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MINUTES
ROCKWALL CITY COUNCIL
Monday, October 03, 2016
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

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I. CALL PUBLIC MEETING TO ORDER

9 Mayor Pruitt called the meeting to order at 4:02 p.m. Present were Mayor Jim Pruitt, Mayor Pro
10 Tem Mike Townsend, and City Council Members David White, Scott Milder, Kevin Fowler and
11 Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Manager Brad
12 Griggs, and City Attorney Frank Garza. Councilmember John Hohenshelt and Assistant City
13 Manager Mary Smith were absent from the meeting.

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II. WORK SESSION

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1. Hold work session to hear updates to the Engineering Department's Standards of Design and Construction and receive City Council input prior to adoption.

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City Engineer, Tim Tumulty, came forth and briefed the Council on recent, suggested updates to the city's Standards of Design and Construction. After lengthy discussion, including some suggested modifications to the standards, the Council took no action concerning this work session item.

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2. Hold a work session to discuss and consider initiating a planning study of the IH-30 corridor.

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Planning Director, Ryan Miller, provided brief introductory comments pertaining to this topic, explaining that on March 21, 2016, the City Council reviewed the Planning and Zoning Department's *2016-2018 Strategic Planning Goals and Initiatives*. Under *Goal #2: Maintain or Increase the Current Per Capita Sales Tax Revenue*, staff proposed to create an *IH-30 Commercial Corridor Plan* for the purpose of targeting and emphasizing strategic properties and development opportunities along IH-30 corridor.

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Following dialogue concerning this topic, Mayor Pruitt provided several comments concerning the future bridges / service roads that TXDOT will be planning and constructing across the lake on IH-30. General discussion took place pertaining to walking paths and bicycle lanes. The Council took no action concerning this work session item.

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3. Hold a work session to discuss and consider initiating an update of the city's Comprehensive Plan.

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Mr. Miller provided introductory comments pertaining to this work session item. He explained that a City's Comprehensive Plan -- also known as a general plan or master plan -- is a document designed to guide the future actions of the community, and to lay out a 20-year vision for the city. This document is also intended to direct City Council's actions on policy decisions relating to land use and development regulations, and expenditures for capital improvements. He explained that the City of Rockwall's Comprehensive Plan dates back to 1966 with major updates being approved in 1986, 1995, and 2001. The current plan for the City is the *Hometown 2000 Comprehensive Plan*, which was adopted on December 17, 2001 by *Resolution 01-40*. This plan has had minor updates in 2004 (*i.e. to incorporate the Downtown Plan*) and 2007 (*i.e. to incorporate updated residential policies*), and an overhaul 2011. Mr. Miller shared that a Comprehensive Plan is typically updated on a five (5) year cycle with major revisions taking place every ten (10) years; however, it is in the City Council's purview to update the plan on an as needed basis. With this being said, the last revision to the plan was adopted on March 5, 2012 [*Resolution No. 12-07*], and staff is seeking direction from the City

51 Council to formally move forward with a 2017 Comprehensive Plan update. General indication
52 was given that the Council would like some time to consider residents living in our city who
53 may have an interest in serving on a Comprehensive Plan Review Committee. The Council
54 took no formal action pertaining to this work session item.

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56 Mayor Pruitt read the below listed discussion items into the record before recessing the public
57 meeting to go into Executive Session at 4:48 p.m.

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59 **III. EXECUTIVE SESSION.**

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61 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE
62 FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:
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- 64 1. Discussion regarding Economic Development incentives, procedures and possible projects
65 pursuant to Section 551.087 (Economic Development)
- 66 2. Discussion regarding the lease of land in the vicinity of the downtown area pursuant to Section
67 §551.072 (Real Property)
- 68 3. Discussion regarding the status of ambulance services contract pursuant to Section §551.071
69 (Consultation with Attorney)
- 70 4. Discussion regarding legal advice associated with homeowners association (HOA) regulations
71 within the city pursuant to Section 551.071 (Consultation with Attorney).

72 **IV. ADJOURN EXECUTIVE SESSION**

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74 Executive Session was adjourned at 5:50 p.m.

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76 **V. RECONVENE PUBLIC MEETING**

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78 Mayor Pruitt reconvened the public meeting at 6:00 p.m. with 6 of the 7 council members being
79 present (Hohenshelt was absent from the meeting).

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

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83 No action was needed or taken as a result of Ex. Session.

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85 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER**

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87 Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.

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89 **VIII. PROCLAMATIONS / AWARDS**

- 90
91 1. County of Rockwall Emergency Services Corporation Recognition Day

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93 Mayor Pruitt called forth and introduced David Sweet, Rockwall County Judge. He shared a
94 few, brief comments concerning the ES Corporation, including the fact that debt owed on the
95 law enforcement gun range training facility was recently paid off in full. He then read and
96 presented this proclamation to Judge Sweet, who is also the current President of the ES
97 Corporation, in recognition of the projects and contributions of the Corporation since its
98 inception in 2003.

102 2. Fire Prevention Month
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104 Mayor Pruitt called forth Ariana Hargrove, Fire Marshal for the City of Rockwall. She came
105 forth, along with "Sparky," the Rockwall Fire Department's mascot. The mayor then read and
106 presented a proclamation for Fire Prevention Month, encouraging members of the public to
107 check the replacement date on their home smoke alarms, replace outdated ones, and
108 participate in the various public education and events the Fire Department is hosting this
109 month. Mrs. Hargrove encouraged everyone to attend the Fire Department Open House that is
110 scheduled to take place this coming Saturday.

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112 3. National Community Planning Month
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114 Planning Director, Ryan Miller, came forth along with the city's Planning & Zoning Commission
115 Chairman, Craig Renfro, and Patrick Trowbridge, current member of the P&Z Commission.
116 Mayor Pruitt then read and presented a proclamation, declaring the month of October as
117 National Community Planning Month in the City of Rockwall.

118
119 The Mayor and Mr. Miller announced that the city was just notified that the Texas Chapter of
120 the American Planning Association (APA) will soon be recognizing downtown Rockwall for its
121 exemplary planning-related efforts.
122

123 IX. OPEN FORUM
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125 Mayor Pruitt explained how Open Forum is conducted and asked if anyone in the audience
126 would like to come forth and speak at this time.
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128 Sol Villasana (no address given) came forth on behalf of the Rockwall Bar Association, and
129 invited members of the public to come to an upcoming candidate forum this Wednesday night
130 at Rockwall Courthouse in Liberty Hall, explaining that there are eleven (11) local candidates
131 running for elective office. So, this is a good, non-partisan event for people to attend.
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133 X. CONSENT AGENDA
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- 135 1. Consider approval of the minutes from the September 19, 2016 regular city
136 council meeting, and take any action necessary.
- 137 2. **Z2016-023** - Consider a request by Kevin Dale Wommack & Pamela McCollum
138 for the approval of an **ordinance** amending Specific Use Permit (SUP) No. S-
139 118 [Ordinance No. 14-02] to allow for an accessory building that exceeds the
140 maximum size requirements as stipulated by Article IV, Permissible Uses, of
141 the Unified Development Code for a 1.4952-acre tract of land identified as Lot
142 17, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas,
143 zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1970 Copper
144 Ridge Circle, and take any action necessary **(2nd Reading)**.
- 145 3. **Z2016-025** - Consider a request by Jason Lentz of Atticus Rockwall, LLC for
146 the approval of an **ordinance** for a PD Development Plan establishing a 228
147 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre
148 tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of
149 Rockwall, Rockwall County, Texas, zoned Planned Development District 32
150 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer
151 Lee Drive southwest of the intersection of Horizon Road [FM-3097] and
152 Summer Lee Drive, and take any action necessary **(2nd Reading)**.

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4. **Z2016-028** - Consider a request by Susan Gamez for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to Residential Office (RO) District on a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge Road, and take any action necessary (**2nd Reading**).
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5. **Z2016-029** - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of D. W. Bobst of J-BR2, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) to allow a retail store with more than 2 gasoline dispensers on a 2.59-acre tract of land being a portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated at the southwest corner of the intersection of SH-205 [S. Goliad Street] and FM-549, and take any action necessary (**2nd Reading**).
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6. **P2016-042** - Consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will Shaddock of Master Developers-SNB, LLC for the approval of an amended plat for Phase 1 of the Preserve Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as the Preserve, Phase 1 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family 10 (SF-10) District land uses, located at the southeast at corner of the intersection of Highland Drive and East Fork Drive, and take any action necessary.
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7. Consider authorizing the City Manager to execute a contract extension to Terracare in the amount of \$402,905 to be funded from the General Fund, 2017 Parks Operating Budget to provide Grounds Maintenance Services in FY 2017, and take any action necessary.
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8. Consider approval of the dedication of one sanitary sewer easement and two drainage easements for the development of Breezy Hill, Phase Five residential subdivision, and take any action necessary.
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9. Consider authorizing the City Manager to execute contracts with Oncor Electric Delivery Company, LLC for the installation and energizing of 85 street lights along John King Boulevard from north SH 205 to south SH 205 in the amount of \$86,392.05 and take any action necessary.
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10. Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

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Mayor Pruitt asked if anyone would like to pull any items for discussion. There being no one wishing to do so, Councilman Milder made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember White seconded the motion. The ordinances were read as follows:

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CITY OF ROCKWALL
ORDINANCE NO. 16-53
SPECIFIC USE PERMIT NO. S-118

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

CITY OF ROCKWALL
ORDINANCE NO. 16-54

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

CITY OF ROCKWALL
ORDINANCE NO. 16-55

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

CITY OF ROCKWALL
ORDINANCE NO. 16-56
SPECIFIC USE PERMIT NO. S-157

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RETAIL STORE WITH MORE THAN TWO (2) GASOLINE DISPENSERS AS SPECIFIED IN ARTICLE IV, PERMISSIBLE USES,

261 OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.59-ACRE TRACT OF LAND
262 BEING A PORTION OF A LARGER 7.32-ACRE TRACT OF LAND ZONED
263 GENERAL RETAIL (GR) DISTRICT, AND IDENTIFIED AS TRACT 17-12 OF THE
264 W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL
265 COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A';
266 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE
267 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR
268 EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
269 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
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271 The motion passed by a vote of 6 ayes with 1 absent (Hohenshelt).
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273 **XI. APPOINTMENTS**
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- 275 1. Appointment with the Planning and Zoning Chairman to discuss and answer
276 any questions regarding cases on the agenda and related issues and take any
277 action necessary.

278 **Chairman Renfro provided a brief update to the Council concerning the recent P&Z**
279 **Commission meeting. No action was taken concerning this agenda item.**
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- 281 2. Appointment with Chairman of the city's ART Commission to hear update from
282 the Commission and to discuss and consider authorizing the City Manager to
283 execute an artist agreement with Isaac Davies of THREE OF ONE ART for the
284 installation of a mural on the south wall of 110 S. Goliad in downtown Rockwall,
285 in an amount not to exceed \$15,000.00, and take any action necessary.

286 **Mayor Pruitt recused himself from the discussion and vote concerning this agenda item, as he**
287 **is the owner of the downtown building on which the ART Commission is proposing to place**
288 **the "art in public places" mural. He filed an appropriate affidavit with the City Secretary in**
289 **association with his recusal.**
290

291 **Judge Sweet came forth and mentioned that he is currently the Chairman of the city's ART**
292 **Commission. He explained that he current serves on this commission with Betty Jean**
293 **Hougland, Jane Braddock, Doug Agee, and Kathleen Morrow. He went on to explain some of**
294 **the work of the commission thus far. He explained that the Art Commission is pleased to**
295 **announce the first Art in Public Places project, which is slated to depict important elements of**
296 **Rockwall's rich history within a full color mural that is planned for the south wall of 110 S.**
297 **Goliad. The mural will serve as a gateway feature, welcoming visitors to the historic downtown**
298 **district. The conceptual art and specific imagery/content details will be refined as the**
299 **collaboration moves forward. The Art Commission is seeking approval to fund the project and**
300 **move forward with the revision process. ART Commissioners are eager to complete this**
301 **inaugural project and have set an ambitious timeline to have the mural installed before year's**
302 **end. The Art Commission is making the following recommendation for City Councilmembers'**
303 **Consideration - Authorization for the City Manager to execute an artist agreement with Isaac**
304 **Davies, THREE OF ONE ART, for the installation of a mural on the south wall of 110 S. Goliad,**
305 **Downtown Rockwall, in an amount not to exceed \$15,000.00. Council approval of the budget**
306 **for an Art in Public Places Project is a prerequisite for the project's final approval. Once the**
307 **Art Commission approves the final mural design, a formal recommendation to council will be**
308 **submitted for council approval. Upon submission of final design, further detail related to the**
309 **easement agreement, future maintenance as well as promotion will be provided. As part of the**
310 **2012 CIP, \$74,000 is appropriated for public art in the downtown district. By ordinance, 1% of**
311 **the CIP project costs excluding land acquisition and utilities will be designated to provide**
312 **public art.**
313

314 Sweet explained that the building owner, Jim Pruitt, will be consulted with prior to any artwork
315 being determined.

316
317 Councilman Lewis made a motion to authorize the City Manager to execute an artist agreement
318 with Isaac Davies of THREE OF ONE ART for the installation of a mural on the south wall of
319 110 S. Goliad in downtown Rockwall, in an amount not to exceed \$15,000.00. Councilmember
320 White seconded the motion, which passed by a vote of 5 ayes, 1 abstention (Pruitt), and 1
321 absent (Hohenshelt).

322
323 Mayor Pruitt came back to the dais and thanked the ART Commission for all of its hard work
324 thus far.

325
326 **XII. ACTION ITEMS**

- 327
328 1. Discuss and consider approval of a resolution establishing a Comprehensive
329 Plan Advisory Committee, and take any action necessary.

330 Mayor Pruitt explained that this item is related to a work session that was held earlier this
331 afternoon. After brief comments from Mr. Miller, Councilmember Lewis made a motion to
332 approve the resolution establishing a Comprehensive Plan Advisory Committee.
333 Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent
334 (Hohenshelt). Indication was given that the Council will move forward with appointing
335 members to this Committee at a later date.

- 336
337 2. Discuss and consider authorizing the city manager to execute a contract with
338 Meals on Wheels Senior Services for certain nutritional and senior service
339 programs in the amount of \$30,000.00 to be funded from the Administration
340 Department Operating Budget, and take any action necessary.

341
342 Mayor Pruitt indicated that Councilmember Lewis and Councilmember White will be recusing
343 themselves since they serve on the Meals on Wheels Board. Each filed an affidavit with the
344 city secretary.

345
346 City Manager Rick Crowley provided introductory comments pertaining to this agenda item,
347 generally indicating that this is a specific item over \$30k, so it therefore requires specific
348 council approval; however, this is the amount that the Council did include in this year's fiscal
349 year budget.

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351 Councilmember Townsend made a motion to approve the \$30,000 funding request.
352 Councilmember Milder seconded the motion, which passed by a vote of 4 in favor, 2 recusals
353 (Lewis and White) and 1 absent (Hohenshelt).

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355 **XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE**
356 **LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

- 357
358 1. Departmental Reports
359 Fire Dept. Monthly Reports - August 2016
360 Fire Marshal Division Monthly Report - August 2016
361 GIS Department Monthly Report - August 2016
362 Internal Operations Department Monthly Report - August 2016
363 Police Department Monthly Report - August 2016
364 Rockwall Animal Adoption Center Monthly Report - August 2016

365 2. City Manager's Report

366
367 Mr. Crowley generally thanked the Council, staff and others for their involvement in some
368 successful city-sponsored events over the last couple of weeks. He indicated that the city is a
369 finalist for a statewide award through the Texas Downtown Association, and the city should
370 find out soon if it will in fact receive the award.

371
372 Mayor Pruitt thanked everyone who participated in the recent Rib Rub Run and Roll, indicating
373 that there were over 400 runners, a great car show and lots of great food. Christmas
374 celebration plans are underway, and Tammy Sharp (from the Downtown Merchants) is working
375 hard on this. He mentioned that a recent volunteers appreciation was held to thank those who
376 volunteer their time. He also reminded the public that tomorrow night is Texas Night Out. He
377 encouraged everyone around town to find a neighborhood event to attend.

378
379 XIV. EXECUTIVE SESSION

380
381 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE
382 FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 383
- 384 1. Discussion regarding Economic Development incentives, procedures and possible
- 385 projects pursuant to Section 551.087 (Economic Development)
- 386 2. Discussion regarding the lease of land in the vicinity of the downtown area pursuant to
- 387 Section §551.072 (Real Property)
- 388 3. Discussion regarding the status of ambulance services contract pursuant to Section
- 389 §551.071 (Consultation with Attorney)
- 390 4. Discussion regarding legal advice associated with homeowners association (HOA)
- 391 regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

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

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394 XVI. ADJOURNMENT

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396 Mayor Pruitt adjourned the meeting at 6:34 p.m.

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399 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS
400 17th day of October, 2016.

401
402 ATTEST:

403 *Kristy Cole*
404 _____
405 Kristy Cole, City Secretary

Jim Pruitt

Jim Pruitt, Mayor

