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MINUTES
ROCKWALL CITY COUNCIL
Monday, September 19, 2016
5:00 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 5:00. Present were Mayor Jim Pruitt,
10 Mayor Pro Tem Mike Townsend and City Council Members David White, John Hohenshelt,
11 Scott Milder, Kevin Fowler and Dennis Lewis. Also present were City Manager Rick
12 Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank
13 Garza.

14
15 Mayor Pruitt read the below listed discussion items into the record before recessing the
16 public meeting to go into Executive Session (at 5:02 p.m.).

17
18 **II. EXECUTIVE SESSION.**

19
20 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE
21 FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:
22

- 23 1. Discussion regarding the lease of land in the vicinity of the downtown area pursuant to
24 Section §551.072 (Real Property)
- 25 2. Discussion regarding the status of ambulance services contract pursuant to Section
26 §551.071 (Consultation with Attorney)
- 27 3. Discussion regarding terms and conditions of Zanata's Restaurant Agreement pursuant to
28 Section §551.071 (Consultation with Attorney)
- 29 4. Discussion regarding Primary Media failure to comply with court order in City of Rockwall v.
30 Primary Media pursuant to Section §551.071 (Consultation with Attorney)

31 **III. ADJOURN EXECUTIVE SESSION**

32
33 The Council adjourned from Executive Session at 5:30 p.m.

34
35 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

36
37 Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council
38 members being present.

39
40 **V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

41
42 Mayor Pro Tem Townsend announced that no action was needed as a result of Executive
43 Session.

44
45 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER**

46
47 Councilman Milder delivered the invocation and led the Pledge of Allegiance.
48
49

50 VII. PROCLAMATIONS / AWARDS

- 51
52 1. Presentation of the Building Officials Association of Texas Award for Excellence in
53 Code Enforcement

54
55 **Mr. Mata, representing the Building Officials Association of Texas, came forward, along with**
56 **the city's Building Official Jeffrey Widmer and the supervisor of Neighborhood**
57 **Improvement Services (NIS), Tony Scorcio. Mr. Mata shared brief, positive comments**
58 **related to Rockwall's Code Enforcement (NIS) Department, and then presented the city with**
59 **the BOAT's Award for Excellence for 2016.**

60

61 VIII. OPEN FORUM

62

63 **Richard Archibald**
64 **3313 Anna Cade Circle**
65 **Rockwall, TX 75087**

66

67 **Mr. Archibald came forth and expressed thanks and gratitude to the city council and the**
68 **entire Rockwall community for its support of the recent 2016 Hot Rocks Bike race, which**
69 **was hosted by the Rockwall Noon Rotary.**

70

71 IX. CONSENT AGENDA

72

73 1. Consider approval of the minutes from the Tuesday, September 6, 2016 regular city council
74 meeting, and take any action necessary.

75 2. Consider approval of the 16-inch Water line Relocation FM 3097 (Horizon Road) and
76 authorize the City Manager to execute a contract with Four Star Excavating, Inc. of Dallas,
77 Texas in the amount of \$80,916 to be reimbursed by TxDOT up to 90% and the remainder
78 to be funded by the 2016 Water & Sewer Bonds, and take any action necessary.

79 3. **P2016-038** - Consider a request by Billy & Autumn Quinton for the approval of a final plat of
80 Lots 1 & 2, Block A, Autumn Addition being a replat of a 0.35-acre tract of land identified as
81 Lot 120, Block F of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas,
82 zoned Single Family 7 (SF-7) District, addressed as 601 E. Rusk Street, and take any
83 action necessary.

84 4. **P2016-039** - Consider a request by Jay Maddox of Maddox Survey on behalf of Casey &
85 Andrea Burke for the approval of a final plat of Lots 1 & 2, Block A, Burke Addition being a
86 2.970-acre tract of land identified as Tract 19 of the D. Atkins Survey, Abstract No. 1, City of
87 Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within
88 the Scenic Overlay (SOV) District, addressed as 1406 Ridge Road, and take any action
89 necessary.

90 5. **Z2016-026** - Consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of
91 an **ordinance** for a PD Development Plan establishing 36 townhouses on a 3.462-acre
92 portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown
93 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
94 32 (PD-32), situated within the Residential Subdistrict and within the Scenic Overlay (SOV)
95 District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and
96 take any action necessary (**2nd Reading**).

97 6. Consider approval of an **ordinance** amending Chapter 18. Fire Prevention and Protection,
98 Article II. Fire Code Standards, Section 18-34. Plan Review Fee, authorizing the Office of

99 the Fire Marshal to assess fees for fire permits, construction and operational services,
100 inspections, third party reviews, and miscellaneous fees, and take any action necessary.
101 **(2nd reading)**

- 102 7. Consider approval of the engineering services contract with Hydrological Support Services,
103 LLC to perform flood study reviews for developments within the City in an amount not to
104 exceed \$40,000. Funding provided from the FY 2016-17 Engineering Department
105 Operations Budget and developer reimbursement and take any action necessary
- 106 8. Consider approval of one year renewal of Yellowjacket Ball fields Facility Use Agreement
107 between Lake Pointe Church and The City and take any necessary.

108
109 **Councilmember Milder made a motion to approve the entire Consent Agenda (#s 1 – 8).**
110 **Councilman White seconded the motion. The two ordinances were read as follows:**

111
112 **CITY OF ROCKWALL**
113 **ORDINANCE NO. 16-48**

114
115 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
116 TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32)
117 [ORDINANCE NO. 10-21] AND THE UNIFIED DEVELOPMENT CODE
118 [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE
119 AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR A 4.034-
120 ACRE PORTION OF A LARGER 6.915-ACRE TRACT OF LAND IDENTIFIED AS
121 LOTS 3A, 4A & 5A, ISAAC BROWN ADDITION, CITY OF ROCKWALL,
122 ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY
123 EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
124 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
125 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
126 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
127 PROVIDING FOR AN EFFECTIVE DATE.

128
129 **CITY OF ROCKWALL, TEXAS**
130 **ORDINANCE NO. 16-49**

131
132 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
133 AMENDING CHAPTER 18 FIRE PREVENTION AND PROTECTION, ARTICLE II,
134 SECTION 18-34 AUTHORIZING THE OFFICE OF THE FIRE MARSHAL TO
135 ASSESS FEES FOR FIRE PERMITS FOR CONSTRUCTION AND OPERATIONAL
136 SERVICES, INSPECTIONS AND THIRD PARTY REVIEWS AND OTHER
137 MISCELLANEOUS FEES; PROVIDING FOR A SEVERABILITY CLAUSE;
138 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE
139 DATE.

140
141 **The motion passed by a vote of 7 ayes to 0 nays.**

142
143 **X. APPOINTMENTS**

- 144
145 1. Appointment with the Planning and Zoning Chairman to discuss and answer
146 any questions regarding cases on the agenda and related issues and take
147 any action necessary.

148 **The Chairman was not present, so this item was not addressed.**
149
150

151 **XI. PUBLIC HEARING ITEMS**

- 152
153 1. **Z2016-023** - Hold a public hearing to discuss and consider a request by
154 Kevin Dale Wommack & Pamela McCollum for the approval of an **ordinance**
155 amending Specific Use Permit (SUP) No. S-118 [Ordinance No. 14-02] to
156 allow for an accessory building that exceeds the maximum size requirements
157 as stipulated by Article IV, Permissible Uses, of the Unified Development
158 Code for a 1.4952-acre tract of land identified as Lot 17, Block B, Sterling
159 Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single
160 Family Estate 1.5 (SFE-1.5) District, addressed as 1970 Copper Ridge
161 Circle, and take any action necessary (**1st Reading**).

162 **Planning Director Ryan Miller provided background information related to this agenda item.**
163 **On December 16, 2013, the City Council approved an SUP allowing for an accessory**
164 **building that does not meet the exterior material requirements for a Single Family Estate**
165 **(SFE-1.5) District. The current metal building is 22-feet by 31-feet or approximately 682 sq.**
166 **ft. The applicants are proposing to expand their current metal building by approximately 30-**
167 **feet for a building footprint that is 22-feet x 62-feet, or 1,364 sq. ft. With the expansion, the**
168 **accessory building will be approximately 114 sq. ft. larger than the maximum size allowed in**
169 **a SFE-1.5 District. According to the UDC, the maximum square footage for an accessory**
170 **building in an SFE-1.5 District is 1,250 sq. ft.**

171
172 **On August 19, 2016, staff mailed 36 notices to property owners and occupants within 500-**
173 **feet of the subject property. Staff also notified the Lofland Farms and Timber Creek Estates**
174 **HOAs, which are the only HOAs/Neighborhood Organizations that are within 1,500-feet of**
175 **the subject property and participating in the notification program. Staff also posted a**
176 **notification sign on the subject property; however, no replies have been received back by**
177 **staff as a result of said notices.**

178
179 **The Planning & Zoning Commission has recommended approval of this item by a vote of 6**
180 **in favor with one absent (Renfro).**

181
182 **Mayor Pruitt opened the Public Hearing and asked if anyone would like to come forth and**
183 **speak. There being no one indicating such, he then closed the public hearing.**

184
185 **Councilmember White made a motion to approve Z2016-023. Mayor Pro Tem Townsend**
186 **seconded the motion. The ordinance was read as follows:**

187
188 **CITY OF ROCKWALL**
189 **ORDINANCE NO. 16-XX**
190 **SPECIFIC USE PERMIT NO. S-118**

191
192 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
193 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO.**
194 **04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED,**
195 **SO AS TO AMEND SPECIFIC USE PERMIT NO. S-118 [ORDINANCE NO. 14-**
196 **02] TO ALLOW FOR AN ACCESSORY BUILDING THAT EXCEEDS THE**
197 **MAXIMUM SIZE REQUIREMENTS ON A 1.50-ACRE PARCEL OF LAND**
198 **ZONED SINGLE FAMILY ESTATE 1.5 (SFE-1.5) AND IDENTIFIED AS LOT 17,**
199 **BLOCK B, STERLING FARMS ADDITION, CITY OF ROCKWALL, ROCKWALL**
200 **COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR**
201 **A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND**
202 **DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A**

203 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
204 PROVIDING FOR AN EFFECTIVE DATE.
205

206 The motion passed by a vote of 7 ayes to 0 nays.
207

- 208 2. **Z2016-025** - Hold a public hearing to discuss and consider a request by
209 Jason Lentz of Atticus Rockwall, LLC for the approval of an **ordinance** for a
210 PD Development Plan establishing a 228 unit, condo development situated
211 on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots
212 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County,
213 Texas, zoned Planned Development District 32 (PD-32), situated within the
214 Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the
215 intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take
216 any action necessary (**1st Reading**).

217 **Mr. Miller, Planning Director, provided background information regarding this agenda item.**
218 **He explained that the applicant is requesting a *PD Development Plan* to change the required**
219 ***Street Type 'G'* cross section contained in *Ordinance No. 10-21*. He explained that this**
220 **street cross section calls for eight (8) foot sidewalks and parkways, a 24-foot travel lane and**
221 **an eight (8) foot parallel parking lane in a 60-foot right-of-way. The new cross section**
222 **proposed by the applicant proposes eight (8) foot sidewalks, a two (2) foot parkway (*on the***
223 ***northern/western side of the roadway*), a 24-foot travel lane and an eight (8) foot parallel**
224 **parking lane in a 50-foot right-of-way. The applicant has stated that the adjacent creek**
225 **inhibits the ability to provide the required street cross section; however, in the applicant's**
226 **opinion -- *and as was stated at the September 6, 2016 City Council meeting* -- the proposed**
227 **road section meets the intent of the ordinance because the creek area will be preserved as**
228 **open space, which mitigates his inability to provide a wider parkway. A *side-by-side***
229 **comparison of the two (2) roadways was included in the informational meeting packet**
230 **provided to and reviewed by city council.**
231

232 **Mr. Miller explained that the City Council had previously remanded this case back to the**
233 **Planning & Zoning Commission to review the changes to the initial proposal. The**
234 **Commission has since reviewed the updated, modified proposal and has recommended its**
235 **approval by a vote of 6 in favor with 1 absent (Renfro).**
236

237 **Mayor Pruitt then called forth the applicant to address the Council at this time.**
238

239 **Jason Lentz**
240 **5339 Alpha Rd.**
241 **Dallas, TX 75240**
242

243 **Mr. Lentz came forth and spoke about the pedestrian 'walkability' and right-of-way space**
244 **pertaining to the initial proposal versus the revised proposal.**

245 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and**
246 **speak. There being no one indicating such, he then closed the public hearing.**
247

248 **Councilmember Lewis asked if, considering the path of the creek, the applicant has ample**
249 **space available to have a 60' right-of-way and still put trees in. Mr. Lentz generally indicated**
250 **that there is indeed not enough space to expand the road to be wider on the creek side of**
251 **the road. Discussion ensued related to the spacing available for landscaping and the right-**
252 **of-way area.**
253

254 Councilmember Milder asked for clarification regarding the proposed sidewalk and street.
255 He asked if there is a buffer between the curb and the sidewalk. Mr. Lentz indicated that
256 currently it is an 8' sidewalk that abuts the curb directly; however, this could be amended to
257 have a 6-7' sidewalk with a 1-2' of grass or landscape buffer if the council so desires. Mr.
258 Milder indicated that he would like a buffer included.

259
260 Councilmember Milder made a motion to approve Z2016-025 with the stipulation that the
261 applicant create a 2' parkway buffer on both sides of the roadway between the sidewalk and
262 the roadway (will reduce the sidewalks to 6' instead of 8'). Councilmember White seconded
263 the motion.

264
265 Councilmember Lewis asked Mr. Miller what will happen if the extra buffer is put in, as it
266 seems like this will set precedence as other developments come in later on in the future.
267 Mr. Miller indicated that the roadway actually narrows further down; however, the city can
268 request that any future applicant(s) include a similar buffer between the sidewalk and the
269 curb/roadway. Councilmember Lewis clarified that the applicant will be responsible for
270 maintaining the buffer.

271
272 The ordinance was then read as follows:

273
274 CITY OF ROCKWALL
275 ORDINANCE NO. 16-XX

276
277 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
278 AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 10-21]
279 AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF
280 ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT
281 PLAN FOR A 2.143-ACRE PORTION OF A LARGER 6.915-ACRE TRACT OF LAND
282 IDENTIFIED AS LOTS 3A, 4A & 5A, ISAAC BROWN ADDITION, CITY OF ROCKWALL,
283 ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT
284 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE
285 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
286 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
287 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

288
289 The motion passed by a vote of 7 ayes to 0 nays.

290
291 3. Z2016-028 - Hold a public hearing to discuss and consider a request by
292 Susan Gamez for the approval of an ordinance for a zoning change from an
293 Agricultural (AG) District to Residential Office (RO) District on a 0.478-acre
294 tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City
295 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
296 situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge
297 Road, and take any action necessary (1st Reading).

298 Mr. Miller provided background information concerning this agenda item. He explained that
299 the subject property was annexed into the City on September 26, 1960 and was zoned
300 Agricultural (AG) District. Currently, an existing single family home is situated on the
301 subject property. The applicant is requesting to change the zoning of the subject property
302 from an Agricultural (AG) District to a Residential Office (RO) District for the purpose of
303 converting the existing single family home into a commercial business to accommodate a
304 massage therapist office (i.e. *Everybody Massage*). He explained that the applicant
305 currently has her business located on Ridge Road across from the Ridge Road (Shopping)

306 Center. The subject property is surrounded by commercial, with the exception of some
307 nearby agricultural designations. The code states that "Residential Office" allows existing
308 residential housing to be converted for low intensity office uses in order to extend the
309 economic life of the structures.

310
311 On August 19, 2016, staff mailed 13 notices to property owners and residents within 500-
312 feet of the subject property. Staff also sent a notice to the Turtle Cove and Waterstone
313 Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the
314 subject property. Additionally, staff posted a sign along Ridge Road, which is the closest
315 major roadway adjacent to the subject property as required by the Unified Development
316 Code (UDC). At the time this case memo was drafted, staff had not received any notices in
317 reply.

318
319 He went on to explain that, at first, the applicant was requesting a zoning change to
320 Commercial. However, thereafter the Planning & Zoning Commission reviewed the case
321 and determined that a "residential office" (RO) zoning designation would be more
322 appropriate. So, the applicant has agreed to a RO zoning instead (which, Mr. Miller
323 explained, is more restrictive than a "commercial" designation).

324
325 Susan Gamez, the applicant then came forth and briefly addressed the Council. She
326 explained that she currently owns the business located at 1024 Ridge Road, and she was in
327 front of the city council twelve years ago to ask for the same request associated with her
328 current business location. She respectfully asked the Council to consider approval of her
329 request.

330
331 Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and
332 speak. There being no one indicating such, he then closed the public hearing.

333
334 Councilmember White clarified that this type of business will be allowed by right in an RO.
335 He then made a motion to approve Z2016-028. Councilmember Lewis seconded the motion.
336 The ordinance was read as follows:

337
338 CITY OF ROCKWALL
339 ORDINANCE NO. 16-XX

340
341 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
342 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO.
343 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS
344 TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG)
345 DISTRICT TO A RESIDENTIAL OFFICE (RO) DISTRICT ON A 0.478-ACRE
346 TRACT OF LAND IDENTIFIED AS TRACT 7 OF THE D. ATKINS SURVEY,
347 ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND
348 BEING MORE SPECIFICALLY DESCRIBED IN EXHIBITS 'A', 'B', & 'C' OF
349 THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
350 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
351 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
352 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
353 PROVIDING FOR AN EFFECTIVE DATE.

354
355 The motion passed by a vote of 7 ayes to 0 nays.

356

- 357 4. **Z2016-029** - Hold a public hearing to discuss and consider a request by
358 Jimmy Strohmeier of Strohmeier Architects on behalf of D. W. Bobst of J-
359 BR2, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP)
360 to allow a retail store with more than 2 gasoline dispensers on a 2.59-acre
361 tract of land being a portion of a larger 7.32-acre tract of land identified as
362 Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall,
363 Rockwall County, Texas, zoned General Retail (GR) District, situated at the
364 southwest corner of the intersection of SH-205 [S. Goliad Street] and FM-
365 549, and take any action necessary (**1st Reading**).

366 **Mr. Miller provided brief background information concerning this agenda item. He**
367 **explained that the applicant is asking to establish a retail store with more than two gasoline**
368 **dispensers. As part of the Specific Use Permit (SUP) submittal, the applicant has submitted**
369 **a conceptual site plan indicating a 5,600 sq. ft. retail store with eight (8) fuel dispensers. The**
370 **number of fuel dispensers requested would allow for a maximum of 16 vehicles being**
371 **serviced at any one time. The site is accessed from SH-205 and FM-549, providing two (2)**
372 **points of ingress/egress. If approved, the applicant will be required to submit a site plan**
373 **and replat the property. Staff mailed eleven (11) notices to property owners and residents**
374 **within 500 feet of the subject property. Staff also notified one (1) HOA/Neighborhood**
375 **Organization (*Oaks of Buffalo Way*) that is within 1,500 feet participating in the notification**
376 **program. Additionally, staff posted a sign on the property as required by the Unified**
377 **Development Code (UDC). At the time this report was drafted, staff has received four (4)**
378 **notices “opposed to” the zoning change request. The Planning & Zoning Commission has**
379 **recommended approval of this item by a vote of 6 ayes to 0 nays (with Renfro being absent).**
380

381 **Mayor Pruitt opened the Public Hearing and invited the applicant to come forth and speak.**
382 **Jimmy Strohmeier with Strohmeier Architects came forth and explained that a fuel station**
383 **with only two dispensers would really be antiquated and insufficient, especially as growth**
384 **and development occurs in this area. So, he explained that they are trying to plan ahead**
385 **and include more gas dispensers in order to meet current and future needs.**
386

387 **Dr. M.A. Zeb and Sumbel Zeb**
388 **5128 S. Hwy. 205**
389 **Rockwall, TX 75032**
390

391 **Dr. Zeb came forth and generally indicated that his home is located next to this proposed**
392 **fuel station. He believes that this fuel center will disturb the area, including his home. Dr.**
393 **Zeb’s daughter then came forth and indicated that she and her family have been living in**
394 **this home for more than twenty years. She and her father are respectfully requesting denial**
395 **of this request, as she explained that it is generally not an acceptable use since it is located**
396 **right next door to their home. She believes that original deed restrictions would not allow a**
397 **fuel center. She hopes that the Council will take resident’s concerns into consideration, not**
398 **just the concerns of a corporation requesting the fuel center.**
399

400 **There being no one else wishing to come forth and speak, Mayor Pruitt then closed the**
401 **public hearing.**
402

403 **Brief discussion took place pertaining to plans for future expansion of FM-549. Mr. Miller,**
404 **Planning Director, explained that a nearby intersection will eventually be a four way**
405 **intersection with a four-lane, divided roadway. Also, Goliad will likely end up being a six**
406 **lane, divided roadway. Councilman White commented that it will eventually be considered a**
407 **“major” intersection.**

408
409 Councilmember Lewis then made a motion to approve Z2016-029. Councilmember White
410 seconded the motion.

411
412 Councilmember Milder commented that, although he has a lot of sympathy for Dr. Zeb and
413 other nearby residents who live in this area, it is an area that is inevitably poised to grow
414 rapidly. So, he explained, he has a difficult time denying a request for a fuel center at this
415 intersection. Councilmember Townsend asked for some clarification regarding the entry
416 into the fuel center facility. Mr. Miller explained that a cross access easement may be
417 needed in order for the applicant to access the property; however, the drive location may be
418 pushed out. He explained that the information currently being shown is very conceptual at
419 this point. Councilmember Townsend asked about any possible deed restrictions. City
420 Attorney Frank indicated that the city may not take into consideration any potential 'deed
421 restrictions' when considering a case. Mayor Pruitt explained that "by right," the applicant
422 could already open up a fuel center with two pumps.

423
424 The ordinance was then read as follows:

425
426 CITY OF ROCKWALL
427 ORDINANCE NO. 16-XX
428 SPECIFIC USE PERMIT NO. S-1XX

429
430 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
431 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF
432 ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
433 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RETAIL STORE WITH
434 MORE THAN TWO (2) GASOLINE DISPENSERS AS SPECIFIED IN ARTICLE
435 IV, PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE, FOR A
436 2.59-ACRE TRACT OF LAND BEING A PORTION OF A LARGER 7.32-ACRE
437 TRACT OF LAND ZONED GENERAL RETAIL (GR) DISTRICT, AND
438 IDENTIFIED AS TRACT 17-12 OF THE W. W. FORD SURVEY, ABSTRACT NO.
439 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE
440 SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL
441 CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE
442 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
443 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
444 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

445
446 The motion passed by a vote of 7 ayes to 0 nays.

447
448 XII. ACTION ITEMS

- 449
450 1. Discuss and consider the City of Rockwall's participation in a Back the Blue
451 event to be held on October 27, 2016 and take any action necessary.

452 Mr. Crowley explained that the city has received a request for the use of the City mobile
453 restroom trailer to be used during a "Back the Blue" related fundraising event to be held on
454 Thursday, October 27. He and Mayor Pruitt recently attended a meeting that was hosted by
455 the Mayor of the City of Heath, and a lot of countywide representatives were present. The
456 proposed event was discussed, and it is being proposed to be held this year in the parking
457 lot of the Wilkerson-Sanderson Stadium. He explained that indication was provided to he
458 and the mayor that 100% of the funds raised from the event will be used for the "Back the
459 Blue" program to support the families of first responders that are killed or severely injured
460 in the line of duty and to provide a variety of financial support to the Rockwall County area

461 first responders. If approved by Council, the City of Rockwall's restroom trailer would be
462 used for approximately a six hour period which constitutes a half day rental, typically
463 costing \$1200. Contingent on Council approval, the rental fee would be a non-budgeted item
464 but it would be the City of Rockwall's contribution to the event.
465

466 Councilmember White asked for clarification regarding the foundation that the funds will go
467 to. Mr. Crowley indicated that he is not certain the actual name; however, it was started last
468 year by Mr. Neighbors. White indicated that he believes the event may be moved from the
469 stadium to the courthouse instead because they may want to serve alcohol. However, this
470 is not certain at this point. It is just a possibility.
471

472 Mayor Pruitt made a motion to approve the city providing the restroom trailer and support
473 services (including staff) at no cost for use at this event. Councilmember Lewis seconded
474 the motion.
475

476 After brief comments and discussion related to (jokingly) naming the restroom trailer the
477 "David Sweet Memorial Toilet" for this event only, the motion passed by a vote of 7 ayes to
478 0 nays.
479

480 2. **SP2016-016** - Discuss and consider a request by Tim Seymore of Seymore
481 Custom Homes, LLC on behalf of James & Robin Meade for the approval of
482 an exception to the masonry requirements and a variance to the parking
483 standards as stipulated by the Unified Development Code in conjunction with
484 an approved site plan for a commercial/industrial building on an existing
485 2.02-acre commercial/industrial facility identified as Tract 2-22 of the J. R.
486 Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County,
487 Texas, zoned Heavy Commercial (HC) District, addressed as 496 National
488 Drive, and take any action necessary.

489 Mr. Miller, the City's Planning Director, provided background information concerning this
490 agenda item. The applicant is requesting approval of an exception to the exterior material
491 requirements and a variance to the parking standards in conjunction with an approved site
492 plan for the purpose of constructing a 3,600 sq. ft. building that will serve as an additional
493 facility (*for storage purposes*) to an existing ~6,000 sq. ft. building. An amendment to the
494 site plan is required due to the proposed building exceeding 50% of the size of the existing
495 building. The applicant is proposing the new facility to be constructed with 100% metal
496 panels on the exterior. This will require approval of an exception to the exterior material
497 requirements and has been added as a condition of approval. The property is a 2.02-acre
498 parcel of land that is zoned Heavy Commercial (HC) District and is addressed as 496
499 National Drive. The proposed storage facility is permitted by right on the subject property.
500 The existing site has a total of 12 parking spaces and requires one (1) additional space. The
501 applicant is requesting a variance to allow for the 12 existing spaces rather than provide an
502 additional space due to the buildings' use as a storage facility. Essentially, the applicant is
503 requesting the following exceptions to the exterior materials:
504

- 505 a) **Article V, Section 4.1.A.1 General Commercial District Standards** – An exception to
506 allow for not meeting the 90% (*exterior*) masonry material requirements by allowing
507 100% metal wall panels for all elevations as submitted.
508 b) **Article V, Section 4.1.A.1 General Commercial District Standards** – An exception to
509 allow for not meeting the 20% stone requirements by allowing 100% metal wall
510 panels for all elevations as submitted.
511

512 **Tim Seymore**
513 **Seymore Custom Homes**
514 **205 Rush Creek**
515 **Heath, TX**

516
517 **Mr. Seymore came forth and indicated that all of the buildings on National Drive are all**
518 **constructed similarly to this building. Also, he indicated that the proposed number of**
519 **parking spaces will pose no problems, as the whole acreage is covered in rock.**

520
521 **After brief comments, Councilmember Lewis made a motion to approve SP2016-016.**
522 **Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

523
524 **3. SP2016-017 - Discuss and consider a request by Rex Walker of Life Springs**
525 **Church for the approval of a variance to the horizontal articulation**
526 **requirements in conjunction with an amended site plan for a church facility**
527 **on a seven (7) acre portion of a larger 28.881-acre tract of land identified as**
528 **Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall,**
529 **Rockwall County, Texas, zoned Agricultural (AG) District, situated within the**
530 **SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the**
531 **north side of John King Boulevard east of the intersection of John King**
532 **Boulevard and SH-205, and take any action necessary.**

533 **Mr. Miller, Planning Director, indicated that the property is zoned Agricultural (AG) District**
534 **and was granted a Specific Use Permit [SUP Ord. No. 15-21] on August 3, 2015 to allow for a**
535 **Church development on the seven (7) acre portion of the larger 28.811-acre tract of land.**
536 **However, since that time, the applicant has indicated a desire to reduce the size of the**
537 **building, and the building articulations being proposed at this time do not meet the city's**
538 **standards. So the applicant is requesting approval of a variance to the horizontal**
539 **articulation standards in conjunction with an amended site plan for the purpose of revising**
540 **the approved elevations by reducing the 25,433 sq. ft. building to a 16,839 sq. ft. building.**
541 **The applicant will be modifying the exterior appearance of the rear (east) elevation by**
542 **reducing the massing of the tower elements and by changing the roof to slope towards the**
543 **rear of the property for drainage purposes. Also, the applicant is proposing to change the**
544 **front (west) elevation by replacing the standing seam metal roof element (atop the facility)**
545 **with a stucco parapet wall. If approved, the site plan will indicate the ~6,000 sq. ft. vacated**
546 **area as 'future expansion' of the Church facility. Mr. Miller indicated that the Planning &**
547 **Zoning Commission has recommended approval of this item by a vote of 6 ayes with 1**
548 **(Renfro) absent.**

549
550 **Councilmember White moved to approve SP2016-017. Councilmember Townsend seconded**
551 **the motion, which passed unanimously of those present (7 - 0).**

552
553 **4. Discuss and consider a request from Suntex RHCL Marina to Assign the**
554 **Concession Agreement for the marina at Chandlers Landing to Ray Hubbard**
555 **SMI, LLC and take any action necessary**

556 **Assistant City Manager Brad Griggs provided background information concerning**
557 **this agenda item. Suntex RHCL Marina, LLC is the operator of the marina at**
558 **Chandlers Landing. Their concession agreement has recently been extended to**
559 **January of 2041 and in return for the contract extension, they have agreed to**
560 **complete several capital improvement projects. The amendment to the concession**

561 agreement was approved at the June 16, 2016 meeting of the City Council. At this
562 time, they are requesting the approval to assign the concession agreement to Ray
563 Hubbard SMI, LLC. This new corporation has the same Board of Directors and will
564 be operated in the same manner as Suntex RHCL Marina. All terms of the
565 concession agreement, including the capital projects, will be the responsibility of
566 Ray Hubbard SMI. The agreement was put forth by the company for city review, and
567 the city attorney has made some modifications to it prior to council's review.
568

569 Mayor Pruitt called forth the representative from Suntex and asked him to state his
570 name/address for the record, which he did as follows:

571 Quinn Heidenreich
572 1720 Lewis Court
573 Dallas, TX

574
575 Mayor Pruitt asked if the new LLC will have the same board of directors. Mr. Heidenreich
576 indicated that, yes, it will have the same board. It is purely to facilitate the redevelopment of
577 the marina and to accommodate the request of the new lending partner that will do the
578 financing on the redevelopment.
579

580 Mayor Pruitt went on to express concerns, generally explaining that he suspects this
581 reassignment may end up limiting the liability associated with the redevelopment and
582 associates repairs / upgrades that Suntex has agreed to with the city, especially if there is
583 another drought. He pointed out that concession fees were not paid to the city by Suntex
584 for a long time, due to the drought, until the city finally set up legal action against the
585 company. He does not have a problem with a name change; however, he does have a
586 problem with the new company potentially having their obligations be reduced or
587 eliminated.

588 After his comments, Mayor Pruitt made a motion to approve the re-assignment of the
589 Concession Agreement with the stipulation that a cost bond be posted for the amount of the
590 capital improvements that were previously agreed upon with Suntex so that the city has
591 assurance that the capital improvements will actually be followed through on.
592 Councilmember Milder seconded the motion.

593 Mr. Heidenreich indicated that this is something the company can do; however, he did want
594 to note that the new legal entity is a much broader, substantially more capitalized entity with
595 several hundred million dollars of capital behind it. It will be assigned to hold all of the
596 entity's other marinas. From his vantage point, the company is being placed into a much
597 stronger position than it was before. In addition, additional investors, beyond those
598 involved with Suntex, will be involved, as will a new financial partner to put them into a
599 stronger position. Councilmember Fowler commented that the amount of the
600 improvements will impact the cost of the bond. Mr. Heidenreich commented that he does
601 not recall the actual cost of the improvements, but it is a very substantial project that will
602 cost in the "millions" and will involve dredging and fixing and improving break waters and
603 docks. He shared that it is a traditional lender (bank), and they are the ones requiring the
604 development of the new LLC.

605 After additional discussion, the motion passed by a vote of 6 in favor with 1 against
606 (Hohenshelt).

607

608 Mr. Archibald, the gentleman who spoke during Open Forum, again briefly came forth and
609 presented Mayor Pruitt with a certificate of appreciation concerning the recent Hot Rocks
610 bike race.

611 5. Discuss and consider approval of the Rockwall Economic Development
612 Corporation (REDC) budget for fiscal year 2017 and amended budget for
613 fiscal year 2016, and take any action necessary.

614 Sheri Franza, CEO/President of the Rockwall EDC came forth and explained that, relatively
615 speaking, most of the proposed budget for FY 17 is quite similar to the budget in past years.
616 The only major change is one capital project pertaining to a regional detention project that
617 will start the middle of October and take about 120 days to complete. That will cost \$1.3
618 million and will open about 100 acres for development. Thirty acres has already been
619 spoken for, and a contract is now pending on an additional 30 acres. These new companies
620 will be a tremendous, positive addition to the Rockwall Tech Park and the Rockwall
621 community.

622 Councilmember Lewis made a motion to approve the amended budget for FY2016 and the
623 proposed budget for FY2017. Councilmember Hohenshelt seconded the motion, which
624 passed by a vote of 7 ayes to 0 nays.

625 6. Discuss and consider approval of the Rockwall Technology Park Association
626 budget for fiscal year 2017 and amended budget for fiscal year 2016, and
627 take any action necessary.

628 Mrs. Franza spoke to the Council concerning this proposed budget for FY2017, indicating
629 that the REDC board did approve both the amended FY16 and proposed FY17 budgets
630 earlier this month. A slight funding increase (\$3,000 or so) will occur due to the
631 landscaping (mowing) area increasing. She shared that a little bit of funding (\$10,000) is
632 being requested to make some miscellaneous, needed repairs to the irrigation system too.
633 Following her brief comments, Councilmember Hohenshelt made a motion to approve the
634 Rockwall Technology Park Association budget for fiscal year 2017 and amended budget for
635 fiscal year 2016. Mayor Pro Tem Townsend seconded the motion, which passed by a vote
636 of 7 ayes to 0 nays.

637 Mayor Pruitt then called for a brief break, recessing the meeting at 7:13 p.m.

638 Mayor Pruitt called the meeting back to order at 7:25 p.m.

639 7. Discuss and consider the Hotel Tax Subcommittee recommendations for
640 funding allocations in fiscal year 2017, including authorizing the City
641 Manager to execute associated funding agreements, and take any action
642 necessary.

643 Mayor Pruitt pulled the funding requests for the Rubber Duck Regatta, The Hilton, and
644 Music Fest, indicating the Council will handle these funding items separately from all the
645 other funding requests. He then made a motion to approve the funding request
646 recommendations made by the Hotel Tax Subcommittee for the remaining items.
647 Councilman Lewis seconded the motion, which passed unanimously of Council (7 ayes to 0
648 nays).

649 Regarding the Rubber Duck Regatta, Mayor Pruitt explained that Councilmember Lewis and
650 Councilmember White will be recusing themselves since they currently serve on the Meals
651 and Wheels Board of Directors. Mayor Pro Tem Townsend moved to approve the
652 recommended funding for the Rubber Duck Regatta. Mayor Pruitt seconded the motion,
653 which passed by a vote of 5 in favor with 2 recusals (White and Lewis).

654 Mayor Pruitt then explained that Councilmember Fowler will be recusing himself since he
655 serves on that board. Councilmember White then made a motion to approve the
656 recommended funding for Music Fest. Councilmember Townsend seconded the motion,
657 which passed by a vote of 6 in favor with 1 recusal (Fowler).

658 Mayor Pruitt mentioned that The Hilton is requesting Hotel/Motel Tax funding in the amount
659 of \$27,484 to subsidize some hotel rooms. Mayor Pruitt commented that he is generally not
660 in favor of this request, especially not considering the type of advertising that has recently
661 been put out by the Hilton's parent corporation. He does not feel there is any reason to use
662 tax payer money to fund any type of business that has those types of ads going out with
663 our tax money. In addition, he pointed out that The Hilton is already getting \$600,000 this
664 year in hotel/motel money rebated back to them. Mayor Pruitt subsequently made a motion
665 to deny this funding request. He pointed out that a separate funding request had previously
666 been made by The Hilton and is already included in the budget; however, this issue is
667 separate and apart from that other funding request. Councilmember Fowler seconded the
668 motion, which passed by a vote of 5 in favor with two against (Lewis and White).

669 Councilmember Lewis made a motion to approve increasing the funding for the Crime
670 Prevention Conference from \$25,000 to \$30,000 (an increase of \$5,000 total).
671 Councilmember White seconded the motion. Indication was given that the conference is
672 committing to four hundred hotel room nights. After brief comments, the motion passed by
673 a vote of 7 ayes to 0 nays.

674 Councilmember White mentioned to Mr. Archibald, who was still in the room, that Noon
675 Rotary may wish to submit its funding request for the Hot Rocks bike race soon so that
676 Hotel Occupancy Tax (HOT) funds are still available. General indication was given that
677 Rotary's request is being formulated currently and will be submitted soon.

678 8. Discuss and consider approval of an ordinance amending the budget for
679 fiscal year 2016, and take any action necessary.

680 Councilmember Lewis made a motion to approve the ordinance. Councilmember Townsend
681 seconded the motion. The ordinance was read as follows:

682 CITY OF ROCKWALL, TEXAS
683 ORDINANCE NO. 16-50

684 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
685 AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2015
686 THROUGH SEPTEMBER 30, 2016; PROVIDING FOR AN EFFECTIVE DATE.
687
688

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

690 9. Discuss and consider the proposed budget for fiscal year 2017 and approval
691 of an ordinance adopting the proposed budget, and take any action
692 necessary.

693 Mayor Pruitt indicated that the Council would like to pull the funding associated with "Meals
694 on Wheels" and handle approval on that portion of the budget separately from all other
695 portions. Mayor Pro Tem Townsend made a motion to approve the proposed FY2017
696 budget, excluding the "Meals on Wheels" portion. Councilmember Lewis seconded the
697 motion. Mayor Pruitt then commented that the Council always asks that inflation and
698 population growth be considered when considering proposed expenditures associated with
699 annual budgets. He stated that he is comfortable that the city is meeting its obligations,
700 especially since some expenditures will be made with Rec Development funding and (drug)

701 Seizure Funds. Following Pruitt's comments, the motion passed by a vote of 7 ayes to 0
702 nays.

703 Councilmembers Lewis and White recused themselves from the "Meals on Wheels" funding
704 request within the proposed FY17 budget. Mayor Pro Tem Townsend made a motion to
705 approve the Meals on Wheels funding within the budget for FY 2017. Councilmember Milder
706 seconded the motion, which passed by a vote of 5 ayes with 2 recusals (White and Lewis).

707 Mayor Pro Tem Townsend made a motion to approve the ordinance adopting the FY2017
708 budget. Councilmember Lewis seconded the motion. Assistant City Manager/Finance
709 Director, Mrs. Smith, then read the following statement into the public record:

710 *This budget will raise the same amount of revenue from property taxes as last year's*
711 *budget. The property tax revenue to be raised from new property added to the tax roll*
712 *this year is \$504,907.*

713
714 The motion then passed by a vote of 7 ayes to 0 nays.

- 715
716 10. Discuss and consider approval of an ordinance levying ad valorem taxes for
717 the tax year 2016, and take any action necessary.

718 Mrs. Smith indicated that this ordinance will adopt the tax rate at 45.43 cents per \$100 of
719 assessed value, which is a 3.1 cent reduction from the current rate and is the effective tax
720 rate, as has been calculated by the Appraisal District.

721 Mayor Pro Tem Townsend made a motion to approve the ordinance. Councilmember Lewis
722 seconded the motion. The ordinance was read as follows:

723 CITY OF ROCKWALL, TEXAS
724 ORDINANCE NO. 16-52

725
726 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
727 LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 AT A RATE OF \$.4543 PER
728 ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE
729 PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2016
730 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO
731 PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE
732 CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES
733 AND INTEREST; APPROVING THE 2016 TAX ROLL; PROVIDING FOR EXEMPTIONS
734 OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.
735

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

737 Mayor Pruitt thanked the subcommittee, council members and staff for their work on
738 getting this budget completed and for accomplishing a good tax rate for the citizens.

- 739 11. Discuss and consider appointments to the city's Youth Advisory Council
740 (YAC) for the 2016-17 school year, and take any action necessary.

741 Councilmember White made a motion to appoint the recommended slate of students as
742 outlined in the memo (see table below). Councilmember Fowler seconded the motion,
743 which passed unanimously (7 - 0).

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745

1	Re-appointment	Sophomore (HmSch)	Caleb	Davis
2	Re-appointment	Junior (RHS)	Bethany	Villalobos
3	Re-appointment	Senior (RHS)	Reid	Rakow
4	NEW appointment	Freshman (HmSch)	Mary Claire	Weible
5	NEW appointment	Senior (HmSch)	Kelsey	Franks
6	NEW appointment	Junior (HCA)	Jonathan	Naylor
7	NEW appointment	Junior (RHS)	Thomas	Milder
8	NEW appointment	Sophomore (RHS)	Emily	Williams
9	NEW appointment	Junior (RHS)	Molly Kate	Evans
10	NEW appointment	Junior (RHS)	Aidan	Culp
11	NEW appointment	Sophomore (RHS)	Emily	Henry
12	NEW appointment	Senior (RHHS)	Christian	Giadolor
13	NEW appointment	Sophomore (RHS)	Natalie	Newhouse

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12. Discuss and consider an amendment to the Fixed Base Operator / Airport Management Agreement with Todd Parks of Texas Air Center and take any necessary action.

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Joey Boyd indicated that, as approved in the budget, the Council will be providing an operational supplement regarding airport operations. Also, this amendment will extend the end date from March 31st to Sept. 30th in order to coincide with the city's fiscal year. It also relieves Mr. Parks of the requirement to provide an aircraft if he chooses not to.

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Councilmember Lewis thanked Mr. Parks for always providing good, detailed information to the City Council. He then made a motion to approve the amendment to the agreement. Mayor Pro Tem Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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Mayor Pruitt provided brief, closing comments. He shared that he would like to thank the Police Department. A press conference was held last week having to do with the "Silent Partners Program," which is a way for people to anonymously donate money to the Police Department. Funds will go to a city account, and no administration fees will apply. It will be used as a fallen officer fund, throughout Rockwall County, and it will include scholarships for kids who want to go into law enforcement. Also, it will allow officers to attend funerals for other fallen officers around the country. Additionally, the "Trikes for Tikes" event this past weekend raised a lot of money for the Rockwall County Child Advocacy center. There were over 100 motorcycles, and they raised over \$40,000 for the Rockwall County Child Advocacy Center. He commented that a lot of very positive comments were received from the participants, especially related to how well planned the route and ride was by the Rockwall Police Department. In addition, he pointed out the new Police Explorers, who are young volunteers participating in this new Rockwall Police Department program. They will be attending a city council meeting sometime in the future, and they will come and have dinner with the Council prior to whichever meeting they will be attending.

777 **XIII. EXECUTIVE SESSION**

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

- 782
783 1. Discussion regarding the lease of land in the vicinity of the downtown area pursuant to
784 Section §551.072 (Real Property)
- 785 2. Discussion regarding the status of ambulance services contract pursuant to Section
786 §551.071 (Consultation with Attorney)
- 787 3. Discussion regarding terms and conditions of Zanata's Restaurant Agreement pursuant to
788 Section §551.071 (Consultation with Attorney)
- 789 4. Discussion regarding Primary Media failure to comply with court order in City of Rockwall v.
790 Primary Media pursuant to Section §551.071 (Consultation with Attorney)

791 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

792
793 **Council did not convene in Ex. Session following the close of the public meeting agenda.**

794
795 **XV. ADJOURNMENT**

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797 **The meeting was adjourned at 7:47 p.m.**

798
799 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
800 **THIS 3rd day of October, 2016.**

801
802 **ATTEST:**

803 *Kristy Cole*
804 _____
805 **Kristy Cole, City Secretary**

Jim Pruitt

Jim Pruitt, Mayor

