

**SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY JANUARY 17, 2023  
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  
Hilda Potsavich, Mayor Pro Tem  
Jim Vick, Councilmember/Secretary

Rick Van Dalen, Councilmember/Treasurer  
Sarah Carroll, Councilmember  
Amy Wharton, Councilmember

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

Also present were Gordon Pierce, Interim City Manager, Luis Ozuna, Deputy Constable, Earl Wood, Beth Caccamisi and Alma Wood (via Zoom), representing Hurst Creek MUD.

**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).*

- A. §551.074 Personnel Matters: City Staff Compensation Review
- B. §441.071 Consultation with Attorney - Interlocal Agreement with Hurst Creek Municipal Utility District

The City Council reconvened the open meeting at 10:00 a.m. There was no reportable action.

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

The Mayor led the Pledge of Allegiance.

### **4. PUBLIC COMMENT**

There was no public comment.

### **5. CONSENT AGENDA**

- A. Minutes of the December 2, 2022, Special City Council Meeting
- B. Minutes of the December 13, 2022, Regular City Council Meeting
- C. Finance/Treasurer's Report for December 2022
- D. Approve TexPool Resolution Amending Authorized Representatives

Treasurer Van Dalen reported that he met with the City's Bookkeeper and informed Council that property taxes are arriving on time and expenses are in line with budget projections. He stated the city is in good shape financially. Advised that expenses for events should be looked at and budgeted accordingly. Mayor Wharton noted the only variability in revenue has been sales tax due to varying circumstances.

The Resolution amending authorized representatives is to remove Wendy Smith and Jim Nelson and add Councilmember Van Dalen as authorized representative for the Village of The Hills. Mayor Wharton and Beth Caccamisi are already authorized representatives. The remaining spot available was declined at this time.

*Mayor Pro Tem Potsavich moved to approve the Consent Agenda; Councilmember Vick seconded the motion, which carried 5-0.*

### **6. REPORTS**

#### **A. Law Enforcement**

The written report was reviewed showing 1 Traffic Citation and 20 Warnings. Daily activities by officers include patrolling every street, self-initiating personal contact with the community, stationary and rolling radar for compliance of the speed limit; escorting school busses for children safety; and community events. The Mayor asked about overtime hours for the period; 15 hours for the month was the answer provided.

#### **B. POA Liaison**

Mayor Pro Tem Potsavich reviewed her written notes from The Hills POA meeting on December 13, 2022, as follows:

- Several residents commented on the dog attack in the Dog Park.
- Road striping and reflectors to be started in either third or fourth week in January. Posts and signs to follow.

- Security contract with Guard Texas was recommended and negotiations in place, other gate access problems were discussed.
- Treasurer - Board approved to move from Accrual to Cash basis. Financials will be presented at the January annual meeting.
- POA has scheduled the annual meeting on January 26, 2023, at the Lakeway Activity Center.
- Landscape Committee is meeting with a landscape designer vendor on January 17, 2023, to discuss potential actions related to the beautification and redesign of the Lohman's entrance landscape.
- Architectural rule changes related to artificial grass, wooden fences and a modification of the fee structure.

#### C. MUD Liaison

There was no report, as the MUD meeting was scheduled for the following Monday.

#### D. Youth Advisory Commission

Councilmember Amy Wharton reported on her outreach and interest of the 10 members of the Commission. January 29, 2023, is the date for the next meeting. She discussed possibly looking for another date to have the meetings that would work better for more attendees. She questioned the feasibility of finding a place for their meetings on a Sunday, Earl Wood explained that as an elected Councilmember she may use the conference room on Sundays and calendar arrangement can be made with the receptionist. Some of the traditional annual events organized by the YAC will continue for this year such as Splash Fest plus others that may be incorporated. Councilmember Amy will be coming up to speed on the operations and what they want the activities and participation to look like in the future.

#### E. City Manager's Report

The City Manager reported as follows:

- Christmas at the Park was a successful event.
- Interim City Manager Pierce reported that he has been in communication with Hurst Creek and POA staff going through Policies and Procedures for Park and POA.
- Current Short Term Rental Ordinance needs a revision to meet with the Permit's wording.
- It was expressed that the existing Ordinance for animals may need small amendments.
- Met with several Candidates for the City Manager position.
- Council expressed the importance of being cautious re: the Coyote that was seen in the community.
- Regarding the instance of the dog attack at the park, Mr. Pierce has reviewed several neighboring city ordinances to see if The Hills' ordinance could be updated. Ultimately it is the owner's responsibility to watch their dogs. Minor change in wording could be done to signs, as dogs are considered personal property, but that would be the extent of what the City could do at this point.

- A few repairs need to take place at the park restroom. Restrooms are usable despite the maintenance needed.
- Tree trimming is required around the Lohmans Fencecrete fence. The Fencecrete fence has suffered from erosion, deterioration and it needs repairs. There should be a warranty for the repair work as per the original contract. Original contractor hired for the job has been contacted and follow up will continue to be pursued.
- Mr. Pierce met on January 9, 2023, with the park commissioners to understand the extent of their involvement.
- There was a concern regarding the congestion due to construction traffic on Lohmans Spur. A Traffic control device box Ordinance has been suggested however since The Hills does not own the streets, such Ordinance could not be properly enforced, therefore it will not represent a solution.
- Mr. Pierce also reported on a meeting held with the City Manager of City of Lakeway on January 5, 2023, which gave him an overview of what the neighboring City is doing on matters such as a Court, Parks and Recreation, and Law enforcement among other community topics.
- He plans to meet with the Emergency Management Coordinator to go over the responsibilities and involvement.

#### F. Mayor's Report

Mayor Wharton reported that he is in discussions with Leanne Dupay to potentially appoint her as a wildlife consultant to the City. He has an in-person meeting with her January 18, 2023, to finalize the scope of the responsibilities and will bring it to the Council once that is complete. He also reported that he will continue to work on the feasibility of a Court for small cities like The Hills.

### 7. **BUSINESS ITEMS**

- A. Discuss, consider, and take any necessary action to adopt an Ordinance increasing certain property tax exemptions beginning Fiscal Year 2023-2024.

The text of the Ordinance was adopted, which establishes an increase of property tax exemptions to the over 65-year-old and disabled veterans to a statutory maximum of \$25,000.

*Motion by Mayor Pro Tem Potsavich to adopt ordinance 2023-001. Seconded by Councilmember Van Dalen; which carried 5-0.*

- B. Discuss, consider, and take any necessary action to approve a License Agreement with The Hills Country Club for the Stillmeadow Cart Path Project

The agreement was being revised by the City attorney and was delayed due to the holidays. Mayor will evaluate the contents of the agreement he recently received before moving forward with contract negotiation, voting from the Council and taking pertinent action. Item will be tabled.

- C. Discuss, consider, and take any necessary action regarding Park and Recreation staffing, facilities, and programs.

The Mayor expressed that the original Park Ordinance was in consultation with the attorney.

Councilmember Carroll expressed the importance of the role that the new City Manager would have regarding supporting the growth of the Park Commission. A key element would be replacing volunteers with staff. Current composition of Park Commission is five members (volunteers).

Mayor supports the idea of a park employee if said person is interested and capable of originating and managing recreational programs instead of just events; and would like to formalize a job description for this position. Once a City Manager is hired, validating the idea with permanent CM will be essential for a successful execution of the job. This would not necessarily be a full-time position.

Councilmember Vick voiced opposition to hiring a person to create programs where people may express interest, but not necessarily be willing to work on a volunteer basis to see the actual programs or events come to fruition, and hiring many employees is not an option. Currently The Hills consists of approximately 2,500 residents and one park, which is no comparison to the City of Lakeway in terms of population and number of parks for example. Councilmember Vick expressed his commitment to the community to care for tax dollars and that he does not believe this proposition will line up with that vision.

The Mayor expressed that Park events are a City service and as such, having the demand present due to demographic changes in The Hills is an opportunity to expand on the programs and events. He noted that there is a need for volunteer hours since the expenditure to handle all of the potential programs is very high. Maintenance, refurbishment, and transformation (aspirations) are three main needs at the park and will need to be approached differently. This item had been discussed during previous park meetings and should be an item for the next agenda to discuss again with a clearer picture of what has been done and what is the vision in terms of those same three main needs mentioned above.

Councilmember Carroll reported that all picnic tables have been delivered and installed.

Councilmember Carroll noted that efforts would be made to have conversations with individuals about attendance at meetings.

The Mayor expressed having received and accepted Jenny Foersterling resignation from the Parks and Recreation Commission.

Councilmember Amy Wharton submitted notice that she will be leaving the oversight to park activities and will be focusing on the Youth Advisory Commission.

- D. Discuss, consider and take any necessary action related to the City Manager Transition

This item was not discussed.

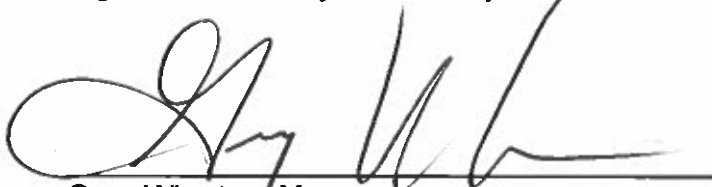
## 8. ANNOUNCEMENTS AND REQUESTS

- New business items to be included on the next agenda.
  - Striping for the streets is expected to be finished today January 17<sup>th</sup>.
  - Signs needed around the community such as Dead End, Do Not Enter and miscellaneous Park signs have been received and the plan to place them in their respective places is in motion to be done this week.

## 9. ADJOURNMENT

*Mayor Pro Tem Potsavich moved to adjourn at 11:05 a.m.; Councilmember Van Dalen seconded the motion, which carried 5-0.*

Signed this 14<sup>h</sup> day of February 2023.

  
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Greg Wharton, Mayor

(Seal)

ATTEST:

  
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Sonja De La Fuente, City Secretary

