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MINUTES
ROCKWALL CITY COUNCIL
Monday, April 18, 2016
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

7 I. CALL PUBLIC MEETING TO ORDER

8
9 Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim
10 Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, John
11 Hohenshelt, Scott Milder, and Kevin Fowler. Also present were City Manager Rick
12 Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank
13 Garza. Councilmember Mike Townsend was absent from the meeting.

14
15 II. WORK SESSION

16
17 1. HOLD WORK SESSION TO REVIEW, DISCUSS AND CONSIDER VARIOUS TXDOT
18 ALTERNATE ALIGNMENTS FOR SH 205 IN THE CITY OF ROCKWALL.
19

20 City Manager Rick Crowley began discussion of this work session item. He explained
21 that part of the TXDOT planning process for projects that include state and federal
22 funding is to develop various alternative routes. He explained that TXDOT will be holding
23 public meetings sometime in the summer, and members of the public will have an
24 opportunity to provide commentary on these various route alternatives. He explained
25 that, eventually, all but one of the routes will be eliminated by TXDOT for one reason or
26 another as the process ensues. He explained that staff will be reviewing with Council
27 this afternoon the various routes that will soon be presented for public input by TXDOT.
28 Mayor Pruitt clarified that after the public meeting(s) is (are) held, TXDOT will be
29 accepting comments, in writing, (although no public comments will be accepted during
30 the meeting) for a period of time. Discussion will take place related to the technically
31 preferred and locally preferred alternatives, which will be reconciled before the State's
32 public hearing is held. Both Mr. Crowley and Mayor Pruitt reiterated that the City of
33 Rockwall has made the locally preferred route for SH-205 clearly known to TXDOT and
34 others at this point in time.

35
36 City Engineer Tim Tumulty provided the Council with a map depicting SH-205 and then
37 verbally explained the various route alternatives that TxDOT may evaluate before
38 definitively choosing which route to move forward with constructing.

39
40 Councilmember Townsend arrived to the meeting at 4:23 p.m.

41
42 Mr. Crowley reminded the Council that the goal this afternoon was to show the Council
43 the various route options that TxDOT will be presenting at upcoming public meetings.

44
45 Upon conclusion of the work session, Mayor Pruitt read the following discussion items
46 into the public record before recessing the meeting into Executive Session at 4:27 p.m.
47
48
49

50 **III. EXECUTIVE SESSION**

51
52 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
53 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
54 **CODE:**

- 55 1. Discussion regarding appointment of a city council planning and
56 development subcommittee pursuant to Section, §551.074 (Personnel
57 Matters).
- 58 2. Discussion regarding contracts in the area of the Harbor pursuant to
59 Section 551.071 (Consultation with the City Attorney), and take any action
60 necessary.
- 61 3. Discussion regarding a city levied property lien on residential property
62 pursuant to Section §551.071 (Consultation with Attorney)
- 63 4. Discussion regarding the status of negotiations for an ambulance services
64 contract pursuant to Section §551.071 (Consultation with Attorney)

65 **IV. ADJOURN EXECUTIVE SESSION**

66
67 **Executive Session was adjourned at 5:20 p.m.**

68
69 **V. RECONVENE PUBLIC MEETING**

70
71 **Mayor Pruitt reconvened the public meeting at 6:00 p.m.**

72
73 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

74
75 **Mayor Pro Tem Lewis made a motion to appoint Councilmembers Hohenshelt, Fowler**
76 **and Lewis to serve on the newly formed Planning and Development Subcommittee.**
77 **Mayor Pruitt seconded the motion, which passed unanimously of those present.**

78
79 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR JIM PRUITT**

80
81 **Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.**

82
83 **VIII. PROCLAMATIONS / AWARDS**

- 84
85 1. Motorcycle Safety and Awareness Month

86
87 **Mayor Pruitt called forth representatives. He then read and presented the proclamation**
88 **to them, declaring the month of May as Motorcycle Safety and Awareness Month.**

- 89
90 2. Public Safety Communication Day

91
92 **Mayor Pruitt called forth the 911 dispatch supervisors, staff and Police Chief Kirk Riggs.**
93 **He thanked the staff for the phenomenal job they did the night of the Rowlett tornado**
94 **struck, explaining that all of Rowlett's dispatch calls rolled over to Rockwall PD, and our**
95 **city's dispatchers responded to the calls. He then read and presented the proclamation**
96 **to the group, thanking them for their service to the community.**

97

- 98 3. Child Abuse Awareness Month and recognizing the Child Advocacy Center,
99 CASA and the Rainbow Room of Rockwall County
100

101 Mayor Pruitt called Kenda Culpepper, County District Attorney, forth as well as
102 representatives of the CAC, CASA and Rainbow Room organizations. He then read and
103 presented them with the proclamation. Mrs. Culpepper provided various comments,
104 praising each organization for the work it performs on behalf of and for the betterment of
105 local children in our community.
106

107 Mayor Pruitt then called forth Tony Rios, Executive Director of the Rockwall Housing
108 Authority (RHA), and John White, board member. He explained a little bit about the
109 Housing Authority and shared that Mr. White has been serving on the board since July of
110 2013. He then read and presented him with a proclamation to recognize and thank him
111 for his service to the board and to Rockwall residents. He then announced that Mr. White
112 will be stepping down from the board, so he plans to appoint Amanda Fowler to replace
113 Mr. White on the RHA.
114

115 IX. OPEN FORUM
116

117 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to
118 come forth and speak at this time.
119

120 Bob Wacker
121 806 Miramar Drive
122 Rockwall, TX 75087
123

124 Mr. Wacker explained that he would like to speak about the Park at Stone Creek. He
125 moved here about five years ago because of The Harbor, the lake and downtown. He
126 encouraged the Council to not ruin the scenic view by modifying SH-205. He is
127 concerned about people who may be displaced from their homes if changes to SH-205
128 are made. He encouraged the Council to carefully consider what the future of Rockwall
129 will look like, especially concerning Goliad / SH-205 and other high traffic areas, both
130 north and south of IH-30. He thanked the city for the Park at Stone Creek, explaining that
131 it is moving along nicely. He explained that several hundreds of homes have been and
132 are slated to be platted. He encouraged the Council to utilize general reserve funds to
133 move forward with development of the Park at Stone Creek and get it finished. He also
134 wants the city to ensure that the developer is contributing his share towards the shortfall
135 in funding that currently exists for the development of this park.
136

137 Since no one else indicated a desire to come forth and speak, Mayor Pruitt closed the
138 Open Forum. He then reordered the agenda to next address Action Item #6 on the
139 agenda.
140

141 X. CONSENT AGENDA
142

- 143 1. Consider approval of the minutes from the April 4, 2016 regular City
144 Council meeting, and take any action necessary.
- 145 2. Consider a budget amendment of \$14,937 and awarding a purchase to
146 Caldwell Country Chevrolet, authorizing the City Manager to execute a

147 Purchase Order for a new Police Patrol Tahoe for \$36,720 to be funded
148 out of the General Fund, and take any action necessary.

149 3. Consider awarding a bid to Precision Fence and authorizing the City
150 Manager to execute a Contract for a new perimeter fence and gates at
151 the Police Patrol Parking Lot (Washington St.) totaling \$58,189 to be
152 funded out of General Fund Reserves and Police Seized Funds, and take
153 any action necessary.

154 4. Consider awarding a purchase to Coban Technology and authorizing the
155 City Manager to execute a Purchase Order for 8 new
156 computer/audio/video units for police patrol totaling \$71,360 to be funded
157 out of the Technology Replacement Fund, and take any action necessary.

158 5. **P2016-012** - Consider a request by Worth Williams of Moore Worth
159 Investments, LLC on behalf of Jean Voltz of Arkoma Development LLC
160 for the approval of preliminary plat for Lots 1-4, Block A, Lakeshore
161 Commons Addition being a 4.706-acre tract of land identified as Tract 8-4
162 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall
163 County, Texas zoned Planned Development District 65 (PD-65) for
164 General Retail (GR) District land uses, located at the southwest corner of
165 the intersection of SH-205 [N. Goliad Street] and North Lakeshore Drive,
166 situated within the North SH-205 Overlay (N. SH-205 OV) District, and
167 take any action necessary.

168 6. **Z2016-006** - Consider a request by John Cherry for the approval of an
169 ordinance for a Specific Use Permit (SUP) for a carport on a 1.04-acre
170 tract of land identified as Tract 47 of the R. Ballard Survey, Abstract No.
171 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-
172 7) District, addressed as 303 Renfro Street, and take any action
173 necessary (2nd Reading).

174 Mayor Pruitt pulled item #3. Councilmember White made a motion to approve the
175 Consent Agenda (minus item #3). Mayor Pro Tem Lewis seconded the motion. The
176 ordinance for item #6 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 16-26
SPECIFIC USE PERMIT NO. S-150

177
178
179
180
181 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
182 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE
183 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
184 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW
185 FOR A CARPORT THAT DOES NOT CONFORM TO THE REQUIREMENTS
186 AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE
187 CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, OF THE UNIFIED
188 DEVELOPMENT CODE, BEING A 1.04-ACRE TRACT OF LAND, ZONED
189 SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT, AND ADDRESSED AS
190 303 RENFRO STREET, AND IDENTIFIED AS TRACT 47 OF THE R.
191 BALLARD SURVEY, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS,
192 AND MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A' OF THIS*
193 *ORDINANCE*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR
194 A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
195 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
196 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;

197 PROVIDING FOR AN EFFECTIVE DATE.
198

199 Regarding Consent Agenda Item #3, Mayor Pruitt expressed concern about the Police
200 Department wanting to place a chain link fence around the property, especially
201 considering that the city would not allow any other owner to use that type of fencing
202 material. Chief Riggs indicated that the city is not required to adhere to its own
203 ordinances / standards and that the idea behind the proposed chain link material is to
204 save money; however, he indicated that the city can certainly build wrought iron instead
205 of chain link if that is the Council's desire. Pruitt indicated that it will likely cost an extra
206 \$16,000. After various comments, Chief Riggs agreed to spend the extra money to install
207 wrought iron instead of the chain link material, indicating that he will fund the extra
208 expense through '(drug) seizure funds.' Councilmember White pointed out that there are
209 neighborhoods that are allowed, by right, to have chain link fences, including his own
210 neighborhood. Councilmember Milder expressed agreement with the sentiment that the
211 city needs to abide by the same rules that it requires of other non-city property owners.

212 Mayor Pruitt made a motion to approve Consent Agenda Item #3 with the stipulation that
213 the extra \$16,996 be spent to install a wrought iron fence in lieu of chain link.
214 Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1
215 against (White).

216
217 **XI. APPOINTMENTS**
218

- 219 1. Appointment with the Planning and Zoning Chairman to discuss and
220 answer any questions regarding cases on the agenda and related issues
221 and take any action necessary.

222 Mr. Renfro, Chairman of the city's P&Z Commission, came forth and briefed the Council
223 on recommendations of the Commission relative to items on tonight's meeting agenda.
224

225 **XII. PUBLIC HEARING ITEMS**
226

- 227 1. **Z2016-008** - Hold a public hearing to discuss and consider a request by
228 Darrell Simpson on behalf of Sherry Banuelos for the approval of an
229 ordinance for a Specific Use Permit (SUP) to allow an accessory building
230 that does not meet the minimum requirements as stipulated by Article IV,
231 Permissible Uses, of the Unified Development Code for a 1.03-acre tract
232 of land identified as Tract 11-5 of the D. Harr Survey, Abstract No. 102,
233 City of Rockwall, Rockwall County, Texas, zoned Single Family One (SF-
234 1) District, addressed as 735 Davis Drive, and take any action necessary
235 [1st Reading].

236 Planning Director Ryan Miller provided background information regarding this agenda
237 item. He explained that the applicant, Sherry Banuelos, is requesting a Specific Use
238 Permit (SUP) to allow for an accessory building that does not meet the minimum
239 requirements stipulated in the Unified Development Code (UDC). According to this
240 section "(i)n SF-7, SF-8.4, SF-10, SF-16, and SF-1, no more than two accessory buildings
241 shall be allowed which are up to 225 square feet (each) in area and 15 feet or less in
242 height, provided the exterior cladding contains only materials found on the main
243 structure." The subject property is zoned Single Family 1 (SF-1) District. The proposed
244 accessory building will stand approximately 15-feet in total height and will have a

245 building footprint of 24-feet x 36-feet or approximately 864 square feet. The accessory
246 building will be located behind the main residential structure and not visible from the
247 street. The applicant is requesting a waiver to the size requirement to allow for a building
248 approximately 639 sq. ft. larger than the maximum size allowed in a SF-1 District. The
249 applicant is also requesting a waiver to the masonry requirement to construct the
250 accessory building out of a steel building system with a standing seam metal roof that
251 does not comply with the masonry requirements for an accessory building in an SF-1
252 District. The applicant plans to extend the current gravel driveway to the accessory
253 building to allow access to the building. Mr. Miller indicated that twenty-three notices
254 were mailed out to adjacent property owners located within 500' of the subject property;
255 however, staff did not receive any replies back as a result of these mailed notices.

256
257 The applicant came forth (Sherri Banuelos, 735 Davis Drive). She provided brief
258 comments, generally asking that Council approve her requests.

259
260 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and
261 speak at this time. There being no one indicating such, he then closed the Public
262 Hearing.

263
264 Mayor Pro Tem Lewis made a motion to approve Z2016-008. Councilmember White
265 seconded the motion. The ordinance was read as follows:

266
267 CITY OF ROCKWALL
268 ORDINANCE NO. 16-XX
269 SPECIFIC USE PERMIT NO. S-XXX

270
271 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
272 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE
273 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
274 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW
275 FOR AN ACCESSORY BUILDING THAT DOES NOT CONFORM TO THE
276 REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND
277 LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, OF
278 THE UNIFIED DEVELOPMENT CODE, BEING A 1.03-ACRE TRACT OF
279 LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-1) DISTRICT,
280 ADDRESSED AS 735 DAVIS DRIVE, AND IDENTIFIED AS TRACT 11-5 OF
281 THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL,
282 ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN
283 EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL
284 CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED
285 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
286 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
287 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

288
289 The motion passed unanimously of Council (7 ayes to 0 nays).

290
291 Public Hearing Item #3 was addressed next by Council.

- 292
293 2. Z2016-009 - Hold a public hearing to discuss and consider a request by
294 Mohamed Taha for the approval of an ordinance for a Specific Use
295 Permit (SUP) to allow a minor auto repair garage to be established in
296 conjunction with an existing oil/lube change facility located on a 0.2755-

297 acre parcel of land identified as Lot 3, Block B, Rockwall High School
298 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial
299 (C) District, situated within the Scenic Overlay (SOV) District, addressed
300 as 2225 Ridge Road, and take any action necessary [1st Reading].

301 **Mayor Pruitt called Chairman of the P&Z Commission, Craig Renfro, forward to brief the**
302 **council on recommendations of the Commission relative to this particular case. Upon**
303 **coming forth to address Council, Mr. Renfro expressed confusion related to the applicant**
304 **being allowed to withdraw case number Z2016-011, explaining that the P&Z Commission**
305 **unanimously recommended a declination of the request associated with this case. He**
306 **generally expressed concern about the applicant potentially coming back time and time**
307 **again and the city having to address and readdress the same issues over and over. Mr.**
308 **Garza, City Attorney, explained that, under state law, the city council has to take a vote to**
309 **either accept or deny the applicant's request to withdraw. At this point, since the case**
310 **has been withdrawn, the applicant can come back again; however, he would have to**
311 **begin the entire process all over again. Mayor Pruitt indicated that he really does not**
312 **believe the applicant will be coming forth again in the future.**

313
314 **Regarding Z2016-009, Mr. Renfro then briefed the Council on the Commission's**
315 **recommendation, indicating that on April 12, 2016, the Planning and Zoning Commission**
316 **made a motion to approve the SUP request for overnight storage of vehicles with the**
317 **condition that only four (4) vehicles be allowed in the parking spaces as depicted on the**
318 **approved 1987 site plan. Furthermore, the motion included that no additional screening**
319 **mechanism will be required based on the vehicles being located behind the building as**
320 **depicted in the 1987 site plan. He explained that the motion was approved with staff**
321 **conditions and passed by a vote of 4 to 3 with Commissioner's Renfro, Whitley, and**
322 **McCutcheon dissenting. He clarified that the motion excluded an additional screening**
323 **mechanism, which is part of the reason for the 3 dissenting votes, since those three**
324 **members felt additional screening could help better preserve the Scenic Overlay District.**

325
326 **Mr. Miller provided background information concerning this agenda item. He explained**
327 **that notices were sent out to all property owners located within 500' of the subject**
328 **property. Of the twenty-nine notices sent, three were received back in opposition.**

329
330 **Mayor Pruitt opened the public hearing and called the applicant forth to speak at this**
331 **time.**

332
333 **A representative of the applicant came forth and provided brief comments. He shared**
334 **that minor vehicle repairs take place at this business location. He indicated that they**
335 **were willing to do some sort of screening; however, no consensus was ever reached**
336 **concerning the type of screening. He went on to explain the different types of service**
337 **and occasional repairs that take place at this business location.**

338
339 **Mayor Pruitt then asked if anyone else would like to come forth to speak during the**
340 **public hearing.**

341
342 **Nell Welborn**
343 **810 Lake Meadows Circle**
344 **Rockwall, TX 75087**
345

346 Mrs. Welborn came forth and shared nine photos with the city council, photos of the
347 property that she recently took this past week. Mrs. Welborn pointed out that one of the
348 properties next door is currently for sale. She suggested that, if the Council does wish to
349 approve the SUP, a one year time limit be placed on the SUP to evaluate, upon its
350 expiration, how it has been working out. She suggested that this location may not be
351 incredibly suitable for the operation that Mr. Taha is currently running.

352
353 Ben Weible
354 215 Trout Drive
355 Rockwall, TX 75032
356

357 Mr. Weible suggested that this business owner seems to be running a very successful
358 auto repair minor garage. He expressed that he does not want the government to get in
359 the way of this gentleman running his business, especially if related to differing views
360 regarding parking spaces. He does not believe this gentleman's parking spaces will
361 interfere with adjacent property owners. He asked the Council to approve this item and
362 help another Rockwall business be successful.

363
364 There being no one else wishing to come forth and speak, Mayor Pruitt then closed the
365 public hearing.
366

367 Mayor Pro Tem Lewis asked how this area could be screened. Mr. Miller explained that it
368 would need to be fenced on at least two sides. Mr. Miller indicated that the Council
369 denied this same request one year ago, and it is coming back now for reconsideration
370 (since one year has now passed). Mayor Pruitt asked if the property owner has been
371 abiding by other city regulations throughout the past year. Mr. Widmer of the city's
372 Neighborhood Improvement Services Department provided comments indicating that
373 several citations have been issued to the property owner pertaining to non-compliance
374 related violations. Mr. Miller explained that the outside storage of tires, albeit outside in
375 the rear of the facility, is an example of something that is currently in non-compliance.
376 Councilmember White asked for clarification related to the number and configuration of
377 parking spaces. White indicated that the Council has previously granted outside
378 overnight parking, for example, to Jackson Automotive and Christian Brothers
379 Automotive. Mayor Pruitt pointed out that, although those other ones were previously
380 approved, they were not located in a "Scenic Overlay District." Pruitt indicated that the
381 neighbors adjacent to this property, specifically in the next door office building, have
382 written him expressing opposition to the council approving this request.

383
384 Councilmember Milder explained that he gets his oil changed at Mr. Taha's business, and
385 he believes it to be a nice, legitimate, local business. He explained that during daytime
386 hours, there is no restriction on the number of cars he may park there. It is only during
387 non-daytime hours. Therefore, he made a motion to approve Z2016-009, allowing the
388 requestor to paint seven spaces, with four of them accommodating overnight parking.
389 Councilmember White seconded the motion. The ordinance was read as follows:

390
391 CITY OF ROCKWALL
392 ORDINANCE NO. 16-XX
393 SPECIFIC USE PERMIT NO. S-XXX
394

395 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
396 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF

397 ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
398 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN "AUTO REPAIR
399 GARAGE, MINOR" TO BE ESTABLISHED IN CONJUNCTION WITH AN
400 EXISTING OIL/LUBE CHANGE FACILITY WITHIN THE (C) COMMERCIAL
401 DISTRICT, ON A 0.2755-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3,
402 BLOCK B, ROCKWALL HIGH SCHOOL ADDITION, AND MORE
403 SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL
404 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
405 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
406 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
407 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
408

409 The motion passed by a vote of 5 in favor with 2 against (Pruitt and Fowler).
410

411 Mayor Pruitt then addressed Appointment Item #1 on the agenda (appointment with P&Z
412 Chairman).
413

- 414 3. **Z2016-010** - Hold a public hearing to discuss and consider a request by
415 Grey Stogner of Crestview Real Estate on behalf of the owner Tom R.
416 Briscoe of Briscoe Oil, Inc. for the approval of an ordinance for a PD
417 Development Plan abandoning Hill Top Lane to establish an urgent care
418 facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A,
419 Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract
420 No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned
421 Development District 32 (PD-32), situated within the Summit Office
422 Subdistrict and the IH-30 Overlay (IH-30 OV) District, located at the
423 southwest corner of Horizon Road [FM3097] and the IH-30 frontage road,
424 and take any action necessary [1st Reading].

425 Mr. Miller, Planning Director, indicated that the applicant, Grey Stogner, has
426 submitted an application for the approval of a PD Development Plan indicating a
427 proposed layout for the 1.042-acre tract of land. Based on the applicant's concept plan,
428 a waiver to the city's *building placement requirements* will be required for the purpose of
429 allowing the buildings' easterly facing facade to be situated no more than 60-ft to 70-ft
430 from Horizon Road and for the southerly facing facade to vary from the horizontal
431 articulation standards. It should be noted that the district's intent for the buildings
432 setback from Horizon Road is 150 feet; however, the property has been platted with a
433 25-ft building setback. Since the applicant is requesting waivers to *Ordinance No. 10-*
434 *21* and the proposed use -- *while being a permitted use* -- does not meet *Criteria 'A'*
435 *of Section 9.C (i.e. meet the general intent of the PD District or Subdistrict in which the*
436 *subject property is located)*, staff has required the applicant to submit a *PD*
437 *Development Plan*. Through this process, the City Council retains discretionary
438 approval over the request to ensure that the proposed development does not have a
439 negative impact on adjacent properties.

440 Mayor Pruitt called the applicant forth and asked if he wished to come forth and speak.
441 He indicated that he does not wish to speak at this time. Mayor Pruitt then opened the
442 public hearing, asking if anyone would like to come forth. There being no one indicating
443 such, he then closed the public hearing.

444 Mayor Pro Tem Lewis indicated that he knows this developer, and he believes that he
445 builds quality facilities, including the Tom Thumb up north of town.

446 Lewis then made a motion to approve Z2016-010. Councilmember White seconded the
447 motion. Councilmember Milder asked Mr. Renfro (P&Z Chairman) for clarification
448 regarding recommendations of the Commission relative to this item. He questioned if

449 another urgent care facility is really the type of facility that is needed or desired,
450 especially at one of the main entry points into our city, explaining that he is aware of at
451 least four other facilities of this kind already in existence within the city. Mr. Renfro
452 indicated that some on the P&Z Commission had similar concerns, and there were some
453 concerns related to traffic. Councilmember Fowler indicated that, in his opinion, the belief
454 that there are "too many" of a certain type of facility already located within the city is not
455 relevant to what the city council is being asked to consider this evening associated with
456 this case.

457 Mr. Grey Stogner
458 12720 Hillcrest Road
459

460 Mr. Stogner, the developer, came forth, generally indicating that the market in Rockwall,
461 warrants even one more urgent care facility (beyond this particular one). He went on to
462 explain the differences between ERs and urgent care facilities. He indicated he believes
463 the traffic will not be problematic and that he use is appropriate for this particular piece
464 of property.
465

466 The ordinance was read as follows:
467

468 CITY OF ROCKWALL
469 ORDINANCE NO. 16-~~XX~~

470
471 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
472 TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT
473 DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE
474 [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE
475 AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR AN
476 URGENT CARE FACILITY ON A 1.042-ACRE TRACT OF LAND IDENTIFIED
477 AS LOTS 1 AND 2, BLOCK A, BRISCOE/HILLCREST ADDITION AND
478 TRACT 41-2 OF THE E. TEAL SURVEY, ABSTRACT NO. 207, CITY OF
479 ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY
480 DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL
481 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
482 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
483 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
484 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
485

486 The motion passed by a vote of 6 in favor with 1 against (Milder).
487

488 Action Item # 1 was addressed next by Council.
489

490 4. **Z2016-011** - Hold a public hearing to discuss and consider a request by
491 Fred Hazel of Davis Development on behalf of Jim Kirby of Rockway
492 Partners, LLC for the approval of an **ordinance** abandoning the right-of-
493 way for Carmel Circle and for a zoning change from a Commercial (C)
494 District to a Planned Development District for a multi-family apartment
495 complex on a 17.60-acre tract of land identified as Lots 6-11, Block A, La
496 Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas,
497 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30
498 OV) District, located east of the intersection of Laguna Drive and La Jolla
499 Pointe Drive, and take any action necessary [**1st Reading**].

500
501 Planning Director Ryan Miller indicated that the applicant has requested to withdraw his
502 application / request at this time, explaining that this will require a vote by the City
503 Council in order to accept the request to withdraw.
504

505 Mayor Pruitt explained that Council will need to decide if it wants to move forward with
506 holding the public hearing, or if it wants to allow the applicant to withdraw.
507

508 Councilmember Milder made a motion to allow the applicant to withdraw his application.
509 Councilmember Hohenshelt seconded the motion.
510

511 Councilmember White inquired about how long it would be before the developer can
512 possibly return to the Planning & Zoning Commission and Council if he potentially
513 chooses to submit a new application. Mr. Miller explained that it would be at a May P&Z
514 work session, a June regular P&Z meeting, and a city council meeting thereafter (second
515 meeting in June) at the earliest.
516

517 Mayor Pruitt acknowledged that he and other members of Council have received
518 hundreds of emails, letters and phone calls regarding this case. He asked for a show of
519 hands from the audience regarding how many are in favor of the development and how
520 many are opposed. It is noted that visually, a large majority in the room raised their
521 hands to express opposition (compared to those in favor). Mayor Pro Tem Lewis
522 thanked the citizens for all of their input related to this agenda item.
523

524 After the commentary, the motion to accept the withdrawal request passed by a vote of 6
525 ayes to 1 nays (Fowler).
526

527 The Council next addressed Public Hearing item #2.
528

529 XIII. ACTION ITEMS

- 530
531 1. Discuss and consider authorizing the City Manager to enter into a
532 construction manager at risk contract to include a guaranteed maximum
533 price for the construction of the Park at Stone Creek, and take any action
534 necessary.

535 Assistant City Manager, Brad Griggs, provided background information related to this
536 agenda item. He indicated that at the October 19, 2015 meeting, Council authorized a
537 contract to be executed between the City and Dean Construction for the purposes of
538 constructing the Park at Stone Creek. This is a Construction Manager-at-Risk
539 contract in which Dean provides an initial estimate to build the park. Once a scope
540 of work and final price is mutually agreed upon, a guaranteed maximum price (GMP)
541 is provided and park construction begins. At this time, \$729,159 is available for this
542 project and breaks down as follows:
543

544 \$400,000 - Texas Parks and Wildlife grant funds
545 \$268,559 - Total balance of pro-rata equipment fees collected from Park District #5
546 \$ 33,600 - Trail escrow funds from Skorburg Co. to be used for trail within the park
547 \$ 27,000 - Approved in FY 2016 budget from tree mitigation funds to plant 100 trees
548 \$729,159 TOTAL

549 He explained that in December, Dean Construction provided an initial cost estimate of
550 \$1,030,341 to build the Park at Stone Creek. This estimate is \$301,182 above the
551 available funds. At that time MSH Planning and Design along with Dean
552 Construction offered possible reductions in the project scope to bring it within
553 budget. Based on the public input heard from the neighborhood, the emphasis was
554 on creating a great playground. With that emphasis in mind, the following items
555 were proposed to be removed from the project scope:
556

- 557 1. The 25'x35' picnic pavilion and concrete slab
- 558 2. Electrical, utilities and drinking fountain associated with the pavilion area
- 559 3. Mass grading that provided contours and topography rather than flat ground
- 560 4. Drainage utilities associated with the mass grading
- 561 5. Site furniture: two benches, six picnic tables and eight trash cans
- 562 6. Reduction in landscaping
- 563 7. Masonry seating and retaining wall that separates the open-play field and the
564 playground area.
- 565 8. Irrigation outside of the concrete trail loop

566
567 Mr. Griggs went on to brief the Council on several options the Council may wish to
568 consider moving forward.
569

570 Mayor Pruitt suggested the City may want to approach Mr. Skorburgh, the developer, to
571 see if he would be willing to contribute additional money for this park that will clearly
572 benefit the property owners within the subdivision he is still developing. Mr. Griggs
573 indicated that the developer has already contributed the funding he was required to
574 contribute, so he does not believe such request will have any positive results. Mr. Griggs
575 explained that the initial cost estimates were produced by the designer without the project
576 actually being bid at that point. He then invited Mr. Spencer, the city's consultant, forth to
577 address the Council.
578

579 Mark Spencer,
580 MSH Planning & Design
581 Tyler, Texas
582

583 Mr. Spencer came forth and regretfully expressed that there may have been some
584 "overzealous" planning associated with identifying the elements that would go into this
585 proposed park. Lengthy discussion ensued pertaining to the various options that the
586 Council may wish to move forward with at this point.
587

588 Councilmember Hohenshelt made a motion to:
589

- 590 • Construct the park with current funds available, and
- 591 • Add the pavilion at a cost of \$84,968.80;
- 592 • Add site furniture at a cost of \$23,500;
- 593 • Add the stone retaining/seating wall at a cost of \$32,144

594
595 borrowing \$168,000 from the general fund reserves to pay for the increased costs.
596 Councilmember Townsend seconded the motion. It was explained that revenue funds for
597 a particular park district must be utilized within that same park district. After various
598 comments, the motion passed by a vote of 6 ayes to 1 nay (White).

599

600 2. Discuss and consider requests for Hotel Occupancy Tax funding for
601 multiple organizations considered by the Hotel Tax Subcommittee;
602 authorize the City Manager to execute agreements, and take any action
603 necessary.

604 **Assistant City Manager Mary Smith indicated that each request will need to be**
605 **considered separately, since Lewis and White need to recuse themselves from the**
606 **“Meals on Wheels” organization’s funding request (related to the Rubber Duck Regatta).**

607
608 **Mrs. Smith explained that the City received a supplemental funding request for**
609 **hotel occupancy tax revenues for Duck Regatta 2016 co-sponsored by Meals on**
610 **Wheels and Boys and Girls Club. The event will be held September 24th. Their request**
611 **totals \$30,000 and a waiver of the Harbor rental fees. Since there was some uncertainty**
612 **as to the funding request for this year’s event versus last year’s, the Council took no**
613 **action on this particular request at this time, opting instead to consider it again in two**
614 **weeks.**

615
616 **Mayor Pro Tem Lewis made a motion to approve the \$15,500 funding request associated**
617 **with the coordination of all aspects of the semi-annual Main Street Manager training that**
618 **will be held in Rockwall this July 11-15th. Councilmember White seconded the motion,**
619 **which passed by a vote of 7 in favor with 0 against.**

620
621 **Mayor Pro Tem Lewis made a motion to approve the \$5,000 funding request associated**
622 **with offsetting the promotional-related costs associated with the upcoming Trend HR**
623 **conference. Councilmember Milder seconded the emotion, which passed by a vote of 6**
624 **in favor with 1 against (Hohenshelt).**

625
626 **Mr. Griggs, Assistant City Manager, indicated that staff has had conversations with the**
627 **Hilton to see if there are things that are inhibiting their ability to ‘win’ conferences that**
628 **they have bid on. He explained that one of the problems they have is related to**
629 **transportation costs to/from DFW Airport. He generally explained that the Hilton is**
630 **requesting consideration of a request for funding which will assist in offsetting**
631 **transportation-related costs associated with two conferences they are proposing to host.**
632 **He explained that funds would only get spent if the Hilton is successful in being awarded**
633 **the conferences through the bidding process. The events need \$5,270 and \$1,485**
634 **respectively to provide transportation for attendees.**

635
636 **After lengthy discussion regarding, in part, tax rebates associated with The Hilton,**
637 **Councilmember Milder made a motion to approve the \$5,270 and \$1,485 funding requests**
638 **associated with these two conferences specifically related to transportation costs. Mayor**
639 **Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

640
641 3. Discuss and consider an **ordinance** adopting Chapter 10 Buildings and
642 Building Regulations, Articles III, IV, V, VI, VII, VIII, IX AND X of the Code
643 of Ordinances regarding the 2015 International Building Code, Residential
644 Code, Mechanical Code, Plumbing Code, Fuel Gas Code, and Energy
645 Conservation Code, Existing Building Code and the 2011 National
646 Electric Code with certain local amendments and exceptions, and take
647 any action necessary. **(1st Reading)**

648 **Mayor Pruitt indicated that the Council would like to have this and Action Item #4**
649 **scheduled for a 4:00 p.m. work session at the next regular city council meeting. No**
650 **discussion and no action took place at this time.**

651 4. Discuss and consider an **ordinance** adopting Chapter 18 Fire Prevention
652 and Protection Article II Fire Code Standards Sec 1832 and Sec 18 of the
653 Code of Ordinances regarding the 2009 International Fire Code with
654 certain local amendments and exceptions, and take any action
655 necessary. (1st Reading)

656 **Mayor Pruitt indicated that the Council would like to have this and Action Item #3**
657 **scheduled for a 4:00 p.m. work session at the next regular city council meeting. No**
658 **discussion and no action took place at this time.**

659 5. **A2016-001** – Discuss and consider a request by Pat Atkins on behalf of
660 the owners Gwendolyn A. and Randall D. Reed for the approval of an
661 **ordinance** for the annexation of an 11.275-acre tract of land identified as
662 Tracts 1-5 of the P. B. Harrison Survey, Abstract No. 97, Rockwall
663 County, Texas, situated within the City of Rockwall's Extraterritorial
664 Jurisdiction (ETJ), and take any action necessary. (1st Reading)

665 **Planning Director Ryan Miller provided brief background information concerning this**
666 **item. Councilmember White made a motion to approve A2016-001. Mayor Pro Tem Lewis**
667 **seconded the motion. The ordinance was read as follows:**

668 CITY OF ROCKWALL
669 ORDINANCE NO. 16-XX

670 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
671 TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY
672 LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF
673 AN 11.275-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 1-5 OF THE P.
674 B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY,
675 TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS
676 THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS;
677 PROVIDING FOR AN EFFECTIVE DATE.
678
679

680 **The motion passed by a vote of 7 ayes to 0 nays.**

681 6. Discuss and consider a request from Dr. Lowrance with Lowrance Dental
682 for a height variance for on premise traffic signs located at 1350 Summer
683 Lee Dr., and take any action necessary.

684 **Dr. Lowrance thanked the City Council for reordering its agenda to address his item at**
685 **this time, explaining that he has a family issue that has arisen and needs to go out of**
686 **town quickly. He explained that he is building a new dental office near the intersection of**
687 **Summer Lee and Ridge Road behind what is now Dunkin Donuts. He explained that he is**
688 **asking for height and other signage related variances regarding the on-site signage**
689 **associated with the parking at the front of the building. He shared that he has a large**
690 **number of geriatric patients as well as young mothers with children, who don't**
691 **necessarily need handicapped parking; however, he does wish to provide designated**
692 **parking for those who would benefit from parking up close. He explained that an LED**
693 **signs will be placed at the same height as what handicapped signs would be, the**
694 **displays of which will be controlled from inside the building by his staff. He then invited**
695 **his sign company representative to come forth and explain more.**

696
697 **Jamie with Signature Graphics**
698 **880 East Ralph Hall Parkway**

699
700 **Jamie came forth and explained the LED signs that they would like to place in front of Dr.**
701 **Lowrance's building for designating and reserving individual parking spaces for use by**
702 **his patients.**
703

704 **Following the presentation, Councilmember White made a motion to approve the height**
705 **and other variances associated with the signage. Councilmember Milder seconded the**
706 **motion, which passed unanimously of Council present (7-0).**
707

708 **Mayor Pruitt then addressed Public Hearing Item #4.**
709

710 **7. Discuss and consider a resolution directing Oncor Electric Delivery**
711 **Company, LLC to file certain information with the City of Rockwall; setting**
712 **a procedural schedule for the gathering and review of necessary**
713 **information in connection therewith; setting dates for the filing of the City's**
714 **analysis of the company's filing and the company's rebuttal to such**
715 **analysis; ratifying the hiring of legal counsel and consultants; reserving**
716 **the right to require the reimbursement of the City of Rockwall's rate case**
717 **expenses; setting a public hearing for the purposes of determining if the**
718 **existing rates of Oncor electric delivery company are unreasonable or in**
719 **any way in violation of any provision of law and the determination by the**
720 **City of Rockwall of just and reasonable rates to be charged by Oncor**
721 **Electric Delivery Company, LLC, and take any necessary action.**

722 **Internal Operations Director, Joey Boyd, provided background information related to this**
723 **agenda item. He explained that, based on a recommendation by the consultants and**
724 **legal counsel of the Steering Committee of Cities Served by Oncor (of of a resolution**
725 **authorizing the city to participate in a show cause resolution initiating rate case**
726 **proceedings against Oncor. This is related to the city's efforts to attempt to ensure that**
727 **Oncor lowers its rates.**
728

729 **Mayor Pro Tem Lewis made a motion to approve the resolution as presented.**
730 **Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.**
731

732 **8. Discuss and consider the future outlook associated with public**
733 **transportation-related services, and authorize the City Manager to**
734 **execute an interlocal agreement between Rockwall County and the City**
735 **of Rockwall for transportation-related services for the remainder of the**
736 **current fiscal year in an amount not exceed \$55,201.50 with funding**
737 **provided in the FY16 Operating Budget, and take any action necessary.**

738 **Mayor Pruitt indicated that the Council approved this item by a vote of 5 to 2; however,**
739 **the County rewrote the contract thereafter. So, a revised agreement is now being**
740 **brought before the city council for consideration. Mayor Pruitt generally explained that**
741 **the city council needs to decide if it wants to fund transportation services for only the**
742 **very needy in our community, or, if it is ok with funding these services for any member of**
743 **the public who wishes to pay for a ride regardless of if he/she is truly in need. City**
744 **Manager Rick Crowley further briefed the Council on some of the issues associated with**
745 **funding transportation services in this year's budget as well as in the future. He**
746 **explained that the city council did include in the current fiscal year budget the**
747 **\$55,201.50. After clarifying comments, Councilmember White indicated that he does not**
748 **like STAR Transit, and he believes the city should get away from doing business with**

749 STAR. He expressed general dissatisfaction with STAR Transit's history of being vague
750 and evasive when answering questions posed by the city.

751 Mayor Pro Tem Lewis made a motion to authorize the City Manager to execute a (revised)
752 interlocal agreement between Rockwall County and the City of Rockwall for
753 transportation-related services for the remainder of the current fiscal year in an amount
754 not exceed \$55,201.50. Councilmember Townsend seconded the motion, which passed
755 by a vote of 6 ayes with 1 against (White).

756 Councilmember Townsend provided extensive commentary related to STAR's rates of
757 service and cost of service as well as new systems they are putting into place to better
758 track their operations, ridership and revenues/expenditures. He overall indicated that the
759 services provided to the city and its citizens by STAR are a good value.

760 Clarification was given that STAR transit will not be able or willing to lower its scope of
761 service to accommodate the City of Rockwall's desire for a lower level/scope of service.

762 Rockwall County Judge David Sweet came forth and provided comments to the Council
763 pertaining to STAR.

764 Mayor Pro Tem Lewis shared that the consultant's report (hired by the city last year)
765 confirmed that STAR's costs are very, very, very competitive for the services it provides.
766 Lewis asked if the local Boys and Girls Club is still impacting the ridership and costs
767 paid by the city/county. Councilmember Townsend indicated that the B&G Club now has
768 a separate contract with STAR, and the city's costs were somewhat reduced as a result.

769 Councilmember Hohenshelt clarified with the City Manager and City Attorney that the
770 City of Rockwall has no legal obligation under the law to provide any sort of public
771 transportation services at all. However, if a County does wish to provide public
772 transportation services, then federal guidelines do kick in and affect how much a city or
773 county would be required to pay based on new urban / rural regulations that went into
774 effect.

775 Councilmember Townsend generally indicated that several other companies that might
776 otherwise be interested in servicing Rockwall County and its cities are likely not
777 interested in doing so (i.e. Hunt County or DART).

778 Judge Sweet indicated that the Rockwall County Commissioner's Court is waiting to see
779 what the City of Rockwall is going to do regarding this interlocal agreement and
780 associated cost before moving forward with retaining STAR's services.

781 Mayor Pruitt indicated that the City Council needs to decide if it wants to invest funds in
782 providing public transportation services. Or, if not, does the city want to provide a more
783 limited scope of public transportation services instead? Or, does the city not want to be
784 in the "public transportation" business at all?

785 Pruitt indicated that he is not in favor of funding transportation services to anyone and
786 everyone in the community. Rather, he is only in favor of providing services to those
787 who are "at risk" and are truly in need of low cost transportation services.

788 Councilmember Hohenshelt made a motion to stipulate that in the next fiscal year, the
789 city will pay up to \$55,000 to pay for the following subsidized transportation services.
790 Mayor Pruitt seconded the motion.

1. 65 years of age and older
2. Disabled / Special Needs
3. Citizens who require transportation for medical care related purposes
4. Reporting mechanism

791
792 **The motion passed by a vote of 5 in favor with 2 against (Townsend and White).**

- 793
9. Discuss and consider the adoption of a policy regulating the use of San Jacinto Plaza, and take any action necessary.

794
795
796 **Assistant City Manager Brad Griggs briefed the Council on proposed regulations**
797 **associated with use of the San Jacinto Plaza. He explained that, as proposed, the area**
798 **would only be available to non-profit organizations and must remain open to the public**
799 **during scheduled events. The only fees to be charged would be a \$250 cleaning**
800 **fee/deposit and an hourly charge for personnel to monitor the electrical box during an**
801 **event if needed. He explained that a rental fee is not currently being proposed since the**
802 **majority of the expected uses would be fundraising events which would lead to rental fee**
803 **waiver requests to the Council.**

804 **Councilmember Hohenshelt made a motion to approve the proposed San Jacinto Plaza**
805 **“use policy” along with the change related to mandatory insurance. Councilmember**
806 **White seconded the motion. Councilmember White wanted to ensure that those wishing**
807 **to use the plaza would be required to review and sign the use policy. Mr. Griggs**
808 **indicated that any user would in fact be required to sign it.**

809 **Mayor Pruitt asked how the city will address someone who wishes to utilize the Plaza for**
810 **a “for profit” purpose (i.e. a snow cone stand ‘on wheels’ being set up for the “for profit**
811 **sale” of snow cones). Mr. Griggs indicated that the city would ask such vendor to leave.**

812 **Councilmember Fowler expressed concern about large groups with large tables or tents**
813 **possibly dissuading members of the public from truly using the plaza area and passing**
814 **thru freely if/when an event like that is taking place. Mr. Griggs shared that the city will**
815 **make it clear to the user that the use will not be ‘exclusive.’ Also, it will only be available**
816 **for use by government and non-profit organizations. Private groups will not be permitted**
817 **to use the Plaza area. Mr. Crowley indicated that the city may need to ‘test out’ this**
818 **policy, so-to-speak, and consider bringing it back before the Council for future changes**
819 **if it seems that modifications are needed.**

820 **The motion passed by a vote of 7 ayes to 0 nays.**

10. Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

821
822
823 **Councilmember Milder indicated that he would like to make a motion to appoint Tim**
824 **Sharp (owner of the paint supply store on the square) and Jeremy Standifer (who owns**
825 **the new Book Club) to fill the two unexpired terms on the city's Main Street Advisory**
826 **Board (Mr. Sharp to replace Mr. Adrian with a partial term to expire in January of 2018**
827 **and Mr. Standifer to serve a partial term through January of 2017, replacing Mrs.**
828 **Waldrop). Councilmember White seconded the motion, which passed by a vote of 7 ayes**
829 **to 0 nays.**

830
831 **Mayor Pruitt thanked city staff, especially the Parks Dept. staff, for their hard work on the**
832 **downtown celebration that was held on the square this past Saturday, indicating that it**
833 **was a large success.**

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XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding contracts in the area of the Harbor pursuant to Section 551.071 (Consultation with the City Attorney), and take any action necessary.
2. Discussion regarding appointment of a city council planning and development subcommittee pursuant to Section, §551.074 (Personnel Matters).
3. Discussion regarding the status of negotiations for an ambulance services contract pursuant to Section §551.071 (Consultation with Attorney)
4. Discussion regarding a city levied property lien on residential property pursuant to Section §551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

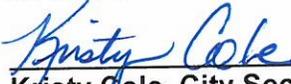
The Council did not reconvene in Ex. Session following the conclusion of the public meeting agenda.

XVI. ADJOURNMENT

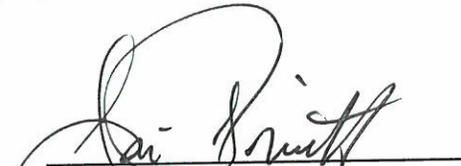
Mayor Pruitt adjourned the meeting at 9:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS 2nd day of May, 2016.

ATTEST:



Kristy Cole, City Secretary



Jim Pruitt, Mayor

