



**REGULAR MEETING OF THE CITY COUNCIL  
MAY 10, 2022  
MINUTES**

A meeting of the City Council ("Council") of the Village of The Hills ("the Village") was held in person and remotely. Mayor Wharton called the meeting to order, and the roll was called of the duly constituted officers and members of the Council to wit:

Greg Wharton, Mayor	Jim Nelson, Councilmember, Treasurer
Hilda Potsavich, Mayor Pro Tem	Sarah Carroll, Councilmember
Robert Smith, Councilmember, Secretary	Rick Van Dalen, Councilmember

**and all said persons were present, thus constituting a quorum.**

Also present were Wendy Smith, Sonja De La Fuente, Village of The Hills, Luis Ozuna, Deputy Constable (via Zoom), and Tom Stiles, The Hills of Lakeway Property Owners Association.

**1. CALL TO ORDER**

The meeting was called to order at 9:00 A.M.

**2. EXECUTIVE SESSION**

The Council went into Executive Session at 9:00 A.M.

*The Mayor and City Council may adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code including, but not limited to, Sections §441.071 (Consultation with attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), §551.087 (Economic Development), §418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code including, but not limited to Section 321.3022 (Sales Tax Information).*

- Lohmans intersection plans, finances, and agreements

The City Council came out of Executive Session at 9:21 A.M. There was no reportable action. The Regular meeting reconvened at 9:30 A.M.

### **3. PLEDGE OF ALLEGIANCE**

The Mayor led the Pledge of Allegiance.

### **4. PUBLIC COMMENT**

None

### **5. CONSENT AGENDA**

- A. Minutes of the April 8, 2022, Special City Council Meeting
- B. Finance/Treasurer's Report for April 2022

Treasurer Jim Nelson provided the Treasurer's Report for April. He informed the Council that the Village is in the same position as last month, which is running ahead. He advised mowing and maintenance will probably run over by the end of the year. He recommended looking at this area during budget planning. There was a brief discussion held among the Council regarding sales tax.

*Mayor Pro Tem Potsavich moved approval of the consent agenda; Councilmember Nelson seconded the motion, which carried 5-0.*

### **6. REPORTS**

#### A. Law Enforcement

Deputy Constable Ozuna reported that there has been an issue with turning left when entering the Lohmans gate, as a lot of residents think they're allowed to do that. He enforced this in the month of April and will continue in the month of May. He also noted that he increased traffic stops for the month of April.

#### B. POA Liaison

Mayor Pro Tem Potsavich reported the Board met and discussed the following:

- **Homeowners Open Forum:** - Caleb Cunningham asked about banning short term rentals in The Hills. One near his home at 61 Stillmeadow has been a problem for neighbors. Jim Vick said he will put STR's on the May agenda for discussion. - Sarah Carroll recounted an incident at the club where a vehicle drove through the parking lot near the golf cart storage and then on to the cart path, heading toward Stillmeadow. - The resident at 106 The Hills Drive asked about controlling speeding at night on The Hills Drive. They had a car miss "deadman's curve" and go through their yard before exiting over the drainage ditch.
- **Committee reports:** - Architectural Committee - both Macie and Vickie are making inspections for rules violations as well as dead/missing landscape materials. - Landscape Committee - Spring planting should commence in May. A larger leak has been discovered in the fountain at Lohmans and hopefully

can be repaired soon. - Road Committee - they met with Alpha regarding crack seal repair. They have decided that this will be necessary every year. New striping and crosswalk painting and signage will be installed when the walkway is complete.

- **Approved Actions:** - The Board \$20,558.72 for new security cameras - A \$35,628.00/year contract renewal with Spectrum was approved. - They are reviewing artificial turf AC guidelines; newer materials and warranties as well as possible future water restrictions will be considered.
- **Reserve Study Proposal:** Vicki has requested that the Board approve launching a Reserve Study to help the Board understand the cash flow and various projects that might impact their funding, primarily the dam, take core samples and determine its ownership. She would like to engage a company she has worked with, SmartProperty, to perform this study. the Board approved up to \$6,99.00 for this study.
- **Old Business:** The Board has asked the AC to update the rules and guidelines for wooden fences in The Hills. Vickie recommended giving residents a "drop dead" date of a year or two when all wooden fences must be replaced by metal or rock walls, as well as set a percentage of how much wood will be allowed to be replaced when repairs are needed in the meantime. The AC will consider this at their May meeting.

#### C. MUD Liaison

Councilmember Van Dalen reported that he was not able to attend the MUD Board meeting held on April 18, 2022, but he was able to obtain the following information from the Board Secretary, Mike Maroney:

- Larry Kener will be resigning his position on the MUD Board after the May meeting. Larry will be moving.
- The owner of 5 Stillmeadow Drive built a concrete fence and then landscaped his property in a drainage easement. He never got approval from the POA. The owner requested a variance and asked that the MUD approve the work that was done. The MUD has denied the request 5-0.
- A motion was presented to indemnify the board members and employees from lawsuits. That motion passed 5-0.
- The effluent interconnect is an ongoing project and there was a suggestion to run another line right next to the current line. Kurt will be getting a bid for the new work.
- The next meeting will be held on Monday, May 23<sup>rd</sup>.

#### D. Club Liaison

Councilmember Van Dalen reported the following:

- According to the Village history document, May 2022 will be the 25<sup>th</sup> year of the government. A note was sent to Casey about having an event in June as a celebration of the Village and she wondered what date and activities we would

want. It may be too early to come up with a plan for something like this although we could do this anytime during the year calling it the 25<sup>th</sup> anniversary.

#### E. Park Liaison

Councilmember Carroll reported that a Parks and Recreation Commission met on May 9, 2022, at 5:00 P.M. and discussed the following:

- Hosting an event in June – Snow Cone Welcome to Summer
- Movie Night will be rescheduled.
- Looking into streaming sporting events in the park.
- Holidays in the Park will be held at the end of the year.
- Wendy is developing an online reservation system for the park.
- Pat Younger will be helping with sponsorships for events.
- The next meeting will be held on June 13, 2022.

#### F. Youth Advisory Commission

City Manager Smith reported that the YAC did not meet on Sunday because it was Mother's Day, so they will meet on Sunday, May 15<sup>th</sup>.

#### G. City Manager's Report

City Manager Smith reported on the following:

- The Request for Proposals will be published for landscaping services for the greenbelt and parks. This will consolidate six separate contracts into one. She advised that an increase in cost may be noticed due to the current economic environment. September 1 is the anticipated start date with two options to renew on an annual basis.
- The traffic study has been received and it will be finalized soon.

#### H. Mayor's Report

Mayor Wharton reported on the following:

- He continues to receive inquiries regarding the City's position regarding the airport. He has advised that the City doesn't have an official position.
- He met with Gary Wolff and Jim Vick regarding Gary's community center idea. Gary will continue to research and socialize the idea.
- He met with Miguel Gamino regarding a civic app. He will set up a demo with the Mayor and City Manager.
- He was approached by the Lakeway Police Foundation who has latent funds for law enforcement activity, supplies and equipment.

## **7. BUSINESS ITEMS**

- A. Discussion and consideration of accepting and approving the Annual Audit Report for the Fiscal Year ending September 30, 2021

Robert Gattilia with Singleton Clark & Company., the independent auditor for The Hills reviewed the Auditor's report with the City Council.

*Councilmember Van Dalen moved to accept and approve the Annual Audit Report for Fiscal Year ending September 30, 2021; Mayor Pro Tem Potsavich seconded the motion, which carried 5-0.*

B. Discussion and consideration of a Special Event permit application for The Hills City Park & Nature Trail on May 27, 2022

City Manager Smith presented the report regarding this item and Councilmember Carroll provided additional information. There was a brief discussion held among the Council.

*Mayor Wharton moved to approve a special event permit pending satisfaction of a supplement to the application showing parking a security plan with a security deposit of \$250; and Councilmember Carroll seconded the motion, which carried; 5-0.*

C. Discussion and consideration of a variance for 2 Hightrail Way related to the Walking Trail project

The City Manager provided the report for this item. She explained that the resident is requesting grass instead of rock and has agreed to maintain. The City will install the irrigation.

*Councilmember Smith moved to approve the variance for 2 Hightrail Way subject to the condition that the property owner will maintain the grass upon installation; Councilmember Nelson seconded the motion, which carried 5-0.*

D. Discussion and consideration of a Short-Term Rental Ordinance

The Mayor provided the report regarding this item. He provided information regarding a permitting process and advised he will continue to explore boundaries with the City Attorney and bring back with a recommendation or an ordinance for consideration.

E. Discussion and consideration of the City's Strategic Plan Update

Councilmember Nelson provided the report regarding this item. He suggested a work session to discuss and add the item to the next agenda for discussion.

F. Discussion and consideration of the City Council's budget priorities for FY2022-2023

City Manager Smith provided the report for this item. She advised that she is expecting at least an 8% increase for trash collection services, 10% (down from 15%) on base law enforcement, 4% increase for MUD which is allowed per the contract. Tyler Incode (financial software) will either need to be moved to the cloud or purchase a new server. Mowing and Maintenance may increase with the new contract. A Request for Proposals for tree trimming will be issued soon. There will be a \$13,000 increase in the park budget.

Sign replacements. There was discussion held regarding possible land clearing and clean up in the greenbelt and potential extra law enforcement needs.

G. Discussion and consideration of Youth Advisory Council end of year recognition

Councilmember Carroll provided the report regarding this item. She will be recognizing the YAC for continued service and advised she had cards for the Council to sign.

H. Discussion and consideration of the City's 25<sup>th</sup> Anniversary Event with The Hills Country Club

City Manager Smith provided the report regarding this item.

*There was a consensus of the Council to coordinate this event with Hillsfest.*

### **8. ANNOUNCEMENTS AND REQUESTS**

New business items to be included on the next agenda.

- Committee for the 25<sup>th</sup> Anniversary event

### **9. ADJOURNMENT**

*Mayor Pro Tem Potsavich moved to adjourn at 11:09 A.M.; Councilmember Van Dalen seconded the motion, which carried 5-0.*

Signed this 13<sup>th</sup> day of June 2022.

  
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Greg Wharton, Mayor

(Seal)



ATTEST:

  
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Sonja De La Fuente, City Secretary