0608 per \$100 assessed valuation and the maintenance and operations portion being \$0.1178 per \$100 assessed valuation. Motion carried with voting as follows:

RECORD VOTE	Aye	Nay	Absent / Abstain
Councilmember James Vaughan - Place 1	X		
Councilmember Brian Plunkett - Place 2	X		
Councilmember Beth South - Place 3	X		
Councilmember Darin Walker - Place 4	X		
Councilmember Gordon Bowman - Place 5	X		
Mayor Linda Anthony			(does not vote)

8. Land Use **900 Live Oak Circle** - Discuss and consider action on a variance to replace an existing fence approximately 20 feet from the street edge (30 feet is required) and an 8-foot-tall side yard fence along the western side property line (6-foot height maximum) (Section 22.03.173 of the West Lake Hills Code). Applicant Leah Romero, Word + Carr Design Group.

Director Bills gave a brief summary. Leah Romero (landscape architect) spoke on behalf of the property owners. Ryan Russell (1101 Live Oak Ridge Road) expressed his concerns regarding the effects on wildlife in the area and the larger setback request.

A motion was made by Councilmember Walker and a second by Councilmember Plunkett to deny the setback request and approve the 8-foot-tall side yard fence with the stipulation that it complies with the setback requirements near the street.

After further discussion by the Council, the motion and second were withdrawn.

The applicant requested that the item be postponed.

9. Ordinance Discuss and consider an ordinance amending Chapter 22 Building Regulations by adding Section 22.03.303(j) requiring a working fire extinguisher to be located within the permitted work site and easily accessible for activities that require the use of heavy equipment or chainsaws in conjunction with a permit issued under Section 22.03.303 and by adding Section 22.03.303(k) providing for revocation of permit for violations of Article 22.03.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember Walker, the Council voted four (4) for and none (0) opposed with one (1) abstention to approve the ordinance as presented. Councilmember Bowman abstained. Motion carried.

City Administrator Fletcher stated that clarification on the type of fire extinguisher required will be added to the permit.

10. Resolution Discuss and consider action on a resolution authorizing an agreement with the Texas Department of Transportation (TxDOT) for a Local On-System Improvement Project (LOSA) on RM 2244 (Bee Cave Road) at Camp Craft Road.

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember South, the Council voted five (5) for and none (0) opposed to approve the resolution as presented. Motion carried.

11. Administration Receive an update and discuss authorizing Travis County ESD #9 to enforce certain provisions of the city code related to health, safety, and fire prevention.

City Administrator Fletcher gave a brief summary. An interlocal agreement will be drafted and presented to the Council at the October meeting.

12. Administration Discuss and consider action to accept the design development phase pricing and estimate for the new municipal complex and to authorize progression of the construction documents.

Steven Karp with AG|CM gave a presentation to the Council.

MOTION: Upon a motion made by Councilmember South and a second by Councilmember Walker, the Council voted five (5) for and none (0) opposed to accept the design development phase pricing and estimate for the new municipal complex and to authorize progression of the construction documents. Motion carried.

13. Administration Discuss and consider action to award a bid to DigDug Construction LLC for dead vegetative debris removal in the city-maintained drainage easements and city-owned lots and authorize the City Administrator to execute all required documents.

Director Bills gave a brief summary and stated that two (2) bids were received.

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Vaughan, the Council voted five (5) for and none (0) opposed to approve bid award to DigDug Construction LLC. Motion carried.

City Administrator Fletcher stated that invoices from the work performed will be submitted to FEMA for reimbursement consideration.

14. Executive Session In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess in Executive Session (closed meeting) to discuss the following:

- a. Section 551.071 - Consultation with the attorney regarding pending or contemplated litigation, or settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, re: City of West Lake Hills v. the following:
 1. Jaffe - 1405 Wildcat Hollow;
 2. Alvarez - 1505 Wildcat Hollow;
 3. Lambert - 1600 Westlake Drive; and
 4. 1836 Real Estate, LLC - 707 Butler Cove.
- b. Section 551.072 - Deliberations about Real Property.

Council convened into Executive Session at 8:45 p.m.

15. Executive Session Reconvene into Open Session and take action if and as deemed appropriate in the City Councils' discretion regarding consultation with attorney and deliberations about real property.

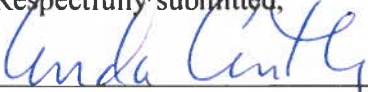
Council reconvened in Open Session at 9:12 p.m.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember Vaughan, the Council voted five (5) for and none (0) opposed to approve the city administrator to move forward with easement purchase of Parcel 12. Motion carried.

16. Adjournment

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Vaughan, the Council voted five (5) for and none (0) opposed to adjourn the meeting at 9:13 p.m. Motion carried.

Respectfully submitted,


LINDA ANTHONY, MAYOR

ATTEST:


Terry Blanchard, TRMC
City Secretary

These minutes were approved on September 25, 2023.

