

2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, January 07, 2019 - 5:00 PM**

4 **City Hall - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 **Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor**
8 **Pro Tem Kevin Fowler, and Councilmembers Patrick Trowbridge, Dana Macalik, John**
9 **Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick**
10 **Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank**
11 **Garza. Mayor Pruitt read the below listed discussion items into the record before recessing**
12 **the public meeting to go into Executive Session at 5:01 p.m.**

13 **II. EXECUTIVE SESSION.**

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

- 16 **1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)"**
17 **within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071**
18 **(Consultation with Attorney)**
19 **2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,**
20 **Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)**
21 **regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**
22

23 **III. ADJOURN EXECUTIVE SESSION**

24
25 **Council adjourned from Executive Session at 5:57 p.m.**

26
27 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

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

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

30 **Mayor Pro Tem Fowler indicated that no action was necessary as a result of Executive**
31 **Session.**

32 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM FOWLER**

33 **Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.**
34
35

36 VII. OPEN FORUM

37 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to
38 come forth and speak at this time. There being no one indicating such, he then closed
39 Open Forum.

40 VIII. CONSENT AGENDA

- 41 1. Consider approval of the minutes from the December 17, 2018 regular city council meeting,
42 and take any action necessary.
- 43 2. **Z2018-043** - Consider a request by Michael Worrell of Rockwall Honda for the approval of an
44 ordinance amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an
45 existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel
46 of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall
47 County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
48 District, and take any action necessary (**2nd Reading**).
- 49 3. **Z2018-046** - Consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA)
50 for the approval of an ordinance for a Specific Use Permit (SUP) allowing existing temporary
51 educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of
52 land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall,
53 Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205
54 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action
55 necessary (**2nd Reading**).
- 56 4. **P2018-044** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of
57 Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition
58 being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at
59 Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,
60 situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and
61 take any action necessary.
- 62 5. **P2018-045** - Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew
63 Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods
64 at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods
65 at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,
66 situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-
67 740], and take any action necessary.
- 68 6. **P2018-046** - Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block
69 A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A,
70 Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial
71 (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950
72 Alpha Road, and take any action necessary.
- 73 7. Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of
74 the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in
75 Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.

76 Mayor Pro Tem Fowler moved to approve the entire Consent Agenda. Councilmember
77 Macalik seconded the motion. The ordinances were read as follows:

79 CITY OF ROCKWALL
80 ORDINANCE NO. 19-01
81 SPECIFIC USE PERMIT NO. S-199
82

83 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
84 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE
85 CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND
86 SPECIFIC USE PERMIT NO. S-76 [*ORDINANCE NO. 10-26*], WHICH ALLOWS FOR A
87 MOTORCYCLE DEALERSHIP WITH ACCESSORY BOAT AND TRAILER SALES ON
88 A 1.152-ACRE PARCEL OF LAND IDENTIFIED AS LOT 6, BLOCK A, NEWMAN
89 CENTER #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS;
90 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE
91 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
92 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
93 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
94

95 CITY OF ROCKWALL
96 ORDINANCE NO. 19-02
97 SPECIFIC USE PERMIT NO. S-200
98

99 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
100 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE
101 CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
102 SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3) TEMPORARY EDUCATIONAL
103 BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14)
104 DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY
105 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR
106 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED
107 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
108 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
109 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
110

111 The motion passed by a vote of 7 ayes to 0 nays.
112

113 IX. APPOINTMENT ITEMS

- 114 1. Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to
115 allow accessory buildings in an Agricultural (AG) District, and take any action necessary.
116

117 Dewayne Cain
118 305 Stonebridge
119 Rockwall, TX
120

121 Mr. Cain came forth and addressed the Council regarding this agenda item. He explained
122 that he is the owner of Resthaven Memorial Park and that he owns about 200 acres of
123 agriculturally zoned land. He hired an architect to design an elaborate barn / storage type
124 facility that would be placed close to one of the homes he owns on Cornelius Road. He
125 explained that his property was annexed into the city several years ago. In addition to Mr.
126 Cain having hired an architect and having plans drawn up, a deposit was put down, a
127 general contractor was hired, dirt work was done, and lime injection was performed. When
128 the contractor came to the city to take out a building permit, he was told by staff that an
129 SUP would be required before a permit could be issued. In the meantime, the city council
130 made changes that disallowed an SUP to be requested. He went on to explain that a barn /
131 accessory building is not currently allowed within an agriculturally zoned district, so there
132 is no longer a means by which he is able to apply for a "specific use permit" (SUP). He is

133 coming before the Council this evening to see if there is a way to work something out such
134 that he would be allowed to build this large accessory building on his agriculturally zoned
135 property.
136

137 Planning Director Ryan Miller provided clarifying comments to the Council concerning this
138 matter. He generally explained that currently, there is no SUP process by which a property
139 owner may request to approve a 'barn' type accessory structure on "agriculturally zoned"
140 land, and there is also not a means by which an owner may build 'private guest quarters.' It
141 was generally explained that the "agriculture" zoning designation is assigned to newly
142 annexed land "by default" (essentially), and it is the most restrictive zoning designation
143 within the city's regulations. It exists this way as a means by which annexed land will be
144 eventually pushed into a different zoning land designation; however, it unfortunately has an
145 (unintended) adverse effect on (larger parcels of) land that truly are more 'agricultural' in
146 nature. One change that would need to occur is for SUPs to be able to be requested, on a
147 case-by-case basis, for "guest quarters" which are proposed to be built on 'agriculturally
148 zoned' land. Right now, no SUP process exists to potentially allow those types of
149 structures.
150

151 Mr. Cain clarified that "guest quarters" is a little more elaborate than what he is wanting to
152 build. He essentially wants to build a (large) "man cave" to have folks over and watch
153 sports games and store some of his car collection.
154

155 Following extensive discussion, the Council generally expressed a desire for staff to bring
156 back some options for the council to consider relative to making some changes to the UDC
157 to allow requests (by SUP) for accessory buildings (both ones to be utilized as 'barns' and
158 ones to be utilized for 'private guest quarters'), on a case-by-case basis, on agriculturally
159 zoned land.
160

161 Council took no formal action related to this agenda item at this time.
162

163 X. PUBLIC HEARING ITEMS

- 164 1. **Z2018-049** - Hold a public hearing to discuss and consider a request by Mike Peoples for the
165 approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre
166 tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall,
167 Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay
168 (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).
169

170 Planning Director, Ryan Miller, provided background information pertaining to this agenda
171 item, indicating that back on December 17, 2018, the City Council continued the public
172 hearing for Case No. Z2018-049 by a vote of 7 to 0. This case involved a request for a
173 Specific Use Permit (SUP) that would allow for an animal shelter on the property. The
174 purpose of the City Council's motion was to allow the applicant, Mike Peoples,
175 additional time to prepare a schedule that outlined [1] the completion time for the animal
176 shelter (which is currently partially constructed), and [2] the time needed to demolish
177 the structure situated within the floodplain (which was constructed without a building
178 permit). In response to the City Council's action, Mr. Peoples provided staff with a letter
179 indicating that, weather permitting, he intends to complete the construction of the
180 animal shelter by April 2019; however, Mr. Peoples has not indicated a timeframe for
181 the demolition of the structure within the floodplain (see Exhibit 'B'). It should also be
182 noted that staff requested that Mr. Peoples provide a timeframe for the demolition of the
183 detached garage that was denied by the City Council on December 17, 2018; however, the
184 letter submitted by Mr. Peoples indicates that he does not have a timeframe for the
185 removal of this building either. Due to the applicant's inability to provide staff with a

186 reasonable timeframe for the demolition of the two (2) unpermitted structures, staff has
187 amended the draft ordinance for the animal shelter to require that both structures be
188 removed from the property within six (6) months of the adoption date of the proposed
189 Specific Use Permit (SUP) ordinance.

190
191 Councilmember Hohenshelt and Mayor Pruitt both indicated that their preference is to
192 require that Mr. Peoples demolish the existing structure (in the floodplain) prior to finishing
193 the newest structure he wanting to complete.

194
195 Mr. Miller shared that Mr. Peoples has continued to work on the existing (unpermitted,
196 unauthorized “animal shelter”) structure during the time he has been going through the
197 process associated with seeking formal approval of it being built. It was pointed out that
198 when Mr. Peoples spoke to staff about the (currently under construction) structure needing
199 an SUP and building permit, Mr. Peoples gave indication that he still planned to continue
200 working on the structure. Staff explained to Mr. Peoples that if he continued working on the
201 structure before it (potentially) received Council’s approval, he would be doing so at his
202 own risk. Mr. Peoples subsequently submitted a letter to staff, generally expressing that he
203 understood that. General discussion took place pertaining to the existing structure (that
204 Mr. Peoples has continued to work on) and how stopping its construction and having it torn
205 down will be an enforcement-related issue, should it come to that in the future. Indication
206 was given that, related to ‘enforcement,’ any daily or other fines would be up to the judge.

207
208 Following extensive discussion and clarifications, Councilmember Hohenshelt moved to
209 call for all of the improper structures to be removed before this particular SUP may be
210 granted and that Mr. Peoples must do so within six (6) months. The motion was clarified –
211 that Mr. Peoples should not perform further work on this current structure and that the
212 other, existing (improper) structures must be removed within six (6) months.
213 Councilmember Trowbridge seconded the motion.

214
215 Pruitt reopened the public hearing (that was continued from the last council meeting) and
216 asked if anyone would like to come forth and speak at this time. There being no one
217 indicating such, he then called for the vote.

218
219 The above noted motion then passed by a vote of 7 ayes to 0 nays. The ordinance (caption)
220 was read into the record as follows:

221 CITY OF ROCKWALL
222 ORDINANCE NO. 19-____
223 SPECIFIC USE PERMIT NO. S-____

224
225 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
226 AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE
227 CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
228 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-
229 ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS
230 TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF
231 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS;
232 PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO
233 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
234 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
235 AN EFFECTIVE DATE.

236
237 **XI. ACTION ITEMS**

- 238 1. **Z2018-052** - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail
239 Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a mini-
240 warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition,
241 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated

242 north of Horizon Road and east of Ranch Trail Road, and take any action necessary (2nd
243 Reading).

244 **Mayor Pro Tem Fowler recused himself from this agenda item. Following brief, introductory**
245 **comments by Mr. Miller, Councilmember Hohenshelt moved to approve Z2018-052.**
246 **Councilmember Trowbridge seconded the motion. The ordinance was read as follows:**

247 CITY OF ROCKWALL
248 ORDINANCE NO. 19-04
249 SPECIFIC USE PERMIT NO. S-202
250

251 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
252 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,
253 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT
254 (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C)
255 DISTRICT, ON A 7.489-ACRE PARCEL OF LAND BEING IDENTIFIED AS LOT 23,
256 RAINBO ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS;
257 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE
258 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
259 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
260 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE
261

262 **The motion passed by a vote of 6 ayes with 1 abstention (Fowler).**
263

- 264 2. **Z2018-048** - Discuss and consider a request by Amanda Henry for the approval of an ordinance
265 for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements
266 stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as
267 part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned
268 Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary
269 (2nd Reading).

270
271 **Mr. Miller explained that Councilmen Hohenshelt and Daniels dissented on the vote to**
272 **approve this item at the last city council meeting. Mayor Pro Tem Fowler then moved to**
273 **approve Z2018-048. Councilmember Johannesen seconded the motion. The ordinance**
274 **was read as follows:**

275 CITY OF ROCKWALL
276 ORDINANCE NO. 19-03
277 SPECIFIC USE PERMIT NO. S-201
278

279 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
280 AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE
281 CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
282 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY BUILDING THAT
283 DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE
284 (UDC) ON A 0.253-ACRE PARCEL OF LAND ZONED SINGLE-FAMILY 7 (SF-7)
285 DISTRICT AND IDENTIFIED AS LOT 47B, B. F. BOYDSTUN ADDITION, CITY OF
286 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL
287 CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM
288 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR
289 A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
290 FOR AN EFFECTIVE DATE.

291 **The motion passed by a vote of 5 ayes and 2 nays (Hohenshelt and Daniels).**
292

- 293 3. **Z2018-054** - Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf
294 of the owner Vinod Miranda for the approval of an ordinance for a Specific Use Permit (SUP)
295 for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District
296 on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64,
297 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the
298 Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and
299 Turtle Cove Boulevard, and take any action necessary (2nd Reading).

300 **Planning Director Ryan Miller and Councilman Trowbridge provided brief comments**
301 **pertaining to this agenda item. Councilmember Trowbridge then moved to approve Z2018-**
302 **054. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:**

303
304 **CITY OF ROCKWALL**
305 **ORDINANCE NO. 19-05**
306 **SPECIFIC USE PERMIT NO. S-203**
307

308 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
309 **AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE**
310 **CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND**
311 **THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A**
312 **STRUCTURE THAT EXCEEDS 36-FT IN HEIGHT WITHIN THE SCENIC OVERLAY**
313 **(SOV) DISTRICT IN A COMMERCIAL (C) DISTRICT, ON A 9.70-ACRE TRACT OF**
314 **LAND BEING IDENTIFIED AS TRACT 15 OF THE E.P.G. CHISUM SURVEY,**
315 **ABSTRACT NO. 64, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND**
316 **MORE FULLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR**
317 **SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED**
318 **THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
319 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
320 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

321
322 **The motion passed by a vote of 5 in favor with 2 against (Macalik and Daniels).**
323

- 324 4. **A2018-004** - Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T.
325 Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-
326 acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall
327 County, Texas, and take any action necessary (1st reading).
328

329 **Planning Director Ryan Miller provided brief background information pertaining to this**
330 **agenda item. The applicant, Mr. Atkins, came forth and explained that this annexation will**
331 **bring additional land into the city that will be utilized for an extension of the Saddlestar**
332 **subdivision (it will be "Saddlestar South"). He indicated that some builders have already**
333 **been retained for the future building of homes in this neighborhood.**
334 **Councilmember Hohenshelt moved to approve A2018-004. Councilmember Macalik**
335 **seconded the motion.**

336
337 **The ordinance was read as follows:**
338

339 **CITY OF ROCKWALL**
340 **ORDINANCE NO. 19-XX**
341

342 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
343 **TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS**
344 **OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-**

345 ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B.
346 HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS,
347 WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT
348 BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR
349 AN EFFECTIVE DATE.
350

351 **The motion passed by a vote of 7 ayes to 0 nays.**
352

- 353 5. Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any
354 action necessary.
355

356 **Director of Parks & Recreation, Andy Hesser, came forth and addressed the Council**
357 **concerning this agenda item. He shared a visual concept plan that showed renderings of**
358 **the proposed lakeside (Urban Beach) park area. Extensive discussion ensued regarding a**
359 **proposed Phase I and Phase II of this park project, including whether or not a restroom**
360 **facility should be included in Phase I and the options for where that facility might possibly**
361 **be located. Discussion also took place pertaining to what funds have already been**
362 **budgeted versus what funds would possibly need to be taken out of the General Fund to**
363 **ensure adequate funding for a restroom facility. Mayor Pruitt indicated that he prefers to**
364 **include a restroom facility as part of this plan because he anticipates that the city will**
365 **receive complaints if it is not included. Regarding the topic of parking, Mr. Hesser**
366 **explained that a the public parking garage on the nearest side of the Cinemark movie**
367 **theater is slated to be constructed by Pegasus-Abalon prior to this park area being**
368 **developed. So, that would be the nearest available parking area for those visiting this park.**
369 **Mr. Hesser shared brief comments about some of the proposed amenities, including a sand**
370 **beach area, volleyball amenities, vegetation separation between the park and the facilities**
371 **up the hill from it, walking trail areas, etc.**
372

373 **Following extensive discussion, Mr. Crowley, City Manager, suggested that staff bring back**
374 **a financing plan for Phase I (with a restroom facility included in the numbers). Further**
375 **discussion then ensued pertaining to where the restroom facility might ultimately be**
376 **located. Mr. Hesser showed the Council the two different options that have been identified**
377 **for possible placement of the restroom facility. One option will include obtaining an**
378 **easement from the City of Dallas, and it may not be ideally located for whatever ultimately**
379 **gets constructed up the hill from the restroom facility. The other possible placement for the**
380 **restroom facility may ultimately have fewer complications as far as easements are**
381 **concerned, but it would be located on the far end, just around the corner. Concern was**
382 **expressed by some Council members regarding possibly placing the restroom on the far**
383 **end, around the corner, as it may be too far for visitors to walk. However, concern was also**
384 **expressed by some members of Council who wonder if those who occupy the buildings up**
385 **the hill from the park may not appreciate looking at the back of a restroom facility if one**
386 **were placed at the other potential location that's been identified.**
387

388 **Following extensive discussion regarding the placement of the restroom facility, Council**
389 **generally indicated agreement with it being placed over near IH-30 (around the corner on**
390 **the far end of the park); however, staff will need to return to the Council with more specific**
391 **details related to how much Phase I will cost if the restroom facility is added and if the trail**
392 **that leads to the restrooms is constructed. No formal action was taken as a result of this**
393 **discussion item at this time.**
394

395 6. Discuss and consider a recommendation of the City Council Naming Subcommittee regarding
396 approval of a resolution naming a parks and recreation venue in the City, and take any action
397 necessary.

398 **On behalf of the subcommittee, Councilmember Daniels shared that a recommendation is**
399 **being put forth to name the amphitheater at The Harbor the “Brad Griggs Amphitheater**
400 **Stage at The Harbor.” He then moved to approve the resolution to do so. Mayor Pruitt**
401 **seconded the motion, which passed unanimously (7 ayes to 0 nays).**
402

403 7. Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take
404 any action necessary.

405 **Assistant City Manager Joey Boyd provided background information pertaining to this**
406 **agenda item, generally indicating that staff has compiled and made available to Council in**
407 **tonight’s informational meeting packet a bullet pointed list of topics that may be of interest**
408 **to the City during the upcoming state legislative session. Mayor Pruitt commented that the**
409 **list looks like a pretty good list. Council took no formal action concerning this agenda item.**

410 8. Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any
411 action necessary.

412 **Councilmember Trowbridge moved to reappoint Pricylla Bento and Jeremy Standifer to**
413 **continue serving on the Main Street Advisory Board for an additional two-year term.**
414 **Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

415 **Councilman Trowbridge moved to appoint Eva Cannon to replace Sarah Freed on the Main**
416 **Street Advisory Board (for a two-year term). Councilmember Macalik seconded the motion,**
417 **which passed by a vote of 7 ayes to 0 nays.**
418

419 **XII. CITY MANAGER’S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT**
420 **CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
421

422 **1. Departmental Reports**

- 423 Building Inspections Monthly Report - November 2018
- 424 Fire Department Monthly Report - November 2018
- 425 GIS Division Monthly Report - November 2018
- 426 Harbor PD Monthly Report - November 2018
- 427 Internal Operations Monthly Report - November 2018
- 428 Police Department Monthly Report - November 2018
- 429 Recreation Monthly Report - November 2018
- 430 Rockwall Animal Adoption Center Monthly Report - November 2018
- 431 Rockwall Meals on Wheels Senior Services Quarterly Report
- 432 STAR Transit Monthly Report - November 2018
- 433 STAR Transit Quarterly Report

434 **2. City Manager’s Report**
435

436 **Mayor Pruitt informed the Council that he will be appointing Joe Lynch to serve on the**
437 **Rockwall Housing Authority Board, explaining that board members are (solely) appointed to**
438 **the board by the city’s mayor. He explained that Joe is a war hero, and grew up in the south**
439 **side of Boston in the housing projects. So, he will bring a unique perspective to this board.**

440 Following the mayor's comments, no discussion took place pertaining to departmental or
441 "city manager's" reports.

442

443 **XIII. EXECUTIVE SESSION**

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

- 446 1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)"
447 within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071
448 (Consultation with Attorney)
- 449 2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
450 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
451 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

453 **XV. ADJOURNMENT**

454 Mayor Pruitt adjourned the meeting at 7:10 p.m.

455

456

457 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
458 THIS 21st DAY OF JANUARY, 2019.

459


460

461 ATTEST:


462

463

464



Kristy Cole, City Secretary



Jim Pruitt, Mayor



MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 22, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and the city's legal counsel, Patrick Lindner. Councilmember Patrick Trowbridge was absent from the meeting. Mayor Pruitt read the following discussion items into the record before recessing the public meeting to go into Executive Session.

II. 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 legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler made a motion that prior to initiating annexation of the +/- 4,000 acres of land in the city's ETJ, staff is directed by Council to communicate with those affected property owners and bring the results of those communications back to Council. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

36 Mayor Pro Tem Fowler authorized the city attorney to file intervention in the new rate case regarding
37 the appeal to the Public Utility Commission. Councilmember Macalik seconded the motion, which
38 passed by a vote of 6 ayes with 1 absence (Trowbridge).

39
40 Mayor Pro Tem Fowler made a motion to move Stuart Smith up from an “alternate” to a voting
41 member to fill the vacancy on the city’s Board of Adjustments (thru Aug. 2019). Mayor Pruitt
42 seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

43
44 Mayor Pro Tem Fowler moved to appoint Glenn Carr to fill the “second alternate position” on the
45 city’s Board of Adjustments (thru Aug. 2020). Mayor Pruitt seconded the motion, which passed by a
46 vote of 6 ayes with 1 absence (Trowbridge).

47

48 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

49 Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

50 **VII. PROCLAMATIONS**

51 1. Health for Humanity Yogathon

52 Mayor Pruitt invited city resident Ashwini Gurwale and her husband to come forth at this time. He
53 then read and presented this proclamation. Mrs. Gurwale then gave a brief yoga demonstration.

54 **VIII. OPEN FORUM**

55 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth
56 and speak at this time. There being no one indicating such, he then closed Open Forum.

57

58 **IX. CONSENT AGENDA**

59 1. Consider approval of the minutes from the January 7, 2019 regular city council meeting, and
60 take any action necessary.

61 2. **Z2018-049** - Consider a request by Mike Peoples for the approval of an **ordinance** for a
62 Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as
63 Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas,
64 zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV)
65 District, addressed as 1700 E. SH-66, and take any action necessary (**2nd Reading**).

66 3. **A2018-004** - Consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017
67 LLC for the approval of an **ordinance** for the voluntary annexation of a 14.995-acre tract of
68 land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County,
69 Texas, and take any action necessary (**2nd reading**).

70 4. **P2018-047** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John
71 Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII
72 containing 35 single-family residential lots on 44.525-acres of land identified as a portion of

73 Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County,
74 Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District
75 land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and
76 take any action necessary.

77 5. Consider approval of the Contract Amendment #1 with Brinkley & Barfield, Inc., in the
78 amount of \$87,030 to be funded from the 2018 Street Bond funds and water/wastewater
79 funds, and take any action necessary.

80 6. Consider authorizing the City Manager to negotiate and execute a contract with Baseball
81 Nation LLC regarding the city's baseball umpire services for an amount not to exceed
82 \$120,000 to be funded from baseball registration proceeds in the Recreation Development
83 Fund, and take any action necessary.

84 7. Consider authorizing the City Manager and the Chief of Police to execute an Interlocal
85 Agreement (ILA) with NCT911 to provide 911 services in the City, and take any action
86 necessary.

87 Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6 and 7).
88 Councilmember Johannesen seconded the motion. The ordinances were read as follows:

89 CITY OF ROCKWALL
90 ORDINANCE NO. 19-08
91 SPECIFIC USE PERMIT NO. S-204
92

93 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
94 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY
95 OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE
96 PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF
97 LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D.
98 HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY,
99 TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE
100 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
101 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
102 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

103 CITY OF ROCKWALL
104 ORDINANCE NO. 19-07
105

106 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING
107 FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS
108 AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03
109 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS,
110 WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY
111 LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

112 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

113 **X. PUBLIC HEARING ITEMS**

114 **1. A2018-005 (6:00 PM)** – Hold a public hearing to discuss and consider a request by Suresh
115 Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation
116 of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No.
117 155, Rockwall County, Texas, and take any action necessary.

118 **2. Z2018-050** - Hold a public hearing to discuss and consider a request by David Rains for the
119 approval of an **ordinance** for a Specific Use Permit (SUP) allowing a covered patio that
120 exceeds the maximum requirements for property located within the Lake Ray Hubbard
121 Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A,
122 Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned
123 Planned Development 8 (PD-8) District for single family land uses, addressed as 5808
124 Constellation Circle, and take any action necessary **(1st Reading)**.

125 **Indication was given that the applicant for this case has submitted a request to withdraw. Mayor**
126 **Pruitt moved to allow the applicant to withdraw the case, as requested. Mayor Pro Tem Fowler**
127 **seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).**

128 **3. Z2018-055** - Hold a public hearing to discuss and consider a request by Kyle Jenkins of the
129 Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of
130 an **ordinance** for a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre
131 tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall
132 County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
133 District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-
134 740], and take any action necessary **[1st Reading]**.

135 **Planning Director Ryan Miller provided background information pertaining to this agenda item. The**
136 **applicant then came forth to speak.**

137
138 **Maxwell Fisher**
139 **900 Jackson Street**
140 **Dallas, TX**

141
142 **Mr. Fisher came forth and provided comments pertaining to this proposed warehouse storage facility.**
143 **He showed renderings of what the facility will look like, generally highlighting that it will look like an**
144 **office building (not a storage facility).**

145
146 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this**
147 **time. Caprice Michelle (no address given) came forth and provided brief comments in support of**
148 **Council approving this SUP.**
149

150 Sergio Bento
151 2002 S. Lakeshore Dr.
152 Rockwall, TX 75087
153

154 Mr. Bento shared that he and his family moved to Rockwall in 2002. He used to contract with the
155 Department of Defense and he subsequently did economic development training with economic
156 development staff throughout the country. He went on to share his past experience in Arlington
157 pertaining to the old Cowboys stadium. He generally spoke in opposition of Council approving this
158 SUP request.
159

160 Priscylla Bento (no address given) came forth and shared that she is working towards obtaining her
161 PhD in Urban Planning & Public Policy, and her dissertation will focus on Economic Development. She
162 generally spoke in opposition of the Council approving this SUP request.
163

164 Bob Wacker
165 309 Featherstone
166 Rockwall, TX
167

168 Mr. Wacker came forth and commented on this proposed storage facility. He commented that the
169 renderings show what he believes is a nice looking building. He is generally in favor of approval of
170 this SUP.
171

172 Johnny Lyons, Chairman of the City's Planning & Zoning Commission, came forth and shared that the
173 Commission has recommended that this item not be approved. Commissioner Moeller and he were
174 'for' this; however, the other commissioners were 'against' this proposal. Those who were in
175 opposition seemed to indicate the belief that this was not the best fit or use for this particular
176 property.
177

178 Mr. Jerry Welch of the city's Planning & Zoning Commission came forth and generally indicated that
179 the Commission did not feel like this was the best location for a mini warehouse storage facility. For
180 this reason, the P&Z recommended its denial.
181

182 Following various comments from council members, Councilman Johannesen moved to deny this item
183 (Z2018-055). Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with
184 1 absence (Trowbridge).
185

186 Johnny Lyons, Chairman of the P&Z, then came forth and provided brief comments to Council
187 concerning recommendations of the Commission relative to the remaining planning-related items on
188 tonight's meeting agenda.
189

190 4. Z2018-057 - Hold a public hearing to discuss and consider a request by Bill Bricker of
191 Columbia Development Company, LLC for the approval of an ordinance amending Planned
192 Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land
193 for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a
194 portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas,
195 zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-

196 59), located between W. Washington Street and T. L. Townsend Drive, and take any action
197 necessary [1st Reading].

198 Planning Director Ryan Miller provided background information pertaining to this agenda item. Staff
199 mailed 194 notices to property owners and residents located within 500' of the subject property. So
200 far staff has received seven notices in favor of the request and one in opposition. The Planning &
201 Zoning Commission has recommended approval of this item.

202 Bill Bricker
203 505 Westway Drive
204 Rockwall, TX
205

206 Mr. Bricker came forth and briefly addressed the Council. Thereafter, Mayor Pruitt asked if anyone
207 would like to come forth and speak during this Public Hearing. There being no one indicating such, he
208 then closed the public hearing.

209
210 Councilmember Hohenshelt moved to approve Z2018-057. Councilmember Daniels seconded the
211 motion. The ordinance was read as follows:

212 CITY OF ROCKWALL
213 ORDINANCE NO. 19-XX
214

215 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
216 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS
217 HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59)
218 [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52)
219 [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF
220 LAND FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF
221 LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF
222 ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-
223 52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN
224 BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS;
225 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
226 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
227 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
228

229
230 The motion passed by a vote of 6 in favor with 1 absence (Trowbridge).
231

232 5. A2018-005 (6:30 PM) – Hold a public hearing to discuss and consider a request by Suresh
233 Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation
234 of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No.
235 155, Rockwall County, Texas, and take any action necessary.

236 Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak at
237 this time. There being no one indicating such, he then closed the Public Hearing. No action was taken
238 at this time.

239 **6. Z2018-058** - Hold a public hearing to discuss and consider a request by Tim McCallum of He
240 Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an
241 **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial
242 Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 &
243 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas,
244 zoned Commercial (C) District, addressed as 203 County Line Road, and take any action
245 necessary **[1st Reading]**.

246 **Indication was given that the applicant could not be present this evening, so he has requested that**
247 **this item be postponed. Mayor Pruitt moved to postpone this agenda item until the February 4, 2019**
248 **regular city council meeting. Councilmember Johannesen seconded the motion, which passed by a**
249 **vote of 6 ayes with 1 absence (Trowbridge).**

250
251 **7. Z2018-059** - Hold a public hearing to discuss and consider a request by Heather Cullins for
252 the approval of an **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0)
253 District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as
254 Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas,
255 zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take
256 any action necessary **[1st Reading]**.

257 **Planning Director Ryan Miller provided background information pertaining to this agenda item,**
258 **generally explaining that the applicant purchased this property a little over a year ago and had**
259 **planned to build a home on the property; however, since that time, the applicant found a different**
260 **piece of property that they like better. As a result, they have been trying to sell this property, but**
261 **they've been having difficulty. They are therefore requesting that the Council consider allowing them**
262 **to essentially split this property into two different tracts.**

263
264 **Kenneth Cullins**
265 **3114 Stoney Hollow Lane**
266 **Rockwall, TX**

267
268 **Mr. Cullins came forth and briefly addressed the Council, generally explaining his and his wife's**
269 **reasoning behind the request to rezone, and asking Council to consider approval of said request.**

270
271 **David Hodgdon**
272 **1085 Dalton Road**
273 **Rockwall, TX**

274
275 **Mr. Hodgdon spoke during the public hearing, explaining that he sold this piece of property to Mr. and**
276 **Mrs. Cullins, and his property is located directly adjacent to this one. He went on to express that he is**
277 **in opposition of the Council approving this request for the applicant to subdivide the property into**
278 **two, separate lots.**

279
280 Councilmember Daniels moved to approve Z2018-059. Councilmember Macalik seconded the motion.
281 Following additional, brief comments, the ordinance was read as follows:

282
283 CITY OF ROCKWALL
284 ORDINANCE NO. 19-XX
285

286 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
287 UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS
288 HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY
289 ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT ON A 3.03-
290 ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-01 OF THE T. DEAN SURVEY, ABSTRACT NO. 69,
291 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN
292 *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR
293 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
294 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
295 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

296
297 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

298
299 **XI. ACTION ITEMS**

300 **1. SP2018-043** - Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of
301 Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved
302 site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9,
303 Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No.
304 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-
305 32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the
306 intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

307 Planning Director Ryan Miller provided brief, introductory comments pertaining to this agenda item.
308 Mayor Pruitt then moved to approve the requested waiver. Councilmember Johannesen seconded
309 the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

310 **XII. EXECUTIVE SESSION**

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

- 313 **1.** Discussion regarding legal issues pertaining to potential annexation pursuant to Section
314 §551.071 (Attorney/Client Consultation).
315 **2.** Discussion regarding appointments to city regulatory boards, commissions, and committees
316 - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel
317 Matters)

318 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of
319 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District
320 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

321 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

322 Council did not reconvene in Executive Session following the close of the public meeting agenda. See
323 action taken at the start of the 6:00 p.m. public meeting for action taken as a result of the earlier
324 Executive Session.

325 **XIV. ADJOURNMENT**

326 Mayor Pruitt adjourned the meeting at 7:29 p.m.

327
328 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
329 **THIS 4th DAY OF FEBRUARY, 2019.**

330


331

332 **ATTEST:**

333

334

335



Kristy Cole, City Secretary



Jim Pruitt, Mayor



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, February 04, 2019 - 4:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the meeting to order at 4:02 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem
8 Kevin Fowler and Council Members Patrick Trowbridge, John Hohenshelt, Bennie Daniels and Trace
9 Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and
10 Joey Boyd, and City Attorney Frank Garza. Councilmember Dana Macalik was not present at the start
11 of the meeting (but arrived shortly thereafter, at 4:04 P.M.).
12

13 **II. WORK SESSION**

- 14 1. Hold a work session to hear staff presentation regarding the Harbor Urban Beach Park
15 Concept Plan and Phase One.

16 Director of Parks and Recreation, Andy Hesser, came forth and briefed Council on the proposed Urban
17 Beach Park at the Harbor, including various options for amenities and features which could be
18 included in Phase One, at Council's discretion / direction. Councilmember Macalik arrived and joined
19 the meeting at 4:04 p.m. Estimated costs and funding sources were also presented to Council as part
20 of Mr. Hesser's presentation.
21

22 Councilmember Fowler expressed that he likes "Option 2," which includes a restroom facility and is
23 estimated at \$484,010. He asked if this option could have amenities added to it in the future. Mr.
24 Hesser indicated that, yes, some things could be added. Mr. Fowler shared that the only thing he
25 might immediately add to Option 2 would be an additional seating node.
26

27 Councilmember Trowbridge asked for clarification regarding funding. Mrs. Smith clarified that these
28 funds are in no way associated with the city's General Fund. The "Rec Development Fund" is a special,
29 separate pot of money (in part funded by franchise agreements such as "Sail with Scott," for
30 example).
31

32 Councilmember Hohenshelt sought clarification regarding to what extent each of the city's
33 neighborhood parks is currently developed / 'improved.' Mr. Crowley, City Manager, clarified that
34 none of the city's neighborhood parks is totally developed or 'built out,' and certainly none are built
35 to "pie in the sky" type specifications. Extensive, general discussion ensued pertaining to costs, other
36 neighborhood parks within the city, amenities, and the like.
37

38 Council took no formal action as a result of this work session discussion.
39

- 40 2. Hold a work session with PROS Consulting to discuss an athletic facility feasibility study.

41 Mike Svetz with PROS Consulting came forth and introduced himself, indicating that PROS will be
42 developing what is essentially an athletic fields 'master plan' for the City of Rockwall. It will help the
43 city better understand supply and demand, both today and fifteen years from now. Mr. Svetz went
44 on to explain the process that will ensue pertaining to the study, including its purpose and what
45 results may be expected. Mr. Svetz indicated that the timing associated with completion of this study
46 is estimated to be early to mid-summer. Council took no action pertaining to this work session
47 discussion.

48

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

51

52 **III. EXECUTIVE SESSION.**

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

- 55 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071
56 (Consultation with Attorney)
57 2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
58 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
59 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
60 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

61

62 **IV. ADJOURN EXECUTIVE SESSION**

63

64 Council adjourned from Executive Session at 5:25 p.m.

65

66

67 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

68 Mayor Pruitt reconvened the public meeting at 6:00 p.m. (with all seven council members present).

69

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

71

72 There was no action taken as a result of Executive Session.

73 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESSEN**

74

75 Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

76 **VIII. PROCLAMATIONS**

- 77 1. STEM Gals Day

78 Mayor Pruitt called forth Mrs. Taylor, teacher from Rockwall High School who oversees the S.T.E.M.
79 program, and her students. He then read the proclamation for "STEM Gals Day." The program
80 encourages females to pursue educations and careers in the fields of Science, Technology, Engineering
81 and Mathematics.

82

83 2. Presentation of The Patriot Award

84 Mayor Pruitt called forth Mary Smith, Assistant City Manager, Debbie Waters, (Municipal) Court
85 Administrator and Tia Hambrick, Court Clerk as well as a representative from an organization called
86 the ESGR (Employer Support of the Guard and Reserve), which is a Department of Defense
87 program. Indication was given that this organization was established in 1972 to promote cooperation
88 and understanding between Reserve Component Service members and their civilian employers. Ms.
89 Hambrick then read two statements, one addressed to Mrs. Smith and one addressed to Mrs. Waters.
90 Each of them was then presented with an award to recognize and thank them for their support of Ms.
91 Hambrick over the years as she has participated in various military related endeavors while employed
92 by the City of Rockwall for the last fourteen years. The representative from the ESGR also presented a
93 certificate to Mayor Pruitt in recognition of the City of Rockwall for its support of military personnel
94 employed by the City.

95
96 IX. OPEN FORUM

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

99
100 Ruth Peck (108 Lakedale Drive) came forth and shared that she has some water related issues
101 occurring in her yard, including some sink holes. She is concerned about this; however, she pointed
102 out she was introduced to City Engineer, Amy Williams, before the start of tonight’s meeting. So she
103 will be getting with Ms. Williams to hopefully work through these concerns.

104
105 There being no one else coming forth to speak, Mayor Pruitt closed Open Forum.

106
107 X. CONSENT AGENDA

- 108 1. Consider approval of the minutes from the January 22, 2019 city council meeting, and take
109 any action necessary.
- 110 2. **Z2018-057** - Consider approval of a request by Bill Bricker of Columbia Development
111 Company, LLC for the approval of an **ordinance** amending Planned Development District 59
112 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office
113 (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard
114 Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned
115 Development District 52 (PD-52) and Planned Development District 59 (PD-59), located
116 between W. Washington Street and T. L. Townsend Drive, and take any action necessary
117 **[2nd Reading]**.
- 118 3. **Z2018-059** - Consider approval of a request by Heather Cullins for the approval of an
119 **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single
120 Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the
121 T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-
122 Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action
123 necessary **[2nd Reading]**.
- 124 4. **P2019-002** - Consider a request by Gerald Houser of Collin-G Properties, LTD for the
125 approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land
126 identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned

- 127 Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District,
128 addressed as 1611 SH-276, and take any action necessary.
- 129 5. **P2019-003** - Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on
130 behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R.
131 W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block
132 B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial
133 (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest
134 corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action
135 necessary.
- 136 6. **P2019-004** - Consider a request by Tony Degelia of A & W Surveyors on behalf of Michael
137 Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre
138 parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall
139 County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District,
140 situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and
141 take any action necessary.
- 142 7. Consider approving emergency pump replacements for the large fountain at The Harbor and
143 authorizing the City Manager to expend \$25,830.83 out of the General Fund Harbor
144 Operations Budget for this purpose, and take any action necessary.
- 145 8. Consider approving the work and authorizing the City Manager to execute a Purchase Order
146 to XIT Paving and Construction for the Service Center Yard Pavement Replacement project in
147 the amount of \$352,390 to be funded out of the General Fund Streets Operations Budget,
148 and take any action necessary.
- 149 9. Consider approving the work and authorizing the City Manager to execute a Purchase Order
150 to Texas Bit for the National Drive Reconstruction Project in the amount of \$300,997 to be
151 funded out of the General Fund Streets Operations Budget, and take any action necessary.
- 152 10. Consider awarding a bid to Riverstone Fence and authorizing the City Manager to execute a
153 Contract for new fencing at three city lift station sites in the amount of \$43,500 to be
154 funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any
155 action necessary.
- 156 11. Consider authorizing the City Manager to execute Supplemental Agreement No. 1 with
157 Teague Nall & Perkins, Inc. to design portions of Carriage Trail, Westway Drive, and Aspen
158 Court in the amount of \$432,000 to be paid out of the 2018 Street Bond funds and
159 water/wastewater funds, and take any action necessary.
- 160 12. Consider approval of the Rockwall Police Department's 2018 Racial Profiling Report, and
161 take any action necessary.
- 162 13. Consider approval of a resolution calling the May 4, 2019 General Election for the purpose
163 of electing the mayor and city council members for Places 1, 3, and 5, and take any action
164 necessary.

165 **Councilmember Hohenshelt moved to approve the entire Consent Agenda. Councilmember**
166 **Trowbridge seconded the motion. The ordinances were read as follows:**

167
168 **CITY OF ROCKWALL**
169 **ORDINANCE NO. 19-08**

170
171 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
172 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS
173 HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59)
174 [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52)
175 [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND
176 FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND
177 IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL,
178 ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND
179 PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY
180 EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS;
181 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
182 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
183 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

184
185 The motion passed by a vote of 7 ayes to 0 nays.

186
187 **XI. APPOINTMENT ITEMS**

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

190
191 **Chairman of the city's Planning & Zoning Commission, Johnny Lyons, came forth and addressed the**
192 **Council, providing brief comments regarding recommendations of the Commission relative to**
193 **planning-related items on tonight's meeting agenda. No discussion ensued and no action was taken**
194 **by Council as a result of Mr. Lyons' briefing.**

- 195
196 2. Appointment with the city's ART Commission Chairman to hear a presentation regarding a
197 public art fiberglass guitar project and to consider authorizing associated funding in the
198 amount of \$5,500 from the city's "Art in Public Places" funds, and take any action necessary.

199
200 **David Sweet of the city's ART Commission came forth and gave a brief presentation regarding this**
201 **proposed project. Following his presentation, Mayor Pruitt moved to authorize the expenditure of**
202 **\$5,500 as requested. Councilmember Trowbridge seconded the motion, which passed unanimously of**
203 **those present (7 ayes to 0 nays).**

- 204
205 3. Appointment with resident Jillian Gaines to hear concerns related to water around her
206 home and neighborhood (address: 1305 Clear Meadow Court), and take any action
207 necessary.

208 **Ms. Gaines came forth and addressed the Council during this appointment item. She generally**
209 **expressed concern related to water in and around the streets and properties within the subdivision in**
210 **which she lives and on the street on which she resides. She also has concerns about water on her**
211 **own, personal residential property.**

212
213 **Mayor Pruitt indicated that several council members have traveled to the locations in and around Ms.**
214 **Gaines home in The Shores since the last time Ms. Gaines came before the Council to express water-**
215 **related concerns. He shared that he personally knows of three other locations (not in The Shores)**
216 **where groundwater settles on the pavement following rain events within the city. He expressed that**
217 **there hasn't been any significant rain events lately, so the underground springs and ground water**

218 have not had the opportunity to seep up and stand on the concrete pavement recently. Mayor Pruitt
219 shared that the city cannot make the HOA in which Ms. Gaines lives do anything about concerns
220 related to french drain installation or retaining wall repairs. He understands that there are areas
221 within the city where ground water seeps up and causes standing water to pool; however, he does
222 not believe there is anything that the city or the city council can do regarding ground water. Council
223 took no action as a result of this Appointment Item.

224

225 **XII. PUBLIC HEARING ITEMS**

226 1. **Z2018-058** - Hold a public hearing to discuss and consider a request by Tim McCallum of He
227 Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an
228 **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial
229 Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 &
230 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas,
231 zoned Commercial (C) District, addressed as 203 County Line Road, and take any action
232 necessary [1st Reading].

233

234 City Planning Director Ryan Miller provided brief background information pertaining to this agenda
235 item. The applicant is currently running a subscription-based wine business. The venue has been
236 holding special events at this location through the city's "special events" ordinance; however, doing
237 so limits the business to only four events per year, and the applicant would like to hold more than
238 four events annually. Mr. Miller shared that Council may wish to consider the following conditions
239 related to this SUP request:

240

241 1) The operation of the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on the
242 subject property shall be subject to the following operational conditions, which are contained
243 in the SUP ordinance:

244 **A. Craft Winery:**

- 245 1) The maximum square footage of the building used for a winery shall not exceed
246 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance.
247 2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed
248 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft
249 ordinance.
250 3) The hours open to the public for this facility shall be limited to Sunday through Saturday,
251 11:00 AM to 12:00 AM.

252

253 **B. Commercial Amusement/Recreation (Outdoor)**

- 254 1) The operation of a *Commercial Amusement/Recreation (Outdoor)* use shall generally
255 conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
256 2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an
257 *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'*
258 of this ordinance. The use of temporary tents or similar uses must be made of fire retardant
259 materials and meet the City's fire codes.
260 3) The hours of operation associated with the *Outdoor Venue* for this facility shall be limited to
261 Thursday through Monday, 11:00 AM to 12:00 AM.
262
263 4) There shall be no outside storage of equipment, furniture, or other materials associated
264 with the operation of this business or from any outdoor gatherings on the *Subject Property*.

265 5) No parking associated with the uses permitted on the *Subject Property* shall be permitted
266 along County Line Road or Horizon Road [FM-3097].
267

268 2) Any construction or building necessary to complete this request must conform to the
269 requirements set forth by the *UDC*, the *International Building Code*, the *Rockwall*
270 *Municipal Code of Ordinances*, city adopted engineering and fire codes and with all other
271 regulatory requirements administered and/or enforced by the state and federal
272 government.
273

274 On January 2, 2019, staff mailed 63 notices to property owners and residents within 500-feet of the
275 subject property. Staff did not send a neighborhood HOA notification, as there were no Home
276 Owners Associations (HOA's) participating in the Neighborhood Notification Program within 1500-feet
277 of the subject property. At the time staff's report was drafted, one e-mail opposed to the applicant's
278 request had been received. In addition, the city's Planning & Zoning Commission recommended
279 approval of this item by a vote of 5-2.
280

281 Tim McCallum
282 5140 Standing Oak Ln.
283 Rockwall, TX 75087
284

285 Mr. McCallum came forth to address the Council concerning this public hearing item. He briefed the
286 Council on his and his wife's existing business, including the business model, which focuses on online
287 direct sales, wine festivals and events.
288

289 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
290 time. There being no one indicating such, he then closed the public hearing.
291

292 Brief clarifying questions and answered took place among Council members, staff and the applicant.
293 Councilmember Daniels asked for clarification about "used on a limited and infrequent basis." Mr.
294 Miller clarified that if this SUP is granted, the applicant could (potentially) hold an event there every
295 night of the week from Thursday thru Monday. Mr. Daniels expressed concern about this, especially
296 related to residential homes located nearby. He has a problem with the 'unlimited frequency'
297 timeframe related to how the SUP ordinance drafted (which would allow it to be open five nights out
298 of the week).
299

300 Councilman Trowbridge asked for clarification regarding where PD-75 is located. Mr. Miller indicated
301 that this is located in the Lake Rockwall Estates Subdivision area.
302

303 Mayor Pruitt expressed concern that the hours would allow wine tastings, for example, until
304 midnight. He would prefer that the time be cut off at about 10:00 p.m. at night.
305

306 Councilmember Macalik moved to approve Z2018-058. Councilmember Trowbridge seconded the
307 motion.
308

309 CITY OF ROCKWALL
310 ORDINANCE NO. 19-XX
311 SPECIFIC USE PERMIT NO. S-XXX

312 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
313 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS

PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CRAFT WINERY AND COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDIT IONS; 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.

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

2. **Z2018-056** - Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary [**1st Reading**].

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for the purpose of constructing a house of worship on the subject property. The subject property is situated on a 6.03-acre tract of land, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, and located east of the intersection of Justin Road and John King Boulevard. The subject property was annexed in 1985 [Ordinance No. 85-69] and is zoned Agricultural (AG) District. The Agricultural (AG) District is a holding district with the intent that a property will be rezoned in conformance with the Future Land Use Plan contained in the Comprehensive Plan. According to Section 1.0, Use of Land and Buildings, of Article IV, Permissible Uses, of the Unified Development Code (UDC), a house of worship is permitted in an Agricultural (AG) District by Specific Use Permit (SUP) or permitted by-right in a Light Industrial (LI) District. The proposed request to rezone the property to Light Industrial (LI) District is in conformance with the City's Future Land Use Plan.

On January 14, 2019, staff mailed 10 notices to property owners and residents within 500-feet of the subject property. There are no HOA's/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time the case memo was drafted, staff had not received any notices concerning this case. On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District passed by a vote of 7-0.

Mayor Pruitt opened the public hearing and asked if the applicant has received approval from the FAA, as it is located within a flight path. Mr. Miller shared that the applicant will obtain any necessary 'letter of approval' from the FAA. There being no one wishing to come forth and speak, he then closed the public hearing and called the applicant forth.

Tom Jones
5850 Hillcrest
Dallas, TX

362
363 Mr. Jones came forth and briefly addressed the Council.

364
365 Clarifying questions and answered then took place between the city council members and staff.
366 Thereafter, Councilman Daniels moved to approve Z2018-056. Mayor Pruitt seconded the motion.
367 The ordinance was read as follows:

368 CITY OF ROCKWALL
369 ORDINANCE NO. 19-XX

370
371 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
372 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS
373 HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59)
374 [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52)
375 [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND
376 FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND
377 IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL,
378 ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND
379 PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY
380 EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS;
381 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
382 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
383 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

384
385 The motion passed by a vote of in favor with 1 against (Hohenshelt).

386 XIII. ACTION ITEMS

387 1. Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban
388 Beach Park, and take any action necessary.

389 Mayor Pruitt provided opening comments pertaining to this agenda item, indicating that a work
390 session was held with staff and Council earlier this afternoon pertaining to this Action Item.
391 Councilmember Hohenshelt generally expressed that he believes 50% of the park and its amenities
392 should cater to the general populous of Rockwall, and the remaining 50% should cater to the
393 immediate, residential occupants in and around The Harbor area. Council generally indicated that this
394 is a very important park, and the council members really want to be sure they're making right
395 decisions pertaining to its development. Mayor Pruitt pointed out that there are no time constraints
396 associated with making these decisions.

397
398 Staff shared that takeline leases, concession agreements and marina fees are all examples of funding
399 sources for the city's "Rec Development Fund," which is the pot of money that will be utilized to fund
400 this park.

401
402 Mayor Pruitt asked staff to allow Council time to reflect and then revisit this topic again in one month
403 (first meeting in March). No formal action was taken at this time.

404
405
406 XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO
407 CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER
408 RELATED MATTERS.

409
410 1. Departmental Reports

- 411 Building Inspections Monthly Report - December 2018
- 412 Fire Department Monthly Report - December 2018
- 413 GIS Division Monthly Report - December 2018
- 414 Harbor PD Monthly Report - December 2018
- 415 Internal Operations Department Monthly Report - December 2018
- 416 Police Department Monthly Report - December 2018
- 417 Recreation Monthly Report - December 2018
- 418 Rockwall Animal Adoption Center Monthly Report - December 2018
- 419 STAR Transit Monthly Report - December 2018

2. City Manager’s Report

421 Mr. Crowley indicated that staffs’ departmental reports have been included in the council members’
 422 meeting packet this evening, and staff is happy to answer any questions Council may have. None
 423 were asked.
 424

XV. EXECUTIVE SESSION

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

- 428 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071
 429 (Consultation with Attorney)
- 430 2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
- 431 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
 432 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
 433 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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


435 Council did not reconvene in Executive Session following the close of the public meeting agenda.
 436

XVII. ADJOURNMENT

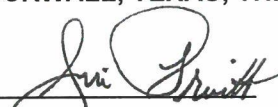
438 Mayor Pruitt adjourned the meeting at 7:43 p.m.
 439
 440

441 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th
 442 DAY OF FEBRUARY, 2019.

443 ATTEST:

444 
 445
 446 _____
 447 Kristy Cole, City Secretary





 Jim Pruitt, Mayor

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 19, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the public meeting to order at 6:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, John Hohenshelt, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and the city's legal counsel, Patrick Lindner. Council Members Dana Macalik and Trace Johannesen were absent from the meeting. Mayor Pruitt arrived to the meeting at 6:16 p.m. as noted below.

II. WORK SESSION

1. Hold a work session to discuss and consider implementing the use of a tool created by the Planning and Zoning Department in conjunction with zoning cases, and take any action necessary.

Planning Director Ryan Miller addressed the Council concerning this work session item. He shared general details pertaining to a tool that has been created that will help with conducting cost/benefit analyses for zoning cases. Overall, Council seemed to be in favor of the tool and provided positive feedback overall. Council took no action as a result of this work session discussion.

2. Hold a work session to discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Mr. Miller also spoke to the Council concerning this work session agenda item. He shared both "defensive" and "offensive" strategies concerning future development (and redevelopment) of the portion of IH-30 that runs through the City of Rockwall. Trends related to "big box stores" and retailers, in general, were discussed. Council did not express any specific concerns about the information Mr. Miller presented. No formal action was taken as a result of these discussions.

3. Hold work session to discuss the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program through the Federal Emergency Management Agency (F.E.M.A.)

Fire Chief Kenneth Cullins came forth and addressed Council concerning this work session item. He explained that this grant program helps communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. He generally indicated that staff would like to evaluate Council's interest in city staff potentially submitting a grant application on behalf of the Rockwall Fire Department, specifically for staffing. He explained that it is a 3-year grant program, and the grant would pay:

- 43 • Year 1 – 75% of the annual cost of a first-year firefighter
- 44 • Year 2 – 75% of the annual cost of a first-year firefighter
- 45 • Year 3 – 35% of the annual cost of a first-year firefighter
- 46 • Year 4 and beyond – City picks up 100% of the cost

47
48 Staff shared information on projected base salary and benefits package costs to fund 12 personnel
49 (through taking advantage of grant funding). Chief Cullins explained that this proposal, if the grant
50 funds were awarded, would bring minimum staffing to 12 (3 per each of the city’s four fire stations).
51 Following the discussion, Mayor Pro Tem Fowler pointed out that this topic appears later on this
52 evening under “Action Items.” No action was taken at this time.

53
54 At 5:11 p.m., Mayor Pro Tem Fowler read the below discussion items into the public record before
55 recessing the meeting to go into Executive Session.

56
57 **III. EXECUTIVE SESSION.**
58 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
59 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 60 1. Discussion regarding Economic Development prospects, projects, and/or incentives
- 61 pursuant to Section 551.087 (Economic Development)
- 62 2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of
- 63 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District
- 64 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

65 **IV. ADJOURN EXECUTIVE SESSION**
66
67 **Council adjourned from Executive Session at 5:35 p.m.**

68 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**
69 Mayor Pro Tem Fowler reconvened the public meeting at 6:00 p.m. (Mayor Pruitt and
70 Councilmembers Macalik and Johannesen were absent). Mayor Pruitt joined the meeting at 6:16 p.m.
71 (just prior to “Action Items”), as noted below.

72
73 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**
74 Mayor Pro Tem Fowler indicated that no action was needed as a result of Executive Session.

75 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE**
76 Councilmember Trowbridge delivered the invocation and led the Pledge of Allegiance.

77
78 **VIII. (BLANK / OMITTED)**

79 **IX. OPEN FORUM**
80 Mayor Pro Tem Fowler explained how Open Forum is conducted and asked if anyone would like to
81 come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

82 **X. CONSENT AGENDA**

- 83 1. Consider approval of the minutes from the February 4, 2019 regular city council meeting,
84 and take any action necessary.
- 85 2. **Z2018-058** - Consider request by Tim McCallum of He Wines She Dines, LLC on behalf of
86 Buffalo Creek Business Park, LTD for the approval of an **ordinance** for a Specific Use Permit
87 (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre
88 tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City
89 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203
90 County Line Road, and take any action necessary. **(2nd Reading)**
- 91 3. Consider authorizing City Manager to negotiate and execute a facility use agreement with
92 Lake Pointe Sports and take any action necessary.
- 93 4. Consider adopting official logo for the "Free Live Music Capital of North Texas," and take any
94 action necessary.
- 95 5. Consider authorizing the City Manager to execute a professional engineering services
96 contract with Kimley-Horn and Associates, Inc. to perform the engineering design services
97 and specifications for the W. Boydston Avenue (Forest Trace to S. Goliad Street) and Forest
98 Trace (S. Lakeshore Drive to W. Boydston Avenue) Reconstruction Project in an amount not
99 to exceed \$532,000.00, to be paid for by 2018 Street Bond funds and water/wastewater
100 funds, and take any action necessary.
- 101 6. Consider authorizing the City Manager to execute a professional engineering services
102 contract with Burgess & Niple, Inc. to perform the engineering design and construction
103 plans for the Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project in an
104 amount not to exceed \$30,000.00 to be funded by water/wastewater funds, and take any
105 action necessary.
- 106 7. Consider authorizing the City Manager to execute a professional engineering services
107 contract with Freese & Nichols, Inc. to perform the engineering design services and
108 specifications for the N. Alamo Road (Live Oak Street to Downtown Couplet) Reconstruction
109 Project in an amount not to exceed \$360,580.00, to be funded by the 2018 Street Bond
110 funds and water/wastewater funds, and take any action necessary.
- 111 8. Consider a request by Matt Moore of ClayMoore Engineering, Inc. for the approval of an
112 alternative tree mitigation plan in conjunction with an approved site plan for for a multi-
113 tenant office/warehouse complex on a 7.52-acre portion of a larger 9.76-acre tract of land
114 identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of
115 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch
116 Trail, and take any action necessary.

117
118 **Councilman Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, and 8).**
119 **Councilmember Daniels seconded the motion. The ordinance caption was read as follows:**

120
121 **CITY OF ROCKWALL**
122 **ORDINANCE NO. 19-10**
123 **SPECIFIC USE PERMIT NO. S-205**
124

125 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
126 **UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS**
127 **PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A**
128 **CRAFT WINERY AND COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) ON A 7.2-ACRE**
129 **TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS**
130 **20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, 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.

The motion passed by a vote of 4 ayes with 3 absent (Macalik, Pruitt and Johannesen).

XI. APPOINTMENT ITEMS

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

Chairman of the city's P&Z Commission, Johnny Lyons, came forth and briefed Council on recommendations of the Commission relative to the planning-related item on tonight's meeting agenda. No questions were asked, no discussion took place, and no action was taken as a result of Mr. Lyons' comments.

2. Appointment with Ralph Oltmann, President of Mclenco Construction Services, Inc. to hear request concerning temporary closure of Laguna Drive related to Hyatt Place construction, and take any action necessary.

**Mr. Ralph Oltmann
1320 Buffalo Pass
Waco, TX 76712**

Mr. Oltmann came forth and shared that he is seeking permission from the Council for a temporary road closure of Laguna Drive for some construction-related work that needs to be performed. Following Mr. Oltmann's brief comments, Councilmember Daniels made a motion to approve the request for the temporary road closure of Laguna Drive, as requested. Councilman Trowbridge seconded the motion, which passed by a vote of 4 ayes with 3 absences (Macalik, Pruitt and Johannesen).

XII. PUBLIC HEARING ITEMS

1. **Z2019-001** - Hold a public hearing to discuss and consider approval of an ordinance for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided brief background information pertaining to this agenda item, sharing that the City Council directed staff to create a land use for Barns or Agricultural Accessory Buildings. This came after receiving a request from Dewayne Cain to amend the code to allow an ~4,950 SF, metal barn that would contain a storage area for eight (8) vehicles and a guest quarters/secondary living facility (i.e. the facility includes all components of a residential living unit [e.g. kitchen, bathroom, etc.]) on a property zoned Agricultural (AG) District.

175 Mayor Pro Tem Fowler opened the public hearing and asked if anyone would like to come forth and
176 speak at this time. There being no one indicating such, he then closed the public hearing.

177 Following brief discussion, Councilmember Daniels moved to approve Z2019-001. Mayor Pro Tem
178 Fowler seconded the motion. The ordinance caption was read as follows:

179 CITY OF ROCKWALL
180 ORDINANCE NO. 19-XX

181
182 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
183 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE
184 CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV,
185 *PERMISSIBLE USES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
186 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
187 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
188 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

189
190 The motion passed by a vote of 4 ayes with 3 absences (Macalik, Pruitt and Johannesen).

191
192 Mayor Pruitt arrived to the meeting at this time (6:16 p.m.)

193
194 **XIII. ACTION ITEMS**

- 195 **1. Z2018-056** - Discuss and consider a request by Tom Jones on behalf of Shanon Thomas of
196 Rockwall Friendship Baptist Church for the approval of an ordinance for a zoning change
197 from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land
198 being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall,
199 Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass
200 Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King
201 Boulevard, and take any action necessary (**2nd Reading**).

202
203 Mayor Pro Tem Fowler moved to approve Z2018-056. Councilmember Trowbridge seconded the
204 motion. The ordinance caption was read as follows:

205 CITY OF ROCKWALL
206 ORDINANCE NO. 19-___

207
208
209 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
210 THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF
211 ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING
212 FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT ON A
213 6.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-4 OF THE D. HARR SURVEY,
214 ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING
215 MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'*
216 OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
217 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
218 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
219 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

220
221 The motion passed by a vote of 4 ayes, 1 nay (Hohenshelt) and 2 absences (Macalik and Johannesen).

- 222 2. **A2018-005** - Discuss and consider a request by Suresh Shridharani on behalf of the owner
223 Harlan Properties Inc. for the approval of an **ordinance** for the annexation of a 79.564-acre
224 tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall
225 County, Texas, and take any action necessary (**1st Reading**).

226
227 **Planning Director Ryan Miller provided background information pertaining to this agenda item. On**
228 **February 19, 2019, the City Council will be considering the first reading of an annexation ordinance**
229 **proposing the voluntary annexation of 69.679-acres of land located north and northeast of the**
230 **intersection of FM-550 and SH-276 and located within the City's Extraterritorial Jurisdiction (ETJ).**
231 **Suresh Shridharani on behalf of Harlan Properties, Inc. is requesting the annexation for the purpose of**
232 **incorporating the property into the City of Rockwall to develop a residential subdivision. Staff should**
233 **note, that since the property is not contiguous to the City's corporate limits, an additional 9.885-acres**
234 **of SH-276 right-of-way will also need to be annexed along with the subject property. The City Council**
235 **conducted the required hearings (first and second) on January 22 2019, and staff has followed the**
236 **procedures for annexations as set forth in Chapter 43, Municipal Annexations, of the Texas Local**
237 **Government Code (TLGC) with regard to notifying affected property owners and publishing notices in**
238 **the newspaper and on the City's website.**

239
240 **Indication was given that the applicant has given preliminary indication that they would like to utilize**
241 **this area for residential homes with septic tank service. Discussion ensued pertaining to one acre**
242 **versus one-and-a-half acre residential lots. Mayor Pruitt pointed out that if this developer built this**
243 **subdivision while "in the county," they would have to do so on 1.5 acre lots; however, if the city**
244 **annexes this area, they have the ability to ask for approval of 1 acre lots (with septic) instead. This**
245 **would, of course, be at the Council's discretion.**

246
247 **Councilmember Hohenshelt moved to approve A2018-005. Councilmember Trowbridge seconded the**
248 **motion. The ordinance was read as follows:**

249
250 CITY OF ROCKWALL
251 ORDINANCE NO. 19-___

252
253 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
254 PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF
255 ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND
256 IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155,
257 ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND
258 ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS;
259 PROVIDING FOR AN EFFECTIVE DATE.

260
261 **The motion passed by a vote of 4 ayes, 1 against (Pruitt) and 2 absences (Macalik and Johannesen).**

- 262
263 3. Discuss and consider authorizing staff to submit application to the "Staffing and Adequate
264 Fire and Emergency Response" (S.A.F.E.R.) Grant Program on behalf of the Rockwall Fire
265 Department, and take any action necessary.

266
267 **Councilmember Daniels moved to authorize staff to move forward with submission of the grant**
268 **application. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those**
269 **present (Macalik and Johannesen absent).**

271 **XIV. EXECUTIVE SESSION**

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

- 274 **1. Discussion regarding Economic Development prospects, projects, and/or incentives**
275 **pursuant to Section 551.087 (Economic Development)**
276 **2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of**
277 **Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District**
278 **(NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

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

280 **Council did not reconvene in Executive Session following the close of the public meeting agenda.**

281 **XVI. ADJOURNMENT**

282 **Mayor Pro Tem Fowler adjourned the meeting at 6:30 p.m.**

283

284 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
285 **THIS 4th DAY OF MARCH, 2019.**

286


287

288 **ATTEST:**

289

290

291



Kristy Cole, City Secretary



Jim Pruitt, Mayor



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, March 04, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro
8 Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, and Trace Johannesen. Also
9 present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City
10 Attorney Frank Garza. Councilmembers John Hohenshelt and Bennie Daniels were absent from the
11 meeting. Mayor Pruitt read the discussion items listed below into the record before recessing the
12 meeting to go into Executive Session at 5:00 p.m.
13

14 **II. EXECUTIVE SESSION.**

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

- 17 1. Discussion regarding legal advice concerning road construction facility agreement(s), pursuant
18 to § Section 551.071 (Consultation with Attorney).
19 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations
20 within the city pursuant to § Section 551.071 (Consultation with Attorney).
21 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
22 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
23 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
24

25 **III. ADJOURN EXECUTIVE SESSION**

26
27 Council adjourned Executive Session at 5:34 p.m.
28

29
30 **IV. RECONVENE PUBLIC MEETING 6:00 P.M.**

31 Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council members being
32 present (Daniels and Hohenshelt were absent).
33

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

35 No action was taken as a result of Executive Session.
36

37 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MACALIK**

38 Councilmember Macalik delivered the invocation and led the Pledge of Allegiance.

39 **VII. PROCLAMATIONS**

- 40 1. Shriners Hospitals for Children "Flip it Forward for Kids" Day

41 Mayor Pro Tem Fowler came forth and read and presented this proclamation to several Shriner's who
42 were present to receive it. A fundraising event will be held on March 12 at the local I.H.O.P. restaurant,
43 and everyone was encouraged to attend.

44 **VIII. OPEN FORUM**

45 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and
46 speak at this time. There being no one indicating such, he then closed Open Forum.

47
48 **IX. CONSENT AGENDA**

- 49 1. Consider approval of the minutes from the February 19, 2019 regular city council meeting, and
50 take any action necessary.
- 51 2. **Z2019-001** - Consider approval of an **ordinance** for a text amendment to Article IV, Permissible
52 Uses, and Article V, District Development Standards, of the Unified Development Code
53 [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural
54 Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary
55 Living Unit land use, and take any action necessary **(2nd Reading)**.
- 56 3. **A2018-005** - Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties
57 Inc. for the approval of an **ordinance** for the annexation of a 79.564-acre tract of land
58 identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and
59 take any action necessary **(2nd Reading)**.
- 60 4. Consider authorizing staff to execute an amended "First Responder Organization (FRO)
61 Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall
62 Fire Department, and take any action necessary.
- 63 5. Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract
64 amount of \$103,142.34 with McMahan Contracting, L.P. for the E. Boydston Avenue &
65 Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the
66 Water / Sewer Fund, and take any action necessary.
- 67 6. Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for
68 funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of
69 D-Day in the amount of \$1,300, and take any action necessary.
- 70 7. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any
71 action necessary **(1st Reading)**.

72 Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (items # 1, 2, 3, 4, 5, 6, and 7).
73 Councilman Johannesen seconded the motion. The ordinances were read as follows:

74
75 **CITY OF ROCKWALL**
76 **ORDINANCE NO. 19-12**

77
78 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
79 **UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS**
80 **HERETOFORE AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE USES TO AMEND THE LAND**
81 **USE STANDARDS FOR GUEST QUARTERS/SECONDARY LIVING UNITS, AND TO ADD A LAND USE**
82 **FOR BARN OR AGRICULTURAL ACCESSORY BUILDINGS ; PROVIDING FOR A PENALTY OF FINE**
83 **NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**

84 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
85 FOR AN EFFECTIVE DATE.

86 CITY OF ROCKWALL
87 ORDINANCE NO. 19-13
88

89 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE
90 EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE
91 ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN
92 SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES
93 ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL,
94 TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

95
96 CITY OF ROCKWALL, TEXAS
97 ORDINANCE NO. 19-___
98

99 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING
100 UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1,
101 CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING
102 THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL
103 ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS
104 CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE
105 MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED
106 BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

107
108 The motion passed unanimously of those present (2 absent (Daniels and Hohenshelt)).
109

110 **X. ACTION ITEMS**

- 111 1. Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard
112 fence to be located at 318 Cooper Court, and take any action necessary.

113 Building Official Jeffrey Widmer came forth and provided brief background information concerning this
114 request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and
115 conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a
116 swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material,
117 (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback
118 solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the
119 special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5
120 ayes with 2 absences (Daniels and Hohenshelt).
121

122 **XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
123 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
124 **MATTERS.**
125

126 **1. Departmental Reports**

- 127 Building Inspections Monthly Report - January 2019
128 Fire Dept Monthly Report - January 2019
129 GIS Division Monthly Report - January 2019
130 Harbor PD Monthly Report - January 2019
131 Internal Operations Department Monthly Report - January 2019

- 132 Police Department Monthly Report - January 2019
- 133 Recreation Monthly Report - January 2019
- 134 Rockwall Animal Adoption Center Monthly Report - January 2019
- 135 STAR Transit Monthly Report - January 2019

136 **2. City Manager’s Report**

137

138 City Manager Rick Crowley indicated that as of today, the NTMWD has begun its approximately 30 day
 139 maintenance program (not adding ammonia to the disinfection program, continuing to provide the same
 140 amount of chlorine). Any questions that the public may have may be addressed by the city manager, the
 141 assistant city managers, the supervisor over water operations, or the city engineer. Mayor Pruitt clarified
 142 that the same amount of chlorine will be present in the city’s water system; however, the smell may be
 143 more noticeable to residents/water users over the course of the next thirty days or so. Mayor Pruitt
 144 briefly mentioned that the city council and staff recently attended “Rockwall County Days” in Austin to
 145 meet with our legislators, and it was a successful visit. He went on to point out that the City passed an
 146 order on tonight’s Consent Agenda to cancel the May election since none of the incumbents drew any
 147 opponents. Also, the school district is able to cancel its election as well. So, those monies will be saved
 148 this year.

149

150 **XII. EXECUTIVE SESSION**

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

- 153 1. Discussion regarding legal advice concerning road construction facility agreement(s), pursuant
 154 to § Section 551.071 (Consultation with Attorney).
- 155 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations
 156 within the city pursuant to § Section 551.071 (Consultation with Attorney).
- 157 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
 158 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
 159 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

160 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

161 **Council did not reconvene in Executive Session following the close of the public meeting agenda.**

162

163 **XIV. ADJOURNMENT**

164 **Mayor Pruitt adjourned the meeting at 6:17 p.m.**

165

166


167 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th**
 168 **DAY OF MARCH, 2019.**

169

170 **ATTEST:**

171 
 172 _____
 173 **Kristy Cole, City Secretary**





Jim Pruitt, Mayor

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 18, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the public meeting to order at 5:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Councilmembers Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the meeting.

Mayor Pro Tem Fowler read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. 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 legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
- 2.** Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
- 3.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:48 p.m.

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

Mayor Pro Tem Fowler reconvened the public meeting with 6 of the 7 council members being present (Pruitt absent).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Pro Tem Fowler explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Nick Grant
1569 E. Quail Run Road
Rockwall, TX

Mr. Grant came forth and shared concerns related to the cancellation of Household Hazardous Waste Disposal Day. He shared that citizens were not communicated with regarding its cancellation. Also, he is concerned about physical safety and environmental-related concerns pertaining to the potential 'replacement' solution if it entails hazardous items being left outside for curbside pick up.

There being no one else wishing to come forth and speak, Mayor Pro Tem Fowler closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary **(2nd Reading)**.
3. Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. **(1st reading)**
4. Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser Landscape Maintenance in the amount of \$80,437 to be funded from the General Fund, Parks Operations, Ground Maintenance budget, and take any action necessary.
5. Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.
6. Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.
7. Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.
8. Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

9. Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.
10. **P2019-009** - Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilman Trowbridge seconded his motion but expressed a desire to ask questions pertaining to Consent Agenda item #3. Clarifying questions and answers took place pertaining to the process involved in having speed limits altered. Following the brief discussion, the ordinances were read as follows:

**CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-14**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL, TEXAS
ORDINANCE # 19-___**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO

EXCEED SUM OF \$200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Pruitt).

IX. APPOINTMENT ITEMS

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

This item was not addressed by Council.

X. PUBLIC HEARING ITEMS

1. **Z2019-003** - Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) for a Private Sports Arena, Stadium, or Track on the subject property. Currently, the Rockwall Independent School District (RISD) utilizes this area as an existing multi-purpose field that serves as a practice facility for various sports (e.g. softball, baseball, football, soccer, discus, etc.). According to the applicant, in order to protect vehicles and/or patrons of the nearby commercial businesses (e.g. Rooms-To-Go, Heritage Buick-GMC, the future Texas Roadhouse Restaurant and Marriott Towneplace Suites hotel) adjacent to the field, the school is requesting to construct a 40-foot fence/netting combination around the perimeter of the field. Notices were sent out to adjacent property / land owners; however, no responses were received back by staff. The Planning & Zoning Commission has recommended approval of this item by a vote of 4 in favor with 3 absences. If the City Council chooses to approve the applicant's request, staff proposed that the Council consider the following conditions of approval:

The applicant shall be responsible for maintaining compliance with the following conditions:

- The private arena, stadium, or track shall generally conform to concept and photometric plans and elevations depicted in Exhibits 'B', 'C', and 'D' of the attached ordinance;
- The light fixtures shall not be mounted above 40-feet in height.

Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Tim Listing, Construction Project Manager for RISD, came forth and addressed the Council concerning this agenda item, indicating that he is happy to answer any questions the Council may have.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and expressed that as long as there are not loud speakers or offensive lighting, he thinks this will be okay. As a side note, he expressed that he has some input related to changing of speed limits that he would like to share with staff/council.

There being no one else wishing to come forth and speak, Mayor Pro Tem Fowler closed the public hearing.

Councilman Trowbridge moved to approve Z2019-003. Councilmember Macalik seconded the motion. Mayor Pro Tem Fowler shared that he is not crazy about a large, black chain link fence, especially considering that it is visible from IH-30. The applicant briefly came forth and provided comments regarding Fowler's concerns. He also pointed out that the location abuts the rear of "Rooms-to-Go," so putting any sort of landscaping does not seem logical. He clarified that the chain link fence will be about 10' tall, and the netting will begin above that. He went on to briefly describe the netting that will be utilized. Various sport practices only will take place at the location (no games), so the netting will be utilized to essentially help ensure random sports balls do not escape the practice fields. Councilman Daniels expressed concern about the netting. He does not wish for netting like that which is used at a "Top Golf," for example, be visible from IH-30, especially in an "Overlay District." Councilman Johannesen questions why the City might grant all of these exceptions, other than the fact that the applicant is a school district. He is not sure that so many exceptions would be made if the applicant were not a school district. Brief discussion took place related to a grading study / plan. Following extensive discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A PRIVATE SPORTS ARENA, STADIUM, OR TRACK IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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.

The motion passed by a vote of 6 in favor with 0 absences.

2. P2019-008 - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of

Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. The applicant is requesting to replat a 0.46-acre parcel of land for the purpose of subdividing one lot (*i.e. Lot 2, Block A, Sanger Addition*) into two (2) lots (*i.e. Lots 1 & 2, Block A, N. E. & J. O. Addition*) in order to construct single-family homes on Lots 1 & 2. The subject property was annexed prior to 1959, is situated within the Southside Residential Neighborhood Overlay (SOV) District, and is zoned Single-Family 7 (SF-7) District. Thirty-nine public notices were sent out to adjacent land and property owners; however, no notices were received back by staff. The Planning & Zoning Commission has recommended approval of this item by a vote of 4 to 0.

On March 5, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:

1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of \$516.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees; and

2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of \$416.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees.

The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *- conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

With the exception of the items listed in the *Conditions of Approval* section of staff's case memo, the plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

Following Mr. Miller's comments, Councilman Trowbridge moved to approve this item, including staff recommendations. Councilman Hohenshelt seconded the motion. The motion passed by a vote of 6 ayes with 1 absence (Pruitt).

XI. ACTION ITEMS

1. Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.

Assistant City Manager Mary Smith provided brief, introductory comments pertaining to this agenda item. She generally indicated that the company that had been providing "Household Hazardous Waste Day" services significantly increased its pricing, which caused the city to have to look for a potential alternative. Mr. Dick Demien came forth and briefly introduced himself. He shared that he is a long time Rockwall resident. He went on to share that this service is a "porch pickup" service (not a

curbside pickup). It is currently provided in various other cities within Texas. The company is a viable one with no known complaints against it. Indication was given that this will be a .99 cents per household, per month cost to citizens. His company is heavily regulated by the Texas Commission on Environmental Quality (TCEQ). He shared that their main goal is to allow citizens to come and pick up items and reuse them. They also encourage repurposing of items. Their last resort is taking items to an industrial-type landfill; however, it is not their preference. Councilman Hohenshelt expressed a little concern about extending a five-year contract. He prefers a one or two-year contract to start. Mr. Demien shared that there are provisions in the contract that will allow cancellation of the contract if his company is not 'doing its job.' City Attorney Frank Garza shared that he is still working with the company to clean up some of the language. Councilman Hohenshelt shared that he would like to have a final version of the contract brought back to Council for review and consideration, and he would like the 'cancel the contract' language to be very, very clear. Following the discussion, Councilman Hohenshelt moved to direct the city manager to negotiate the contract and bring it back to Council for approval at a future date. Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Pruitt).

2. Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item, reminding Council that this topic was discussed at a work session with Council back on February 19. At that time, the City Council directed staff to prioritize the strategies listed in the IH-30 Commercial Corridor Planning Study based on the corridor zone that the strategy was intended to support. In response to this direction, staff has prepared several maps that summarize and prioritize the strategies for each of the targeted corridor zones. In prioritizing each strategy, staff took into account [1] the estimated costs of the strategy, [2] the time needed to implement the strategy, and [3] the perceived impact of the strategy. It was pointed out that staff's memo shows the strategies that staff believes may be more viably doable / workable versus those that may not be as viable. Mr. Miller pointed out that all of the approved strategies would be incorporated into the OURHometown Vision 2040 Comprehensive Plan and would form the framework for how the zone is developed in the future. Following brief discussion, Councilmember Hohenshelt moved to approve the removal of all the items (potential strategies) shown in red font on staff's memo. Councilman Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absence (Pruitt).

XII. 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 legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

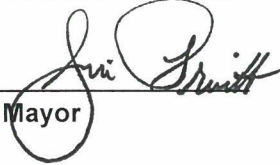
The meeting was adjourned at 6:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1st
DAY OF APRIL, 2019.

ATTEST:



Kristy Cole, City Secretary



Jim Pruitt, Mayor



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, April 01, 2019 - 4:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pro Tem Fowler called the meeting to order at 4:02 p.m. Present were Mayor Pro Tem Kevin
8 Fowler and Council Members Patrick Trowbridge, Dana Macalik, Bennie Daniels and Trace Johannesen.
9 Mayor Jim Pruitt was absent from the work session, and Council Member John Hohenshelt was absent
10 from the entire meeting.

11
12 **II. WORK SESSION**

- 13 1. Hold a work session to hear and discuss an update by PROS Consulting regarding the city's
14 athletic facility feasibility study.

15 Mike Svetz with PROS Consulting came forth and provided an update to the Council regarding the study
16 and its progress thus far. Mr. Svetz sought direction from the council regarding how broad it would like
17 the study to reach - City of Rockwall, the ISD, or regionally? The council generally suggested that the
18 study focus on the ISD (area) but also have information gathered for "city only" so that said information
19 may be utilized for comparison purposes. No formal action was taken as a result of this work session
20 item.

21
22 Mayor Pro Tem Fowler then read the below listed discussion items into the record before recessing the
23 public meeting to go into Executive Session at 4:41 p.m.

24
25 **III. EXECUTIVE SESSION.**

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

- 28 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section
29 §551.071 (Attorney/Client Consultation).
30 2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the
31 vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real
32 Property) and Section §551.071 (Consultation with Attorney).
33 3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with
34 Attorney)
35 4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees
36 - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to
37 Section 551.074 (Personnel Matters)
38 5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
39 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
40 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

42 **IV. ADJOURN EXECUTIVE SESSION**

43
44

45 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

46 Mayor Pruitt reconvened the public meeting at 6:02 p.m. with six of the seven council members being
47 present (Hohenshelt was absent).

48

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

50 No action was taken as a result of Executive Session.

51

52 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT**

53 Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

54

55 **VIII. PROCLAMATIONS**

56 **1. Child Abuse Awareness & Prevention Month**

57 Mayor Pruitt called forth representatives from Court Appointed Special Advocates (CASA), Rainbow
58 Room, and the Child Advocacy Center. He then read and presented the proclamation for “Child Abuse
59 Awareness and Prevention Month.” Representatives from each of these three organizations introduced
60 themselves and briefly spoke about the services they provide. Mayor Pruitt then called for a short break,
61 recessing the meeting at 6:15 p.m.

62

63 **2. Public Water System Celebration Day**

64 Mayor Pruitt reconvened the meeting at 6:21 p.m. He then called forth City Engineer/Public Works
65 Director, Amy Williams, Water & Wastewater Manager, Rick Sherer, Water Superintendent, Curtis
66 McAdden, and Aaron McNeill, Water/Wastewater employee. He read and presented them with this
67 proclamation in recognition of a recent TX Commission on Environmental Quality (TCEQ) waster system
68 inspection in which no violations were found. Ms. Williams complimented city staff on their hard,
69 meticulous work and dedication to providing Rockwall citizens with superior water.

70

71 **IX. OPEN FORUM**

72 Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and
73 speak at this time.

74

75 Amanda Romero (110 E. Rusk St.), Director of Operations for “Groovy’s,” came forth and addressed the
76 Council concerning street closures in/around the downtown historic square. She explained she is
77 speaking on behalf of Christie Foster, Owner of Groovy’s, who could not be present this evening. She
78 generally expressed concern about downtown special events that involve street closures and/or closing
79 off of parking spaces that might otherwise be used by business patrons wanting to visit shops, business
80 and restaurants downtown. Her company is generally not in favor of additional events with road /
81 parking space closures because there is no evidence that such events help boost business’ sales.

82

83 Tammy Sharp of T&T Color Supply (202 N. Fannin) came forth and indicated that she has provided
84 Council with correspondence she has collected from 20 downtown merchants. Each business owner
85 100% supports Farmers Market, and they are 100% against any additional street closures. She went on

86 to share data related to businesses that have “come and gone” (business turnover) on the downtown
87 square. The occupancy rate is about 95-97%, and properties only stay on the market for an average of 4-
88 6 weeks. She pointed out that some closures cannot be attributed to ‘location’ alone. There are
89 sometimes several other factors that may be attributed to a business closing. She went on to point out
90 several of the downtown businesses that have survived and done well for several years. She spoke about
91 how some other cities handle car shows, pointing out that they are sometime held ‘after hours’ when
92 businesses are closed, thereby not adversely impacting businesses. She generally spoke highly of
93 “Farmers Market” and thanked council members for their time.

94
95 Claudette Hatfield (1 Shadydale Lane Rockwall, TX) came forth and shared that she and Barb Coleson
96 started Farmer’s Market in 2008 because they saw that the downtown area and businesses were
97 struggling. They also started the “Friends of Downtown” organization. She believes that closing
98 additional streets in and around downtown will not be beneficial to businesses and restaurants. She
99 suggested that the driveway beside the city’s Parks & Recreation offices and the adjacent public parking
100 lot be considered for a ‘car show’ if it comes to pass that a car show is an event that is approved to be
101 held in the future.

102
103 David Sweet (510 Carriage Trail Rockwall, TX) came forth and provided Council with a historical recap of
104 “Main Street” related programs and activities that have unfolded over the years, beginning in about
105 2008. He believes that downtown Rockwall is the city’s “crown jewel.” He thanked the Council for all of
106 its support of the downtown. He believes that Farmers Market is a large success, and he thanked Barb
107 Coleson, Claudette Hatfield, and others for their hard work on events that have helped support
108 downtown. He encouraged Council to consider its support of the downtown area.

109
110 Mrs. Hatfield came forth again and commented that Rockwall’s Farmers Market is different than any
111 other of its kind because it benefits local charities (she indicated \$20,000 in the last two years).

112
113 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

114
115 Mayor Pruitt then reordered the agenda to address Appointment Item #2 next.

116
117 **X. CONSENT AGENDA**

- 118 1. Consider approval of the minutes from the March 18, 2019 regular city council meeting, and
119 take any action necessary.
- 120 2. **Z2019-003** - Consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of
121 the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a
122 Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel
123 of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall
124 County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
125 District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary **(2nd Reading)**.
- 126 3. Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per
127 hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City’s corporate
128 limits), and take any action necessary. **(2nd reading)**
- 129 4. Consider approval of the Professional Engineering Services Contract with Cardinal Strategies
130 Engineering Services, LLC to provide professional engineering services for miscellaneous
131 consulting on stormwater issues and floodplain impacts in the City of Rockwall, to be funded by

- 132 the FY2019 Engineering Consulting Budget and developer reimbursements, and take any action
133 necessary.
- 134 5. Consider awarding a bid to TexasBit and authorizing the City Manager to execute a Purchase
135 Order for Asphalt Pavement Repairs for H Wallace Lane, Lofland Road and Police Building
136 Parking Lot in the total amount of \$402,730 to be funded by the FY2019 General Fund Streets
137 Operations Budget, and take any action necessary.
- 138 6. Consider authorizing the City Manager to execute an agreement with NewEdge Services, LLC for
139 the purchase, installation and support of new permitting, licensing, and land software, in the
140 amount of \$190,660 to be funded by the FY2019 Planning Department Budget, and take any
141 action necessary.
- 142 7. Consider a recommendation of the City Council's Naming Subcommittee regarding approval of
143 a resolution renaming South Nash Street, and take any action necessary.
- 144 8. **P2019-014** - Consider a request by Mike Whittle and Randall Noe of Rockwall Rental Properties,
145 LLC for the approval of a replat for Lots 16 & 17, Block 2, Alliance Addition, Phase 2 being a
146 0.98-acre tract of land identified as Lots 14 & 15, Block 2, Alliance Addition, Phase 2, City of
147 Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for
148 Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any
149 action necessary.
- 150 9. **P2019-015** - Consider a request by Matt Moore of Claymoore Engineering on behalf of Phil
151 Wagner of the Rockwall Economic Development Corporation for the approval of a replat for Lot
152 4, Block E, Rockwall Technology Park Addition being a 3.634-acre parcel of land identified as Lot
153 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned
154 Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at
155 the northwest corner of the intersection of Technology Way and Observation Trail, and take
156 any action necessary.
- 157 10. **P2019-006** - Consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric
158 Borkenhagen of Kohls Illinois, Inc. for the approval of a replat for Lots 6 & 7, Market Center East
159 Addition being a 9.012-acre tract of land identified as Lot 1, Market Center East Addition, City
160 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30
161 Overlay (IH-30 OV) District, addressed as 823 & 845 E. IH-30, and take any action necessary.
- 162 11. Consider authorizing the City Manager to execute an agreement with Freese and Nichols, Inc.
163 for the provision of professional services relating to a Roadway Impact Fee Update in the
164 amount of \$41,424 to be funded by the FY2019 Planning Department Budget, and take any
165 action necessary.

166
167 **Councilmember Trowbridge pulled item #7 for further discussion. Councilmember Macalik then moved**
168 **to approve Consent Agenda items # 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11. Councilmember Johannesen**
169 **seconded the motion. The ordinances were read as follows:**

170
171 **CITY OF ROCKWALL**
172 **ORDINANCE NO. 19-16**
173 **SPECIFIC USE PERMIT NO. S-206**
174

175 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**

176 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF
177 ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO
78 GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *PRIVATE SPORTS*
79 *ARENA, STADIUM, OR TRACK* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A
180 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH
181 SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS;
182 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT
183 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
184 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
185 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

186
187 CITY OF ROCKWALL, TEXAS
188 ORDINANCE # 19-15

189 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS
190 ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER
191 THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE
192 HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY
193 OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A
194 PENALTY OF A FINE NOT TO EXCEED SUM OF \$200.00 FOR EACH OFFENSE;
195 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

196
197 The motion passed by a vote of 6 in favor with 1 absence (Hohenshelt).
198

199 Councilmember Trowbridge asked if this particular street is located within the Rockwall Historic District.
200 He expressed that he would love for the city to consider a street name that might be more historical (in
201 lieu of the one being proposed this evening). Mr. Boyd, Assistant City Manager, shared that staff can
202 work with the subcommittee to explore other, possible (more historic) names. So, Council took no
203 formal action pertaining to Consent Agenda item #7 at this time.
204

205 Mayor Pruitt addressed Action Item #3 next (Shores Park crosswalk item).
206

207 **XI. APPOINTMENT ITEMS**

- 208 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
209 regarding cases on the agenda and related issues and take any action necessary.
210

211 Mayor Pruitt called the public meeting back to order at 7:53 p.m. Indication was given that this item was
212 not needed, so it was not addressed by Council.
213

- 214 2. Appointment with representatives of the Downtown Rockwall Association to discuss proposed
215 event schedule and potential street closures in downtown, and take any action necessary.

216 Tamara Desierto Kolleck
217 20 Intrepid Circle
218

219 Ms. Kolleck came forth and shared that she is currently the (new) President of the Downtown Rockwall
220 Association (DRA). She loves downtown, and she recognizes and acknowledges that Rockwall's Farmer's
221 Market has done a lot to lay a good foundation for downtown. She does not wish to see Farmers Market
222 end. However, she would like to propose some new ideas that might help improve the downtown area
223 and its businesses. She indicated that she is a fairly new business owner in the downtown area. She

224 went on to share a presentation with Council concerning the downtown area, including topics such as
225 business turnover, months in which sales slow down, Recurring DRA events such as Cinco de Mayo, Scare
226 on the Square, Rib Rub Run & Roll, and Hometown Christmas. She went on to explain that the DRA is
227 asking for permission for four additional events that would have street closures. She went on to share
228 details of these event ideas with Council.

229
230 Councilmember Trowbridge clarified his understanding that Ms. Kolleck is asking to utilize city owned
231 parking spaces to charge a fee to those who visit. Ms. Kolleck affirmed that she is in fact asking to utilize
232 public parking spaces to charge a fee, the monies of which would be considered a fundraiser that would
233 be reinvested into the downtown area by the "DRA." Clarification also took place related to current
234 members of the DRA and which of those businesses may or may not be in favor of the additional,
235 proposed events that Mrs. Kolleck has explained this evening. Mayor Pruitt shared that he does not
236 believe the city should be supporting events that close streets for things like car shows, food trucks or
237 beer strolls. He explained that the public has the perception that, even if it is not a 'city sponsored' or
238 'city run' event, the city still assumes responsibility for it. Pruitt, Fowler and Johannesen all expressed
239 concern about there being an apparent 'fracture' or disagreement among and between downtown
240 business owners. Council members generally encouraged Ms. Kolleck to work together with all of the
241 downtown businesses to become unified regarding existing and future proposed events.

242
243 Following his lengthy comments and expressions of concern, Mayor Pruitt made a motion to approve
244 closure of the streets for the four key events that have historically been held downtown. Councilmember
245 Daniels seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

246
247 Mayor Pruitt then addressed Appointment Item #3 next.

248
249 3. Appointment with the city's ART Commission Chairman to review artist's design for the public
250 art fiberglass guitar project, and take any action necessary.

251 Judge Sweet, current Chairman of the city's ART Commission, came forth and introduced two of his
252 fellow commission members, Kathleen Morrow and Doug Agee. He then briefed the Council on details
253 related to this agenda item. Estimated ship date for the fiberglass guitars is currently mid-April. There
254 will be a total of five (initial) guitars and five artists who will be working to make each of these five
255 guitars unique. They will tie into the city's designation as the "Free Live Music Capital of North Texas."
256 Artist renderings for each of the five guitars have been provided to the Council in their meeting packet.
257 The five artists are local and will be volunteering their time and talents affix their individual, unique
258 artwork on these guitars.

259
260 Following additional comments, council generally expressed support for moving forward. However, no
261 formal action was taken by Council concerning this agenda item.

262
263 Mayor Pruitt addressed the Consent Agenda next.

264
265 **XII. PUBLIC HEARING ITEMS**

266 1. Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances
267 in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of
268 adopting a new Water Conservation Plan for the City, and take any action necessary. (1st
269 reading)

270

271 City Engineer Amy Williams provided brief comments related to this public hearing item. Mayor Pruitt
72 opened the public hearing, asking if anyone would like to come forth and speak at this time. There being
73 no one indicating such, he then closed the public hearing. (See next agenda item)

274
275 2. Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances
276 in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency
277 Response Plan" for the purpose of repealing it and adopting the "Water Resource and
278 Emergency Management Plan" for the city, and take any action necessary. (1st reading)

279 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.
280 There being no one indicating such, he then closed the public hearing.

281
282 He went on to share that he has looked into the legal requirements associated with this plan, and he has
283 observed that the law is not very specific about what has to be included in the plan – it only requires that
284 the city have one. He generally has concerns about limiting what residents can and cannot do with water
285 (especially when they are paying for it) when the city is not in a drought. For example, he is not in favor
286 of making citizens criminally responsible for washing their driveway when the city is not in a drought.

287
288 Councilmember Johannesen moved to approve the ordinances for Public Hearing Item #1 and #2.
289 Councilmember Trowbridge seconded the motion. The two ordinances were read as follows:

290
291
292 CITY OF ROCKWALL
293 ORDINANCE NO. 19-__

294 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
295 AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V.
296 WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS
297 ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED
298 WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO
299 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
300 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY
301 DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY
302 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

303
304 CITY OF ROCKWALL
305 ORDINANCE NO. 19-__

306
307 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
308 AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V.
309 WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY
310 RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH
311 A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY
312 MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE
313 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A
314 SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR
315 ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE;
316 PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

317
318 The motion passed by a vote of 4 ayes, 2 nays (Daniels and Pruitt), and 1 absence (Hohenshelt).
319 Councilmember Fowler shared that he would like for the Council to revisit these ordinances at some

320 point in the near future, as he believes that Mayor Pruitt expressed some valid concerns and posed some
321 relevant questions. City Attorney Frank Garza shared that the Council may reconsider the ordinances
322 between first and second reading, or it may do so at any time at a later date.

323

324 **XIII. ACTION ITEMS**

325 1. Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach
326 Park, and take any action necessary.

327 Park Director Andy Hesser came forth and addressed Council concerning this agenda item. He provided
328 visual examples for the Council related to the outdoor stone game tables, the fitness obstacle course, the
329 shade umbrellas for the beach area, play structures, Boccee Ball Court, volleyball courts, and seating
330 nodes. He went on to share the various options and associated costs for items and amenities the Council
331 may wish to include in "Phase I." General discussion took place among council members and staff related
332 to the park's development, including possible submission of a grant application in December. Mr. Hesser
333 explained that if the grant were to be awarded to the City, it is possible that up to \$500k could be
334 received (local match is required), but the city would not find out about its application status (if it gets
335 awarded or not) until the following June. Mayor Pruitt asked for a visual and for the cost estimate
336 related to building and funding the entire 'wish list' for this park. Mr. Hesser showed the Council the
337 concept plan for the 'full wish list,' indicating that it would cost an estimated \$850,000. Council members
338 generally indicated support for staff working with the consultant to submit a \$500,000 grant application
339 in December to do the entire project.

340

341 Mayor Pruitt then made a motion to approve the concept plan that depicted the full project (including
342 the restroom facility). Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes
343 with 1 absence (Hohenshelt).

344

345 2. Discuss and consider authorizing the City Manager to execute an agreement with Doliver
346 Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous
347 waste, and take any action necessary.

348 Mr. Doliver came forth and briefed the Council on this agenda item. Councilmember Fowler moved to
349 approve Action Item #2. Councilmember Trowbridge seconded the motion, which passed by a vote of 6
350 ayes with 1 absence (Hohenshelt).

351

352 3. Discuss and consider Shores Park crosswalk assessment study, and take any action necessary.

353 Mayor Pruitt addressed this item following the Consent Agenda items. City Manager Rick Crowley
354 provided brief, introductory comments related to this agenda item, thanking Rockwall Police Department
355 Captain Ed Fowler for the work he put in on this study. Mr. Crowley went on to indicate that staff is
356 recommending the Council consider authorizing the funding and installation of two crosswalks.
357 Councilmember Trowbridge moved to approve the two crosswalks, as presented. Mayor Pruitt seconded
358 the motion, which passed by a vote of 6 in favor with 1 absence (Hohenshelt). Mr. Crowley indicated
359 that staff will order the equipment for the crosswalks and provide Council with an update on their future
360 installation and associated timeline once that information is known.

361

362 Mayor Pruitt recessed the meeting for a break between 7:36 and 7:53 p.m.

363

364 4. Discuss and consider recommendations from the Council's Hotel Occupancy Tax Funding (HOT)
365 Subcommittee, and take any action necessary.

366 City Manager Rick Crowley addressed the Council concerning this agenda item. Mayor Pruitt indicated
367 that he would like to hold a fairly lengthy work session with staff and Council to discuss this topic in
368 greater, more focused detail at a future council meeting. Following additional comments, Council took
369 no action concerning this agenda item at this time.
370

371 5. Discuss and consider adoption of resolutions related to HB3535 / SB1152 and related to
372 HB2439 / SB1266 and other legislative matters, and take any action necessary.
373

374 City Manager Rick Crowley provided brief, introductory comments to Council concerning this agenda
375 item. Mayor Pruitt indicated that one of these bills - HB2439 - will essentially do away with a city's
376 ability to have zoning regulations. After lengthy discussion, Mayor Pruitt moved to adopt the resolutions
377 and work with staff on the final language for each of them. Councilman Trowbridge seconded the
378 motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).
379

380 **XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
381 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
382 **MATTERS.**
383

384 **1. Departmental Reports**

385 Fire Department Monthly Report - February 2019

386 GIS Monthly Report - February 2019

387 Harbor PD Monthly Report - February 2019

388 Internal Operations Department Monthly Report - February 2019

389 Police Department Monthly Activity Report - February 2019

390 Recreation Monthly Report - February 2019

391 Rockwall Animal Adoption Center Monthly Report - February 2019

392 STAR Transit Quarterly Report

393 STAR Transit Monthly Report - February 2019

394 **2. City Manager's Report**

395 **These items were not addressed by Council, and no action was taken concerning them.**
396

397 **Mayor Pruitt recessed the public meeting at 8:37 p.m. to go back into Executive Session at 8:39 p.m. to**
398 **discuss: Executive Session items # 2 and # 3 as shown below.**
399

400 **XV. EXECUTIVE SESSION**

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

403 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section
404 §551.071 (Attorney/Client Consultation).

405 2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the
106 vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real
107 Property) and Section §551.071 (Consultation with Attorney).

- 408 3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with
409 Attorney)
410 4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees
411 - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to
412 Section 551.074 (Personnel Matters)
413 5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
414 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
415 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
416

417 **XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

418 Council came out of Executive Session at 9:03 p.m. and took no action as a result of Executive Session.

419 **XVII. ADJOURNMENT**

420 Mayor Pruitt adjourned the meeting at 9:03 p.m.

421

422 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH**
423 **DAY OF APRIL, 2019.**

424

425 **ATTEST:**



JIM PRUITT, MAYOR

426

427

428 

KRISTY COLE, CITY SECRETARY





ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 15, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and City Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. 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 (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:55 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Indication was given that no action was needed as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM FOWLER

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

1. Public Safety Telecommunications Week

Mayor Pruitt called forth Assistant Police Chief Kirk Aldridge and several Dispatch staff members. He then read and presented them with this proclamation, thanking them for all they do for the safety of our police and fire staff and the public.

2. National Day of Prayer

Mayor Pruitt indicated that he will give this proclamation at the Mayor's Prayer Breakfast on Thurs., May 2 at The Center.

3. Motorcycle Safety & Awareness Month

Mayor Pruitt called forth several motorcyclists who requested this proclamation in recognition of Motorcycle Safety & Awareness Month. He then read and presented them with this proclamation, encouraging all drivers to be observant and respectful of motorcyclists driving on the roadways.

VIII. OPEN FORUM

Paul Davis (777 Paul Davis Lane) came forth and shared that he lives in McLendon-Chisholm; however, he owns property in Rockwall, including property on Cullins Road. Mr. Davis generally expressed opposition to the proposed zoning pertaining to case Z2019-005.

Don Braswell
2041 Chisholm Trail

Mr. Braswell indicated that he lives within the county, about 200' from the proposed zoning change (Z2019-005) and the proposed PID. He has concerns about the existing floodplain and how additional development, both homes and expansion of roadways, will adversely impact the area. Furthermore, he is concerned about the increased traffic and congestion as well as density, and reduced setbacks if this development comes to fruition. He encouraged the city to not allow this development, as it deviates from the city's 2040 Comprehensive Plan.

Leslie Wilson
535 Cullins Road
Rockwall, TX

Mrs. Wilson expressed that a lot of people here tonight are frustrated because they have not yet gotten an opportunity to speak about the proposed PID and related zoning change (Z2019-005). She indicated that she and others will come forth later in the meeting, during the proper time, to share their thoughts.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower came forth and indicated that she lives in Windmill Ridge subdivision. She expressed concern about the creek that flows into the park area. It serves as runoff for Ralph Hall Parkway, and

the creek is littered with trash and tall reeds. There are trees that are 'downed' in the park, and they have been like that for a while. The litter, she indicated, is inhibiting the water flow. Mayor Pruitt introduced Ms. Morchower to Andy Hesser, Parks Director, indicating that he is the proper staff person to address her concerns.

Ed Kohorst
831 Cullins Road
Rockwall, TX

Mr. Kohorst came forth and indicated that he and his wife, Olivia, have lived at this location on fifteen acres for twenty-five years. It is a mixture of tall grass, dense woods and gently rolling hills. He spoke about the many different variations of wildlife that live in and around his property and the creek that runs less than 50 yards from the western edge of the proposed Highgate development. He believes that this development will cause the creek to overflow its bank, flood the nearby wooded area and destroy the wildlife habitat that live there. He generally expressed concern about this development potentially being approved by the City.

Kristi Mase
1160 Skylar Drive
Rockwall, TX 75032

Ms. Mase indicated that she worked as an Admin. Assistant at Rockwall High School, and students often sit on the floor in the lunch room because of overcrowding. She believes these 500+ homes will further adversely impact overcrowding that is already present within the school district.

Craig Koziol
281 Willowcrest
Rockwall, TX

Mr. Koziol came forth and expressed that he is adamantly opposed to the proposed zoning change associated with the potential Highgate development.

Prycilla Bento
2002 S. Lakeshore Drive
Rockwall, TX

Mrs. Bento came forth and shared concerns related to unsustainable development and "urban sprawl." She expressed concerns about traffic, flooding, infrastructure, and school overcrowding, among other things.

IX. CONSENT AGENDA

- 1.** Consider approval of the minutes from the April 1, 2019 regular city council meeting, and take any action necessary.
- 2.** Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

3. Consider authorizing the purchase of two submersible pumps from Control Specialists L.P in an amount not to Exceed \$38,000 to replace two pumps at The Harbor, with one pump in the amount of \$18,000 to be funded from The Harbor General Fund Budget and the balance of \$20,000 for the second pump to be funded from General Fund Reserves, and take any action necessary.
4. **P2019-016** - Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action necessary.
5. **P2019-010** - Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (#1, 2, 3, 4, and 5). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays. Mayor Pruitt then reordered the agenda to address Appointment Item #2.

X. APPOINTMENT ITEMS

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

Chairman of the city's Planning & Zoning Commission, Johnny Lyons, came forth and briefed the Council on recommendations of the Commission regarding planning-related items on tonight's meeting agenda. Following brief, clarifying discussion, Council took no action related to this appointment item.

2. Appointment with the Lakeshore Composite Squadron of the Civil Air Patrol to report on community activities for the 2018-2019 school year, and take any action necessary.

Representatives from the local Civil Air Patrol squadron came forth and briefed the Council on community-related activities that the group either spearheaded or was involved in during the year 2018. Following their brief presentation, Mayor Pruitt thanked the group for all the good its members do within our community.

XI. PUBLIC HEARING ITEMS

1. Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of a Public Improvement District (PID) on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

City Attorney Frank Garza provided a briefing regarding how a PID petition request must be handled and how PID assessments and associated fees/taxes work. It is required that a public hearing be held by city council after receipt of a legitimate PID petition. The proposed district boundaries must be identified along with a PID petition, and this one does identify those. The lots within the PID would be charged / assessed fees in an amount up to \$17 million to pay for the needed public improvements. The city will have up to six months to either accept or decline the PID.

Mayor Pruitt thanked Mr. Garza for his briefing and associated explanations. Mayor Pruitt shared that this development is actually a proposed 2 units per acre, and “low density” is actually defined as 2.5 units per acre within the Hometown 2040 Comprehensive Plan. He went on to explain that the city’s comp plan was approved after a two year process that included a lot of public input opportunities.

**Mr. Donahue
15443 Knoll Trail, Suite 130
Dallas, TX 75248**

Mr. Donahue came forth and shared that he would like to delay the PID presentation until May to allow additional time for him to meet with and work with citizens to address their concerns. Mayor Pruitt shared that he and the council members are not going to accommodate his request to delay this topic. Mayor Pruitt invited Mr. Donahue to proceed with his presentation regarding the PID; however, Mr. Donahue gave indication that he was choosing to not proceed with making said presentation.

At the request of Councilman Johannesen, Mr. Garza clarified that this PID petition does not ask or require the city to pay for any aspects of the public improvements. The city would in no way be liable to repay the PID bonds that are issued – only the property owners within the PID would be “on the hook” for repayment of the public improvements.

**Craig Koziol
281 Willowcrest
Rockwall, TX 75032**

Mr. Koziol came forth and asked Mr. Garza, City Attorney, if this development would cause property taxes to increase for those homeowners who do not live within the development. Mr. Garza indicated that no, they would not.

Thomas Cosby

2025 Chisholm Trail
Rockwall, TX 75032

Mr. Cosby shared that he believes the density of this area should match that of the adjacent homes already in existence. He believes the infrastructure should already be in place before the homes are built. He is generally opposed to this request.

Karen Cosby
2025 Chisholm Trail
Rockwall, TX 75032

Mrs. Cosby came forth and shared that she is generally opposed to this PID request. She believes that the integrity of the adjacent homes around the area would be negatively impacted.

Leslie Wilson
535 Cullins Road
Rockwall, TX

Mrs. Wilson shared that she has lived at this location for almost twenty-two years, and her property is very special to her and her family. She is concerned about her home and property potentially ending up being backed up to homes with this type of density. She is strongly opposed to approval of this PID.

Dennis Hillery
143 Pelican Cove
Rockwall, TX

Mr. Hillery came forth and shared that he has some concern about the financing. He asked for clarification on the bonds, pointing out that it would be \$17 million, plus the cost of the bonds, plus interest over a 30 year period. The mayor indicated that a lender would issue the bonds, and the land itself would secure the bonds.

Aaron Bruning
2002 Chisholm Trail
Rockwall, TX

Mr. Bruning shared that his property is adjacent to this proposed PID. He pointed out that this developer has been in the news recently for some things that have occurred in the city of Rowlett. He encouraged the Council to consider those things when deciding on this proposal. Also, he has concerns about traffic and associated accidents. He believes that increased traffic causes concerns for emergency responders by hindering their ability to reach those who have called for assistance, especially the aging population.

Howard Haddock
155 Willowcrest
Rockwall, TX

Mr. Haddock shared that he and many others are adamantly opposed to this development, as the lots will be 'postage stamped' lots. He strongly urged the Council to reject this proposal.

Olivia Casey
831 Cullins Road
Rockwall, TX

Mrs. Casey came forth and expressed concern about potential approval of this PID request. She believes the cost for the property owners who will eventually live there and be taxed will be too costly. She believes establishing this PID will set a dangerous precedence. It sounds like corporate welfare, and she is strongly opposed to it.

Bob Wacker
309 Featherstone Drive
Rockwall, TX

Mr. Wacker came forth and indicated that he served on the council appointed committee that reviewed and updated the city's comprehensive plan. He apologized for potentially having misled some of the people with whom he has communicated on social media (i.e. "Next Door"). He went on to share a story about a personal experience he had with his own homeowners association having to pay back a notably smaller loan within the Stonecreek subdivision. He indicated that the loan essentially cost each homeowner about \$1800 to pay back. He pointed out that the \$17 million loan associated with this PID will be exponentially more costly.

Joan Haddock
155 Willowcrest
Rockwall, TX

Mrs. Haddock indicated that she prefers horses over houses (as far as what is located next door to her). She went on to quote a phrase from the city's 2040 Comprehensive Plan that generally states that a development should be equal to or of higher quality to the existing, surrounding area.

Scott Harman
280 Willowcrest
Rockwall, TX

Mr. Harman is concerned about the area that is located within the floodplain within this proposed development.

Councilman Hohenshelt interjected and clarified that the density of this proposed development is within the city's zoning requirements, and the developer could – by right – build this subdivision even without the PID being approved.

Mr. Harman shared that he has concerns about the higher density development eventually costing school district taxpayers more money in school district taxes and taxes over all (i.e. additional fire, police and emergency personnel). He would love for this area to remain a horse farm forevermore; however, he and others do realize that at some point the property will likely be developed.

Carol Byrd
707 Cullins Road
Rockwall, TX

Mrs. Byrd shared that she has lived at this location for more than thirty years, and she moved here from north Dallas. She believes that some of how the city is growing is good (i.e. medical facilities), but some of the growth concerns her and makes her sad. She is concerned about the 'run off' that she has continually experienced on her property, stating that her barn and driveway have been flooded out several times. She urged the Council to consider the type of development that residents would like to see and not see.

Leslie Hope
530 Cullins Road
Rockwall, TX

Ms. Hope shared that she and her husband moved here in 2016. She has concerns about 545 homes potentially being constructed in this area, especially when there will only be two-lane roads to travel. She worries that Cullins Road might be a means for ingress and egress pertaining to this subdivision. She and everyone else who has spoken this evening are opposed to this PID and this subdivision.

James Nichols
241 Willowcrest
Rockwall, TX

Mr. Nichols shared that he is fairly new to Rockwall and moved here about two years ago from Dallas. He is concerned that there are no pedestrian walkways in and around this area, and that is especially concerning as it pertains to a future park in this area.

Mayor Pruitt pointed out that the citizens of Rockwall approved the purchase of a "south" community park several years ago on a bond election.

Ed Burzair
2175 Arrowhead Court
Rockwall, TX

Mr. Burzair pointed out that this developer would still need approval from both the Planning & Zoning Commission and the Council if this subdivision were to come to fruition. He believes that the PID is not even necessary, as the developer could just roll in the cost of the infrastructure into the cost of the homes/lots.

Sergio Bento
2002 S. Lakeshore Drive
Rockwall, TX

Mr. Bento shared a story about his experience with Globe Life Park in Arlington and concerns related to that developer. He generally expressed the belief that the developer not giving his presentation this evening signifies a certain level of disrespect because it disallows those in attendance this evening to hear and see – 'straight from the horse's mouth' – what is being proposed. He is generally strongly opposed to this PID and this proposed development.

Stan Jeffus
1903 S. FM 549
Rockwall, TX

Mr. Jeffus came forth and shared concerns related to this proposed PID. He does not believe that this proposal is in line with the true intent and design of a "PID." He believes the developer is 'taking advantage' by proposing this PID.

Jennifer Drake
205 Darrin Drive
Rockwall, TX

Ms. Drake came forth and shared that she is a realtor, and she hears about a lot of homebuyers not understanding that they are buying in a "MUD" or a "PID," and they end up not being able to afford their home(s) over time. She has seen developers throwing in a lot of 'incentives' – for example, free washer and dryers – to encourage buyers to buy within a PID or a MUD. She believes this is deceiving to home buyers. She has a lot of concerns if this PID were to be approved, and she generally spoke in opposition of its approval.

Janice Morchower
144 Westwood
Rockwall, TX

Ms. Morchower shared that she is a realtor too, and she also has concerns about this PID being approved. She wonders if a traffic impact analysis (TIA) will be required associated with this proposed development. Indication was given that before the Planning & Zoning Commission takes action on the zoning case, the TIA would have to be completed and the results shared.

Carol Gardner
759 Winding Ridge Lane
Rockwall (County)

Mrs. Gardner expressed concern about additional noise that will accompany this development if this PID is approved. She also has concerns about Mr. Donahue not presenting this evening.

Dan Bobst came forth and shared that this gentleman is not being transparent, as evident by him not presenting this evening. He does not believe the Council should approve something from someone who is not being transparent.

Cody Barrick
5459 S. FM 549
Rockwall, TX

Mr. Barrick has not been real familiar with a PID prior to this case; however, now that he knows more about it, it appears to him to be a form of 'taxation without representation.' He is opposed to approval of this PID. He knows that development will likely happen in the future

Mayor Pruitt moved to deny this PID request. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt called for a break, recessing the public meeting at 7:59 p.m. and reconvening it at 8:13 p.m.

2. **P2019-013** - Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

Planning Manager David Gonzales briefed the Council on details pertaining to this request for a residential replat. Twenty-nine notices were sent out to adjacent property owners within 200', and one reply in favor and one reply in opposition have been received back by staff.

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

Councilmember Hohenshelt moved to approve this request (P2019-013). Mayor Pro Tem Fowler seconded the motion. Councilman Trowbridge pointed out that approval of this type of request leads to more density within the downtown historic district. The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2019-005** Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary **(1st Reading)**.

Following brief, clarifying comments from the city attorney, Mayor Pro Tem Fowler moved to postpone this item until the May 20 city council meeting. Councilman Trowbridge seconded the motion, which passed by a vote of 6 in favor with 1 against (Pruitt).

4. **Z2019-006** - Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall,

Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary (1st Reading).

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The subject property is a 42.61-acre tract of land located at the terminus of Aluminum Plant Road, which is located at the southwest quadrant of the intersection of East Washington Street and Airport Road. The property was annexed on February 7, 1983 by Ordinance No. 83-06. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. In January 2019, the applicant, Carolina Molina of Alvaplast US, Inc. (SPR Packaging), requested approval of a site plan for the purpose of expanding SPR's existing operations. This request was for the first phase of a multi-phase expansion plan. On March 18, 2019, the Planning and Zoning Commission approved the requested site plan [Case No. SP2019-004] for Phase 1 for the purpose of constructing an approximately 78,615 SF single-story, warehouse facility (i.e. SPR Packaging) on an 11.3736-acre portion of the subject property. Currently, the subject property is vacant with the exception of Columbia Extrusion Corporation's existing structures located on the west side of the subject property (i.e. 8.97-acre portion). The applicant, Mark Pross of Pross Design Group, has submitted a request for a Specific Use Permit (SUP) to allow for structures exceeding 60-feet in height to be located within a Light Industrial (LI) District. The applicant is requesting to allow for a maximum overall height of 100-feet for structures (i.e. high bay extruders) that will be located in the areas identified as Phases 2, 3, 4 and 5 as depicted on the concept plan (i.e. Exhibit 'B') contained in the draft SUP ordinance. This area will house the high bay extruders necessary for SPR's business operations. The applicant has stated to staff that SPR's business involves the production of flexible packaging products through a process called extrusion. The extrusion of certain plastics require additional height to process, and SPR has set a maximum height of 100-feet from grade for these structures.

Ninety-nine notices were mailed out to property owners located within 500' of the property, and the Park Place HOA was also notified. Staff has received six notices and three emails in favor of the request, two notices and two emails opposing it and one email that appeared 'undecided' regarding the request.

The president of SPR - Ignacio Echavarri 1480 Justin Road ((on behalf of) the applicant) - came forth and addressed the Council concerning this request for an SUP. He shared that his company has been in Rockwall for nearly eleven years. He went on to explain the expansion of his company outside of Europe (Spain), starting in 2014, through purchase of the SPR company in Rockwall. He explained that the company previously acquired adjacent land for future expansion. The company plans for expansions once every eight to ten years since the company continues to grow (it had fifty employees when first acquired, but it will soon have over 200 employees). He wants to expand while also being respectful of neighbors.

Mayor Pruitt opened the public hearing. Following clarification from the city attorney pertaining to the potential conditions associated with approval of this SUP, he asked if anyone would like to come forth and speak at this time.

Jean Conway
435 Jordan Farm
Rockwall, TX

Ms. Conway came forth and shared that SPR has been a really good neighbor, and they have tried to accommodate height limits and minimize any negative, visible sight lines. She cautioned Council that

approving this request may set a precedence if and when other, similar requests come forth in the future, perhaps elsewhere in the city.

David
1020 Saint Charles Court
Rockwall, TX

Mr. David expressed that he lives in the Park Place subdivision. He has done a lot of research and study on SPR and how these structures may visually impact 'line of sight' for him and others in his neighborhood. He explained that SPR has been a good neighbor in many ways. However, he does have some concerns about this particular request. He pointed out that, eventually, what SPR is requesting (including future expansions) will result in structures that span about 1,000 feet in length. And, eventually, said structures will visually impact Park Place. He encouraged Council to only approve what they intend to build currently and then consider future expansion requests and future high structures when the time comes, at a later date.

Bill Bricker
505 Westway Drive
Rockwall, TX

Mr. Bricker came forth and expressed that he has been part of this plant since 1981. It has been there since the 1950s and was officially zoned in 1983. Columbia previously owned the plant, and he is responsible for this company and others. He indicated that he sold previous ownership of this plant to SPR, and he manages leases of the buildings in and around this area. He clarified that his comments tonight are his own, and they are not representative of SPR, Columbia or any other company. He indicated that when he sold the company, he went to great effort to ensure that SPR would be a good neighbor. He shared that SPR has no emissions and no noise, and they've committed to stay 500' away from the edge of the Park Place subdivision. He was initially alarmed about the proposed 100' height; however, he thereafter studied the sight lines, and he does not believe it will be an egregious view. He went on to generally express that he does not have great concerns about approval of this request.

Phillip Wagner of the Rockwall Economic Development Corporation came forth and shared that the impact of the height of the structures will be minimal. He went on to share brief details pertaining to the economic benefit and taxable value that will be associated with this expansion, both of which he feels merit consideration by the Council. He is generally in support of the Council approving this request. He went on to briefly explain the incentive that SPR may be able to receive (5-6% of the total investment).

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

Following additional, lengthy discussion, Councilmember Daniels moved to approve Z2019-006. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-1XX

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 FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* 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.

The motion passed by a vote of 5 ayes with 2 nays (Trowbridge and Macalik).

5. **Z2019-007** - Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an ordinance for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary (**1st Reading**).

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation (Outdoor)* land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence. Notices were sent out to 27 property owners within 500' of the subject property owners. Staff received two notices in favor of the request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he closed the public hearing. Councilman Trowbridge moved to approve Z2019-007 as recommended by the P&Z Commission and including staff recommendations. Councilman Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

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 GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE

PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL 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.

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

6. **Z2019-008** - Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary (**1st Reading**).

Planning Manager David Gonzales provided background information concerning this agenda item. On June 17, 2013, the City Council approved a PD Development Plan (Ordinance No. 13-16) allocating 399 urban residential units (i.e. condominiums) to the subject property. These units were tied to a concept plan that showed two (2) condominium buildings being constructed on the subject property, one (1) adjacent to Lakefront Trail consisting of 349-units and one (1) adjacent to the Harbor Fountain consisting of 50-units. In addition, the plan indicated two (2) retail/restaurant strip centers would be constructed adjacent to Lake Front Trail and Harbor Heights Drive. These areas were eventually developed with a hotel (i.e. Spring Hill Suites) in 2016. On December 18, 2017, the City Council approved an amendment to this plan allowing the number of units to be increased to a total 450-units, which would increase the number of units for the building adjacent to Lakefront Trail to 375-units and for the building adjacent to the Harbor Fountain to 75-units. In addition, the City Council added a strict construction schedule for both buildings as part of the PD Development Plan ordinance. If the dates in the construction schedule are not met, the increased units (the additional 51-units) would be clawed back through an expiration clause in the ordinance. The owners of both properties agreed to the construction schedule as part of this case. On March 15, 2019, the applicant submitted an application requesting to amend the *PD Development Plan* approved under *Ordinance No. 17-64*. The applicant has stated that the purpose of this application is to [1] change the pedestrian access easement that extends from Lakefront Trail to the Harbor Fountain to a one-way private drive and pedestrian access easement, and [2] to change the construction schedule for *Harbor Village* project (*identified as Building 1 in the draft ordinance*). Forty-one notices were mailed to property owners located within 500' of the property, and two nearby HOAs were notified as well. Staff has received no notices back concerning this request. On April 9, 2019, the Planning and Zoning Commission approved the applicant's request to amend the Development Plan contained in Ordinance No. 17-64 by a vote of 5-2, with Commissioners Logan and Womble dissenting.

Jim Ziegler
6205 Wichita Trail
Flower Mound, TX

Mr. Ziegler came forth and answered brief, clarifying questions from the Council. Thereafter, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. Mayor Pruitt then moved to approve Z2019-008. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64* & PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, 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.

The motion passed unanimously (7 ayes, 0 nays).

XII. ACTION ITEMS

1. Discuss and consider authorizing Dallas Skydive Center to perform a parachute jump in a designated area of Harry Myers Park as part of the Founders Day Festival, and take any action necessary.

Mayor Pro Tem Fowler moved to allow Dallas Skydive Center to perform this requested parachute jump at the city's upcoming Founders Day Festival. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider a height variance request for a pole sign at White Tiger Taekwondo located at 55 East I30 and take any action necessary.

Building Official, Jeffrey Widmer, provided brief comments concerning this request. He explained that the applicant feels this business needs additional visibility since it sits so low down adjacent to IH-30. He pointed out that, in order to be approved, this request requires a $\frac{3}{4}$ majority vote of Council. Councilmember Daniels expressed concern about potential approval of this request, pointing out that other, similar variance requests have been denied by Council in the past (i.e. Applebee's). Some council members recollected, however, that some past applicants have in fact received height variance approvals along the IH-30 corridor.

Following brief discussion, Councilman Hohenshelt moved to deny the height variance request. Councilmember Johannesen seconded the motion, which failed by a vote of 3 in favor with 4 against (Macalik, Pruitt, Fowler and Daniels).

Councilman Daniels then moved to approve the height variance request for the pole sign. Councilmember Macalik seconded the motion, which resulted in a vote of 4 in favor with 3 against (Trowbridge, Hohenshelt, and Johannesen). Since this item required a $\frac{3}{4}$ majority vote of Council in order to pass, it is considered to have failed.

3. Discuss and consider an ordinance amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. (2nd reading)

See item #4 below, as the mayor chose to address them both at once.

4. Discuss and consider an ordinance amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. (2nd reading)

Mayor Pruitt moved to approve items #3 and #4. Councilmember Hohenshelt seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

XIII. 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 (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

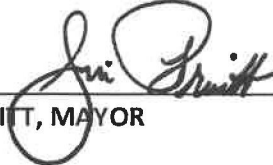
Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 9:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6TH DAY OF MAY, 2019.

ATTEST:



JIM PRUITT, MAYOR



KRISTY COLE, CITY SECRETARY



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, May 06, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 **Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem**
8 **Kevin Fowler, and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels**
9 **and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary**
10 **Smith and Joey Boyd.**

11
12 **Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting**
13 **to go into Executive Session at 6:02 p.m. Pruitt indicated that the city attorney, Frank Garza, is on his**
14 **way and will arrive soon.**

15
16 **II. EXECUTIVE SESSION.**

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

- 19 1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall
20 Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section
21 §551.071 (Consultation with Attorney).
22 2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant
23 to Section 551.087 (Economic Development)
24 3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards,
25 commissions, and committees - specifically the N. TX Municipal Water District (NTMWD)
26 Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074
27 (Personnel Matters)
28 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
29 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
30 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

31
32 **III. ADJOURN EXECUTIVE SESSION**

33
34 **Council recessed Executive Session at 5:54 p.m.**

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

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

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

39 **No action was taken at this time as a result of Executive Session; however, see below for action taken**
40 **as a result of the Executive Session held later in the evening.**

41

42 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

43 **Councilman Daniels delivered the invocation and led the Pledge of Allegiance.**

44

45 **City Attorney Frank Garza arrived to the meeting at this point (6:03 p.m.)**

46 **VII. PROCLAMATIONS**

47 **1. Police Memorial Week**

48 **Assistant Police Chief Kirk Aldridge as well as three police officers from the Rockwall PD came forth and**
49 **accepted this proclamation from Mayor Pruitt.**

50

51 **2. Lyme Disease Awareness Month**

52 **Marni Sensoy, Rockwall Citizen, and one of her comrades from the TX Lyme Alliance came forth and**
53 **accepted this proclamation from the mayor.**

54

55 **3. National Safe Boating Week**

56 **A member of the U.S. Coast Guard Auxiliary came forth and accepted this proclamation from Mayor**
57 **Pruitt.**

58 **4. Older Americans Month**

59 **Margie Verhagen, Executive Director of Meals on Wheels Senior Services, came forth with a few**
60 **representatives from her organization. Mayor Pruitt shared that the city fully supports the Meals on**
61 **Wheels program, as there are many older citizens in Rockwall who need assistance and would not eat**
62 **much during the week if it were not for the great services provided by this organization. He then read**
63 **and presented the proclamation for Older Americans Month. Mrs. Verhagen shared that they are on**
64 **track to provide 65,000 meals to older citizens within the community. She thanked the mayor and the**
65 **city for its support of Meals on Wheels' services.**

66 **VIII. OPEN FORUM**

67 **Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and**
68 **speak at this time. There being no one indicating such, he then closed Open Forum.**

69 **IX. CONSENT AGENDA**

70 **1. Consider approval of the minutes from the April 15, 2019 regular city council meeting, and**
71 **take any action necessary.**

72 **2. Z2019-007 - Consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B.**
73 **Davis Jr. for the approval of an ordinance for a Specific Use Permit (SUP) allowing outdoor**
74 **commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a**
75 **1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall,**
76 **Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay**

(IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(2nd Reading)**.

3. **Z2019-008** - Consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary **(2nd Reading)**.
4. Consider authorizing the City Manager and subcommittee to begin planning work with local Arts and Historical organizations related to hotel occupancy tax projects, and take any action necessary.
5. Consider authorizing the City Manager to execute an interlocal agreement with Dallas County for Law Enforcement Sharing via the Dallas County Adult Information System for use by Rockwall Fire Department when conducting fire investigations, and take any action necessary.
6. **P2019-018** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.
7. **P2019-019** - Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.
8. Consider approval of a Hotel Occupancy Tax subcommittee recommendation for funding \$1,400 for the Rockwall Area Chamber of Commerce bid for the TCCE conference, and take any action necessary.
9. Consider approval of a resolution authorizing an update to the impact fee program for roadway, water, and wastewater facilities and appointing a Capital Improvements Advisory Committee (CIAC), and take any action necessary.
10. Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed \$79,420., to be funded by the General Engineering Services Budget, and take any action necessary.
11. Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.

119 Councilmember Trowbridge made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7,
120 8, 9, 10 and 11). Councilman Daniels seconded the motion. The ordinances were read as follows:

121
122 CITY OF ROCKWALL
123 ORDINANCE NO. 19-20
124 SPECIFIC USE PERMIT NO. S-206
125

126 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
127 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE
128 CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
129 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL*
130 *AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN
131 EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS
132 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL
133 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR
134 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED
135 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
136 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
137 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

138
139 CITY OF ROCKWALL
140 ORDINANCE NO. 19-21
141

142 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
143 AMENDING *ORDINANCE NO. 17-64* & PLANNED DEVELOPMENT DISTRICT 32 (PD-
144 32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE*
145 *NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO
146 APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR
147 PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND
148 TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF
149 ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED
150 HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR
151 A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS*
152 (*\$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
153 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
154

155 The motion passed unanimously of those present (7 ayes to 0 nays).
156

157 **X. APPOINTMENT ITEMS**

- 158 1. Appointment with the city's Youth Advisory Council (YAC) to hear year-end program report
159 and to recognize graduating high school seniors, and take any action necessary.

160 Rockwall Youth Advisory Council Members, Emily Williams and Brenden Ivey, came forth and briefed
161 the Council on the various meetings, volunteer activities and events that the YAC participated in
162 throughout this past school year. Thereafter, indication was given that six of the city's current YAC
163 members are graduating high school. Each of them was then recognized and congratulated by
164 Councilmen Trowbridge and Fowler as well as City Secretary Kristy Cole. No action was taken by Council
165 concerning this agenda item.
166
167
168

169 **XI. ACTION ITEMS**

170 **1. Z2019-006** - Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on
171 behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an ordinance for
172 a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI)
173 District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No.
174 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot
175 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned
176 Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any
177 action necessary **(2nd Reading)**.

178
179 **Mayor Pruitt indicated that this item appears under 'Action Items' this evening since it did not receive**
180 **a unanimous approval vote upon first reading at the last council meeting. Councilmember Johannesen**
181 **then moved to approve the ordinance for Z2019-006. Councilman Hohenshelt seconded the motion.**
182 **The ordinance was read as follows:**

183 **CITY OF ROCKWALL**
184 **ORDINANCE NO. 19-19**
185 **SPECIFIC USE PERMIT NO. S-207**
186

187 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
188 **AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE**
189 **CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND**
190 **THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING**
191 **STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI)**
192 **DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF**
193 **THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE**
194 **R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1,**
195 **INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY,**
196 **TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE;**
197 **PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE**
198 **NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**
199 **OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
200 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

201 **The motion passed by a vote of 5 ayes to 2 nays (Macalik and Trowbridge).**

202 **2.** Discuss and consider granting permission for an alcohol waiver associated with the City's May
203 18, 2019 Founders Day Festival at Harry Myers Park in accordance with Chapter 30, Article I,
204 Sec. 30 -2, "Regulated Activities in Parks" of the Code of Ordinances, and take any action
205 necessary.

206 **Councilman Johannesen moved to approve this request and grant the waiver. Councilmember**
207 **Hohenshelt seconded the motion, which passed by a vote of 5 ayes with 2 nays (Pruitt and Daniels).**

208
209 **3.** Discuss and consider submitting two nominees for a possible award for an outstanding senior
210 who is making a difference in our senior community at the request of Meals on Wheels Senior
211 Services, and take any action necessary.

212 Councilman Trowbridge suggested that Bob Wacker be nominated. Councilmember Macalik suggested
213 nominating either Tom Dortch, indicating he is very involved with the N TX Food Bank or Cindy Lindley
214 who is involved with the Child Advocacy Center. Following brief comments, Councilman Trowbridge
215 moved to submit Mr. Wacker and Mrs. Linley as nominees. Councilmember Macalik seconded the
216 motion, which passed by a vote of 7 ayes to 0 nays.

217
218 At 7:07 p.m., Mayor Pruitt recessed the public meeting to return to Ex. Session to discuss items below.
219

220 **XII. CITY MANAGER’S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
221 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
222 **MATTERS.**

- 223
224 **1. Departmental Reports**
225 Building Inspections Monthly Report - March 2019
226 Fire Department Monthly Report - March 2019
227 GIS Division Monthly Report - March 2019
228 Harbor PD Monthly Report - March 2019
229 Internal Operations Department Monthly Report - March 2019
230 Meals on Wheels, Senior Services Quarterly Report
231 Police Department Monthly Activity Report - March 2019
232 Recreation Monthly Report - March 2019
233 Rockwall Animal Adoption Center Monthly Report - March 2019
234 STAR Transit Monthly Report - March 2019

235 **2. City Manager’s Report**
236

237 **XIII. EXECUTIVE SESSION**

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

- 240 **1.** Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall
241 Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section
242 §551.071 (Consultation with Attorney).
243 **2.** Discussion regarding Economic Development prospects, projects, and/or incentives pursuant
244 to Section 551.087 (Economic Development)
245 **3.** Discussion regarding nominee(s) and (re)appointments to city regulatory boards,
246 commissions, and committees - specifically the N. TX Municipal Water District (NTMWD)
247 Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074
248 (Personnel Matters)
249 **4.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
250 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
251 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
252

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

254 Council recessed from Executive Session and Mayor Pruitt called the public meeting back to order at
255 7:40 p.m. Councilmember Hohenshelt then moved to adopt a resolution nominating Bill Lofland for the
256 current vacancy on the Rockwall Central Appraisal District Board (RCAD). Councilman Trowbridge
257 seconded the motion, which passed by a vote of 7 ayes to 0 nays.

258
259 Mayor Pro Tem Fowler moved to appoint Chip Imrie to serve on the North Texas Municipal Water
260 District Board (NTMWD) for a two-year term (June 1, 2019 thru May 31, 2021). Councilmember
261 Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays. (Note: Mr. Imrie will be
262 replacing current board member, Bill Lofland).

263
264 **XV. ADJOURNMENT**

265 Mayor Pruitt adjourned the meeting at 7:43 p.m.

266

267 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20TH DAY OF**
268 **MAY, 2019.**

269

270 **ATTEST:**

271



JIM PRUITT, MAYOR

272

273 

KRISTY COLE, CITY SECRETARY



MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 20, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were Assistant City Manager Joey Boyd and the city's legal counsel, Patrick Lindner. City Manager Rick Crowley, Assistant City Manager Mary Smith and City Attorney Frank Garza were absent from the meeting. Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II. 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 appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

The City Council came out of Executive Session at 5:56 p.m.

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

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

V. SWEARING IN OF NEWLY ELECTED MAYOR AND CITY COUNCIL MEMBERS

Associate Judge of the Rockwall Municipal Court, Matt Scott, came forth and administered Oaths of Office to newly elected Mayor Jim Pruitt and newly elected Council Member for Place 3, Kevin Fowler. Municipal Court Judge David Mallard came forth and administered Oaths of Office to Council Member for Place 1, Bennie Daniels and Council Member for Place 5, Dana Macalik.

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

38 Mayor Pro Tem Fowler moved to name Dana Macalik as the new Mayor Pro Tem for the next twelve
39 months. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0
40 nays.

41 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESSEN**

42 Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

43 **VIII. PROCLAMATIONS**

44 **1. Rockwall ISD Culinary Team Celebration Day**

45 Mayor Pruitt called forth the team and its teacher/advisor, Cody Hayes. He then presented them with
46 this proclamation in recognition of the team recently attaining 1st Place in a national culinary
47 competition that was held in Washington, D.C.
48

49 **2. Presentation of "Best Practices in Law Enforcement" Award to Rockwall Police Department**
50 **by Chief Jim Spivey of the Richardson Police Department**

51 Chief Spivey came forth and presented this "Best Practices" award to Rockwall Police Chief Kirk Riggs
52 and the Rockwall Police Department. Indication was given that this is the third time the RPD has
53 attained this high honor.

54 **3. Public Works Week**

55 City Engineer/Director of Public Works, Amy Williams came forth with several of her staff members
56 from the streets, water, and wastewater departments. Mayor Pruitt then read and presented them
57 with this proclamation. He thanked the staff members in these departments for all the hard work they
58 do and the services they provide to citizens.

59 **IX. OPEN FORUM**

60 Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and
61 speak at this time.

62 Jim Turner, 1691 E. Old Quail Run Road, came forth and expressed concern over his recycling not being
63 picked up four times in recent memory. He believes the city's recycling program has regressed. Also,
64 he has concerns about drainage issues that continue to get worse, especially in creeks and areas around
65 his property. He encouraged the city to put a comprehensive drainage plan together to mitigate
66 drainage concerns and prevent future, potential dam failures. He believes the drainage concerns near
67 him currently only impact a small handful of properties; however, he fears the drainage problems will
68 eventually adversely affect the city as a whole.

69 There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.

70

71

72 **X. CONSENT AGENDA**

73 1. Consider approval of the minutes from the May 6, 2019 regular city council meeting, and take
74 any action necessary.

75 2. Consider authorizing the mayor to execute agreements for Municipal Court Judge and
76 Associate Municipal Court Judge and related services, and taken any action necessary.

77 **Councilman Fowler moved to approve the Consent Agenda (#s 1 and 2). Councilmember Trowbridge**
78 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

79

80 **XI. APPOINTMENT ITEMS**

81 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
82 regarding cases on the agenda and related issues and take any action necessary.

83

84 **Chairman of the Planning & Zoning Commission, Johnny Lyons, came forth and briefed the Council on**
85 **recommendations of the Commission relative to planning-related items on tonight's meeting agenda.**
86 **Council took no action as a result of this agenda item.**

87

88 **XII. PUBLIC HEARING ITEMS**

89 1. **Z2019-009** - Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam
90 Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the
91 approval of an ordinance for a Specific Use Permit (SUP) allowing a restaurant less than 2,000
92 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of
93 the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
94 District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North
95 Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any
96 action necessary **(1st Reading)**.

97 **Planning Manager, David Gonzales, provided background information pertaining to this agenda item,**
98 **indicating that Bonafide Betties Pie Company is currently located at 103 S. San Jacinto Street, but the**
99 **business is planning to relocate to a larger facility at 505 N. Goliad Street. This location is within Planned**
100 **Development District 50 (PD-50). The Residential Office (RO) District, which is the underlying zoning**
101 **designation for Planned Development District 50 (PD-50), requires a Specific Use Permit (SUP) for a**
102 **restaurant with additional restrictions that stipulate the restaurant be less than 2,000 SF and not have**
103 **a drive-through or a drive-in. The proposed restaurant is a limited service restaurant, and parking for**
104 **the facility will be calculated at one (1) parking space per 250 SF of area. This means the restaurant**
105 **would require eight (8) parking spaces [1916 SF/250 SF = 8 Parking Spaces]. Based on size of the site**
106 **and the area taken up by the existing single-family home, the applicant is only able to incorporate a**
107 **total of seven (7) parking spaces on-site. Staff has included an operational condition allowing the**
108 **reduced number of parking spaces. Staff has also included operational conditions requiring the**

109 installation of a minimum six (6) foot tall, board-on-board, wood fence to be constructed along the
110 western property boundary, floor be used only for storage purposes. These have been included as
111 conditions of approval in the SUP ordinance. Staff mailed out 34 notices to property owners within 500'
112 of the subject property. Staff received a total of four notices back and two emails in favor of the
113 request. Also, the Planning & Zoning Commission has unanimously recommended approval of this
114 request.

115
116 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
117 time. There being no one indicating such, he then closed the public hearing.

118
119 Councilman Trowbridge moved to approve Z2019-009 with staff recommendations. Mayor Pro Tem
120 Macalik seconded the motion. The ordinance was read as follows:

121
122 CITY OF ROCKWALL
123 ORDINANCE NO. 19-XX
124 SPECIFIC USE PERMIT NO. S-XXX
125

126 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
127 AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-
128 19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY
129 OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
130 SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESTAURANT LESS THAN 2,000
131 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN FACILITY ON A 0.23-ACRE PARCEL
132 OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR
133 RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS
134 BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY,
135 TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR
136 FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR
137 EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
138 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

139
140 The motion passed by a vote of 7 ayes to 0 nays.

- 141
142 2. Z2019-010 - Hold a public hearing to discuss and consider a request by Dwayne Cain of EVSR
143 (D), LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a guest
144 quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre
145 portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton
146 Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)
147 District, addressed as 777 & 839 Cornelius Road, and take any action necessary (1st Reading).

148 Planning Manager David Gonzales provided background information pertaining to this agenda item. He
149 explained that, currently, there is a single-family home on the subject property and the applicant is
150 requesting approval of a Specific Use Permit (SUP) to allow a guest quarters/secondary living unit and
151 barn or agricultural building in conjunction with this structure. The structure will be ~4,950 SF in total
152 size, with ~576 SF being dedicated to the guest quarters/secondary living unit. The proposed building
153 will be situated behind the main structure, have four (4) roll-up garage doors, and be clad with metal
154 on the exterior. The proposed building will primarily serve as storage for vehicles/equipment and
155 contain a small bathroom with a shower. He went on to share that on May 1, 2019, staff mailed 16

156 notices to property owners and residents within 500-feet of the subject property. There are no
157 Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject
158 property participating in the Neighborhood Notification Program. At the time this report was written,
159 staff had received four (4) notices in favor of this request (all from Mr. Cain, as he is the owner of the
160 surrounding properties). On May 1, 2019, staff mailed 16 notices to property owners and residents
161 within 500-feet of the subject property. There are no Homeowner's Associations
162 (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the
163 Neighborhood Notification Program. At the time this report was written, staff had received four (4)
164 notices in favor of this request.

165
166 Mr. Dwain Cain - 305 Stonebridge Rockwall, TX – (the applicant) came forth and provided brief
167 comments pertaining to this request, generally asking the Council to act favorably to approve this
168 request.

169
170 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There
171 being no one indicating such, he then closed the public hearing.

172
173 Mayor Pro Tem Macalik moved to approve Z2019-010. Councilmember Daniels seconded the motion.
174 The ordinance was read as follows:

175 CITY OF ROCKWALL
176 ORDINANCE NO. 19-XX
177 SPECIFIC USE PERMIT NO. S-XXX
178

179 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
180 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF
181 ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO
182 GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST*
183 *QUARTERS/SECONDARY LIVING UNIT AND BARN OR AGRICULTURAL*
184 *ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A
185 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND,
186 IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72,
187 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL
188 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF
189 TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
190 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
191 AN EFFECTIVE DATE.

192
193 The motion passed by a vote of 7 ayes to 0 nays.

- 194
195 **3. Z2019-011** - Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC,
196 LTD for the approval of an ordinance amending the development standards contained in
197 Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre
198 tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A,
199 First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas,
200 zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses,
201 situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of

202 the intersection of Ridge Road [FM-740] and White Road, and take any action necessary (1st
203 Reading).

204 Planning Manager David Gonzales provided background information pertaining to this agenda item.
205 The applicant is requesting to amend the development standards contained in Planned Development
206 District 47 (PD-47) [Ordinance No. 99-17]. Specifically, the applicant is requesting three (3) changes to
207 the ordinance. These changes are as follows:

- 208 1) The minimum masonry requirement be 60% with all lap-siding being a cementitious fiber material
- 209 (e.g. HardiBoard or HardiPlank);
- 210 2) The maximum lot coverage be 55%, and
- 211 3) Front-facing garages be allowed provided they are set back a minimum of 20-feet from the front
- 212 facade of the structure.

213
214 On May 1, 2019, staff mailed 123 notices to property owners and residents within 500-feet of the
215 subject property. Additionally, staff notified Spyglass Phases 2 & 3, the Rainbow Lakes, Chandler's
216 Landing, and Foxchase Homeowner's Associations (HOA's), which are the only HOA's/Neighborhood
217 Associations within 1,500-feet of the subject property and participating in the Neighborhood
218 Notification Program. At the time this report was written, staff had received two (2) notices in favor,
219 one (1) notice in opposition, and one (1) email in favor of the request, with the exception of the front-
220 facing garages. In addition, the Planning & Zoning Commission has recommended approval of this item
221 by a vote of 4 ayes to 1 nay (Womble).

222
223 Scott Lewis – 900 Heathland Crossing, Heath, TX – (the applicant) came forth and addressed the Council
224 at this time. He went on to explain additional details and clarify the nature of this request.

225
226 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
227 time.

228
229 Dennis Denney – 162 Meadowlark Circle, Rockwall, TX – came forth and indicated that he represents
230 the First Christian Church (located at 3375 Ridge Road). He went on to provide brief comments
231 pertaining to Ordinance 99-53, expressing that he does not want his church to lose the ability to operate
232 'as is.' Planning Manager David Gonzales clarified that nothing will be changing in this regard.

233
234 Bob Wacker – 309 Featherstone, Rockwall, TX – came forth and provided comments pertaining to this
235 request. He indicated that when he served on the city's Comprehensive Plan Review Committee, he
236 was generally against front-entry garages. He shared that, even with three car garages, people still park
237 in driveways. He wonders if the garages could be pushed back another 5' from the front property line.

238
239 Jeff Macalik – 6102 Volunteer Place, Rockwall, TX – came forth and expressed concern about this
240 request. He indicated that he is involved in the HOA of Chandler's Landing, and he does not believe the
241 HOA would be in favor of some aspects of this request (however, the Chandler's HOA was not actually
242 within the notification area associated with this application). He generally spoke in opposition of this
243 request.

244
245 There being no one else indicating a desire to come forth and speak at this time, Mayor Pruitt then
246 closed the public hearing.

247
248 Councilmember Trowbridge suggested the Council consider limiting the front entry garages. He also
249 believes the requested 'coverage' does in fact relate to density, and he generally has some concern
250 about this.

251
252 Indication was given that all of the lots are 80' lots. The applicant came forth again and answered
253 several questions of Council (related to 'coverage,' square footage, lot size, setbacks, front entry
254 garages, front facades, j-swing garages, etc.).

255
256 Councilmember Hohenshelt moved to allow 40% front entry and 60% j-swing garages associated with
257 this request. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with
258 1 nay (Pruitt).

259
260 Councilmember Hohenshelt then moved to have the PD amendment reflect a 55% lot coverage.
261 Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 against
262 (Trowbridge and Pruitt).

263
264 Councilmember Hohenshelt moved to allow the PD amendment for the hardboard requirement, as
265 presented (from 80% to 60%). Councilmember Trowbridge seconded the motion, which passed by a
266 vote of 5 ayes with 2 against (Pruitt and Daniels).

267
268 The ordinance caption was read as follows:

269
270 CITY OF ROCKWALL
271 ORDINANCE NO. 19-XX

272
273 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
274 TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47)
275 [ORDINANCES 99-17 AND 07-04] AND THE UNIFIED DEVELOPMENT CODE
276 [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE
277 AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED
278 WITH ORDINANCE NO. 99-17, BEING A 14.4712-ACRE TRACT OF LAND
279 IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207
280 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST
281 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED
282 PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY
283 DEPICTED HEREIN BY EXHIBIT 'A' AND DESCRIBED HEREIN BY EXHIBIT
284 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY
285 OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
286 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
287 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
288 EFFECTIVE DATE.

289
290 XIII. ACTION ITEMS

291 1. Discuss and consider a request from Casey and Andrea Burke for a special permit on a front
292 yard fence to be located at 1406-A Ridge Road, and take any action necessary.

293 Building Official Jeffrey Widmer came froth and briefed the Council on this front yard fence request. He
294 shared that no notices are required to be sent to adjacent property owners; however, the Burke's have

295 gone to their neighbors and have received indication that they do not object to this request for a front
296 yard fence.

297
298 Dean Cathey - 3066 Rochelle Road – and Mr. and Mrs. Burke – 1406-A Ridge Road – came forth to speak
299 to the Council. Mr. Burke indicated they have lived on Ridge Road for fifteen years. They recently built
300 a new home, and the apartment complex across the street is causing car headlights to shine into their
301 living room. For this reason, they are requesting approval of a front yard fence. They went on to further
302 explain their request and show photos of the lot, the home, a shed on the property and the type of
303 fence they are requesting to construct. The fence would be 8’ tall; however, due to elevation abutting
304 the street, it will actually appear to be 5’ tall.

305
306 Mr. Widmer clarified that the city’s current standards for front yard fences are 48” wrought iron on 42”
307 wood fence heights.

308
309 Councilmember Fowler expressed concern that the proposed wood fence may make the home look like
310 a ‘compound.’ Also, he fears that eventually every residential home along this stretch of Ridge Road
311 may end up wanting to install a masonry or wooden front yard fence, and that may result in inhibiting
312 lake views along that stretch of roadway.

313
314 Following the dialogue between Council and the Burke’s, Mayor Pruitt waited to see if any member of
315 Council wanted to make a motion pertaining to this request. No one offered a motion.

316
317 Mayor Pruitt then called for a break and recessed the public meeting at 7:36 p.m. He then reconvened
318 the meeting at 7:43 p.m.

319
320 Mayor Pruitt asked if anyone would like to make a motion concerning this agenda item. Since there
321 was no motion made, the item “died” for lack of a motion.

322
323 **2.** Discuss and consider bike lanes on John King Boulevard, and take any action necessary.

324 Indication was given that Councilman Trowbridge requested this item for tonight’s agenda. He pointed
325 out that John King is currently a city-owned street, and he wonders if John King has bike lanes currently,
326 and if it will have bike lanes in the future once TxDOT takes it over.

327
328 In the interim, when TxDOT takes it over, there will only be two lanes at 12’ each. The ultimate build
329 out of this road way will have three lanes in both directions, and they will have a shared bike lane. The
330 outside lanes that will be closest to the sidewalk will be 14’ wide instead of 11’ or 12’. Current TxDOT
331 standards call for either a dedicated or a shared bike lane.

332
333 No action was taken concerning this agenda item and associated, brief discussion.

334 **XIV. EXECUTIVE SESSION**

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

337 **1.** Discussion regarding appointment of city council subcommittees, board liaisons and
338 designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)

- 339 2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall
340 Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section
341 §551.071 (Consultation with Attorney).
342 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
343 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
344 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

346 Council did not reconvene in Executive Session following the close of the public meeting agenda.

347 **XVI. ADJOURNMENT**

348 The meeting was adjourned at 7:47 p.m.
349
350

351 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF
352 JUNE, 2019.

353
354 ATTEST:
355



JIM PRUITT, MAYOR

356 
357 KRISTY COLE, CITY SECRETARY



ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 03, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Macalik called the meeting to order at 5:00 p.m. with the following council members and staff being present: Mayor Pro Tem Dana Macalik, Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen as well as City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt arrived to the meeting and joined Executive Session at 5:06 p.m.

II. 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 purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:56 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilman Trowbridge spoke brief words of remembrance for recent victims of a city-related shooting that occurred in the City of Virginia Beach. He then delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

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

Kevin Hadawi
723 Turtle Cove Boulevard
Rockwall, TX

Mr. Hadawi came forth and shared that he recently moved to Rockwall in October. He is concerned about the proposed religious facility that may be constructed near the Turtle Cove subdivision in which he lives. He is concerned that this - one of the last, valuable pieces of property - may end up being a non-profit, non-tax paying building.

There being no one else wishing come forth, the mayor closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the May 20, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of a contract for professional engineering services with Cardinal Strategies Engineering Services, LLC to perform the Squabble Creek Watershed Hydrologic & Hydraulic Update Phase 1 in an amount not to exceed \$105,000, to be paid for from the Engineering Consulting Budget, and take any action necessary.
3. **Z2019-009** - Consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary **(2nd Reading)**.
4. **Z2019-010** - Consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary **(2nd Reading)**.
5. Consider approval of a Cooperative Purchasing Agreement with the City of Mesquite and bid award to Phillips Lawn Sprinkler Co. for \$25,000 for Northshore Park irrigation project from Recreation Development Fund authorizing the City Manager to execute the Coop Agreement and Irrigation Contract and take any action necessary.
6. Consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of a resolution abandoning the right-of-way for Aluminum Plant Road being a 0.40-acre tract of land situated within the R. Ballard Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, and take any action necessary.

7. **P2019-020** - Consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of replat for Lot 2, Block A, RISD Elementary School Addition being a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.
8. **P2019-021** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Greencrest TPS Hotel, LP for the approval of a final plat of Lots 1-3, Block A, Town Place Marriott Addition being an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.
9. **P2019-022** - Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lot 5, Block A, Harbor Village Addition, being a 2.12-acre tract of land currently identified as Lot 3, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located on the south side of Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Mayor Pruitt pulled item #2 for further discussion. Mayor Pro Tem Macalik moved to approve the Consent Agenda, minus item #2 (#s 1, 3, 4, 5, 6, 7, 8, and 9). Councilman Trowbridge seconded the motion. The ordinances were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-22
SPECIFIC USE PERMIT NO. S-208**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK 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. 19-23
SPECIFIC USE PERMIT NO. S-209**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST QUARTERS/SECONDARY LIVING UNIT AND BARN OR AGRICULTURAL ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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.

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

Regarding Consent Agenda item #2, Mayor Pruitt generally expressed concern about the city spending this much money on a study of this nature. Indication was given that this study, in part, is taking place in order to update the hydraulic study on the existing Squabble Creek Watershed. Ms. Williams, City Engineer, explained that this study will produce information that may be used, for example, by residents who would like to work with FEMA to be removed from the floodplain. This will help those individuals with their insurance premiums. Mr. Crowley further explained that this study will help determine if and how future structures or building will adversely impact the watershed. Mr. Garza, city attorney, indicated that the city could not require developers to do flood control in the future if our study is not up-to-date. Mr. Crowley shared that this type of study will eventually have to be done on each watershed within the city. Mayor Pruitt's concerns generally seemed to relate to the high cost of this study and his belief that the 'return' the city will receive will generally not justify the cost.

Councilmember Fowler moved to approve Consent Agenda item #2. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 against (Pruitt and Macalik).

IX. APPOINTMENT ITEMS

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

Indication was given that this item was not necessary this evening, so it was not discussed/addressed.

X. ACTION ITEMS

1. **22019-011** Discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an ordinance amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary **(2nd Reading)**.

Mr. Miller shared that this item was placed as an "Action Item" this evening rather than "Consent" because it did not receive unanimous approval during first reading at the last council meeting. Indication was given that this version does reflect the modifications to the garages that were discussed at the last council meeting. Councilmember Hohenshelt then moved to approve Z2019-011. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-24**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [ORDINANCES 99-17 AND 07-04] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 99-17, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY EXHIBIT 'A' AND DESCRIBED HEREIN BY EXHIBIT 'B'; 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.

The motion passed by a vote of 6 ayes with 1 against (Pruitt).

2. Discuss and consider a request from Butch Clarke of Alpha Graphics and representatives from Texas Health Presbyterian Hospital for an approval of a sign plan located at 3150 Horizon Road, and take any action necessary.

Building Official Jeffrey Widmer provided brief, introductory comments concerning this agenda item. Mr. Clarke then came forth with a representative of Presby Hospital. They generally expressed that this updated, proposed sign is being brought forth so that the signage is more visible and in response to the hospital's campus, which has grown a lot since the hospital initially opened. Also, this updated signage aligns with Presbyterian Hospital's updated, new brand standards.

Mr. Widmer came forth and clarified what the city's current sign ordinance allows for regarding both signage that abuts a public roadway (an entry sign) and signage that is interior, located onsite (not adjacent to a roadway). City Manager Rick Crowley asked Mr. Widmer to walk the city council members through each of the proposed, eight signs so there is a clear understanding on what's being requested.

Councilmember Hohenshelt moved to approve the sign plan with the maximum height of each sign be granted at 10' tall. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider a resolution repealing Resolution No. 17-23 and approving Resolution 19-15 to establish an updated fee schedule for Permit, Health and Misc. Fees, for the city, and take any action necessary.

Building Official Jeffrey Widmer provided background information concerning this agenda item. Following brief discussion, Councilmember Johannesen moved to approve the resolution. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider filling a vacancy on the city's Architectural Review Board, and take any action necessary.

Councilmember Daniels moved to appoint Derek Deckard to fill a vacancy on the Architectural Review Board for a term that will expire in August 2020 (replacing Adan Tovar). Councilman Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - April 2019
GIS Division Monthly Report - April 2019
Harbor PD Monthly Report - April 2019
Internal Operations Department Monthly Report - April 2019
Police Departments Monthly Activity Report-April 2019
Recreation Monthly Report - April 2019
Rockwall Animal Adoption Center Monthly Report - April 2019
Rockwall Fire Department Monthly Report - April 2019
STAR Transit Monthly Report - April 2019

2. City Manager's Report

City Manager Rick Crowley commented that a small tornado caused minor damage at the city's Tuttle ballfields last week.

XII. 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 purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)

3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

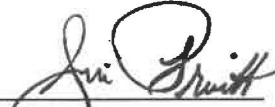
Mayor Pruitt adjourned the meeting at 6:37 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 17TH DAY OF JUNE, 2019.

ATTEST:



KRISTY COLE, CITY SECRETARY



JIM PRUITT, MAYOR



ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 17, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Macalik called the public meeting to order at 5:19 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Councilmembers Bennie Daniels and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmember John Hohenshelt was absent from the entire meeting. Councilmember Patrick Trowbridge arrived to the meeting during Public Hearing Item #1 at 6:15 p.m. as noted below.

Mayor Pro Tem Macalik then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:20 p.m.

II. 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 legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:55 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. (Councilmembers Patrick Trowbridge and John Hohenshelt were absent from the meeting).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Indication was given that no action was needed as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

No proclamations took place.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. CONSENT AGENDA

- 1. Consider approval of the minutes from the June 3, 2019 regular city council meeting, and take any action necessary.**
- 2. Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a Purchase Order for Lift Station Wet Well Lining Project in the amount of \$68,390 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.**
- 3. Consider approval of a facility use agreement at Gloria Williams Pool between the City and the Rockwall YMCA for the purposes of providing swim lessons to members of the Boys and Girls Club, and take any action necessary.**
- 4. P2019-024 - Consider a request by Charles Corbett for the approval of a vacating plat establishing Lots 17 & 18, Block B, Lago Vista Addition being a 1.09-acre parcel of land currently identified as Lot 19, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for single family land uses, addressed as 2835 Marcie Lane, and take any action necessary.**

Councilmember Daniels moved to approve the entire Consent Agenda (#s 1, 2, 3, and 4). Councilmember Johannesen seconded the motion, which passed unanimously of those present (5 ayes with 2 absences (Trowbridge and Hohenshelt)).

X. APPOINTMENT ITEMS

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

Eric Chodun of the city's Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to items on tonight's meeting agenda. No discussion or action took place following Mr. Chodun's briefing.

XI. PUBLIC HEARING ITEMS

- 1. Z2019-012 - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the**

intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Specifically, the development will include 17 lots that will be a minimum of 120' x 200' and 23 lots that will be a minimum of 130' x 400'. Of the 40 proposed lots 39 of the lots will range in size from 43,560 SF (*i.e. one [1] acre*) to 65,340 SF (*i.e. one and one half [1½]-acres*). There will be one (1) lot that will be 235,299 SF (*i.e. ~ five and one half [5½] acres*). The proposed minimum size of each dwelling unit (*i.e. air conditioned space*) will be 2,500 SF. The applicant has stated that the homes will be custom homes and will vary from lot to lot. The product will also be a rural style estate lot, which will incorporate a rural-local roadway (*i.e. will not be curb and gutter*) and a minimum front yard setback of 70-feet. The proposed housing product will have a minimum masonry requirement of 80%, with up to 50% cementitious fiberboard horizontal lap siding (*e.g. HardiBoard or Hardy Plan*) and stucco (*i.e. three [3] part stucco or a comparable product -- to be determined by staff*) being permitted. The proposed housing product conforms to the City's minimum masonry and anti-monotony requirements and will allow both *traditional swing (i.e. j-swing)*, side entry, and flat front entry (*i.e. setback behind the width of the double car garage that is access from the traditional swing configuration*) garage configurations. All garage doors will incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be determined by staff*). The development will incorporate less than the required 20% open space; however, it will have a 30-foot landscape buffer adjacent to FM-3549 that will incorporate ground cover, a built-up berm and/or shrubbery -- *or a combination thereof* -- and trees and a five (5) foot sidewalk along the entire frontage. In addition, the applicant has stated that by virtue of the development incorporating larger lots without stockade or solid fencing, it will achieve the same feel as more dense developments that incorporate the required 20% open space. The proposed Planned Development District will be subject to the land uses and requirements stipulated for the Single-Family 1 (SF-1) District unless specifically called out in the Planned Development District ordinance.

Mr. Miller shared that thirteen notices were sent out to owners and occupants located within 500' within the city limits. To date, staff has received no responses back. In addition, the Planning & Zoning Commission has recommended approval of this request.

Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.

Ryan Joyce
1189 Waters Edge Drive
Rockwall, TX 75087

Mr. Joyce, the applicant came forth and addressed the Council, explaining that this development was birthed when he and his wife were searching for a place to build a home on a 1 acre lot. He has been a developer for a number of years but mainly in Austin. He went on to share additional details pertaining to his proposed development.

Councilmember Trowbridge arrived to the meeting at this point (at 6:15 p.m. during Mr. Joyce's comments).

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forth and expressed concerns related to drainage if this tract of land is developed.

City Engineer Amy Williams provided brief comments pertaining to drainage-related studies and requirements to which the applicant will need to adhere.

City Manager Rick Crowley commented that when the Council has previously approved 1 acre lots on septic, Rockwall County has indicated that the county may not be able to include new lots in the county's inspections program. He cautioned the Council that the city may need to develop its own inspection program; however, he does not believe this will be problematic or too concerning. He just wanted to make the Council aware of this possibility; however, he does not believe this should be a deciding or limiting factor in the Council's decision making this evening.

Councilmember Johannesen asked if the Council is only voting on zoning or if the plan itself is also being approved. Mr. Miller pointed out that the plan is included as an exhibit to the proposed ordinance.

Councilman Johannesen moved to approve Z2019-012. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___

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 CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT SF1 (PD-XX) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; 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.

The motion passed by a vote of 5 ayes with 1 absence (Hohenshelt), and 1 not voting/abstaining (Trowbridge).

2. **Z2019-013** - Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information concerning this agenda item. On May 15, 2019, the applicant -- Jimmy Strohmeyer of Strohmeyer Architects, Inc. -- submitted an application requesting to amend Ordinance No. 14-51 to change the PD Concept Plan approved for the subject property. According to Ordinance No. 17-22 [the regulating ordinance for Planned Development District 32 (PD-32)], the purpose of a PD Development Plan is to ensure that a proposed development meets the

intent of the subdistrict and/or to address any waivers required by the development. Ordinance No. 17-22 goes on to state that the Hillside Subdistrict, in which the subject property is located, is intended "... to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District." In this case, the applicants proposed development meets this intent of the Hillside Subdistrict; however, the submitted Plan will require waivers to the building placement and parking requirements stipulated in Ordinance No. 17-22.

Notices were sent out to property owners and residents located within 500' as well as the HOA's (homeowners association(s)).

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. The applicant then came forth to speak.

Jimmy Strohmeyer
2701 Sunset Ridge
Suite 607
Rockwall, TX 75032

Mr. Strohmeyer came forth and provided additional information to the Council concerning his requests. Council then spoke with staff concerning the parking requirements and associated waiver that is being requested.

Councilmember Trowbridge commented that he likes the slope and how this will cause this area to appear to "step down" as you approach IH-30.

Councilmember Fowler expressed some concern about the parking and patrons that will be walking uphill and downhill to and from the parking areas.

Councilmember Johannesen moved to approve Z2019-013. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-__**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 14-51 & 17-22 OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT 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.

The motion passed by a vote of 6 ayes with 1 absent (Hohenshelt).

XII. ACTION ITEMS

1. Hear update and discuss and consider city strategic planning, and take any action necessary.

Mayor Pruitt opened this discussion by sharing his thoughts regarding citywide strategic planning, including topics he believes the city should focus on moving forward throughout his last term as mayor. His comments were as follows:

I want to thank our Rockwall City Staff under the leadership of City Manager Rick Crowley for taking the City, over the past five years that I have been Mayor, to a new level of professionalism. I also want to thank my fellow council members who have worked tirelessly in making Rockwall not just a city, but a community. I look forward to serving you for my last term as Mayor of this dynamic growing community, and want to share some of my visions for the upcoming term.

FISCAL RESPONSIBILITY - *We must continue to concentrate on fiscal responsibility that focuses on the growth in expenditures. Keeping expenditures in check will guarantee a tax rate reflective of the conservative views of this Council. I am proud that the tax rate in our City has decreased to the effective rate for each of the years I have been your Mayor and I am confident this will be the case again this year.*

RESIDENTIAL DEVELOPMENT - *We should continue to encourage developers to increase the quality and size of homes on the remaining developable residential land in our city. Increases in size and quality of homes will add increased taxable valuation.*

BUSINESS DEVELOPMENT - *This city is committed to attracting quality commercial and retail projects. Our Economic Development Corporation must continue to attract great companies like the ones that now call Rockwall home.*

Downtown is a phenomenal place to visit, not just for our residents, but it attracts many to come to Rockwall and attend one of the many events that takes place downtown each week. We must continue to support the Farmer's Market downtown where it has thrived for the past ten years. The San Jacinto Square downtown is a jewel and the concert series that takes place on Thursday, Friday and Saturday nights should be expanded so as to have live music downtown each and every weekend.

The Harbor District has finally gotten on track and is developing into what was envisioned by its creation. Our City invested a large amount of tax money at the Harbor and I believe with the opening of the new condominium projects we will see the Harbor thrive. We have to do a better job in encouraging folks to park in the Trend Tower garage during events at the Harbor. Last Thursday the neighborhood above the Harbor was inundated with attendees parking all the way to the top of the neighborhood due to the large turnout, while the Trend Tower Garage was barely used. Signage must be changed that instructs people entering the Harbor that City parking is available at the Tower. Our taxpayers funded several million dollars for this garage and it should be used.

We also need to decide what are our long-term goals as to the sale or development of the additional property that the City still owns in the district and try to move beyond the barriers of the past. The Harbor is an asset that needs to be enjoyed by our residents. I would encourage our residents to rediscover the Harbor and see what a truly spectacular complex it is.

ROADWAYS/TRANSPORTATION - The council remains committed to improving roadways and transportation. We will continue to partner with Rockwall County to provide relief in this area. The I30 project for expanding the bridge over the lake is proceeding and I expect this project will be an economic game-changer for our City.

Likewise, the John King to State Highway 205 exchange with TXDOT is in the environmental stage and will have the necessary funding to be completed in a few years.

We must also be vigilant about making repairs to existing streets that have deteriorating concrete and asphalt surfaces which are constantly requiring temporary repairs. Planning for major roadway bond projects for rehabilitation of City streets is well underway.

PARKS - The Parks Department has exceeded our expectations and continues to make Rockwall a great place to live, work and play. We should all get behind and energize our efforts to construct a lakeside city park. We are a lakeside community and do not have one city park on the lake for our resident's enjoyment. It is time that we get with Dallas to lease the take-line in the North so we can complete this needed addition to our park system.

We are into a comprehensive study of our athletic facilities and soon we will need to consider what level of these facilities the City can afford.

I have already started a comprehensive assessment of our take-line ordinance. This ordinance passed many years ago does not address certain issues that have arisen concerning construction and access. We must encourage the owners living on the lake to lease the take-line from the City if they want to use it. Many property owners are using the take-line but paying nothing for that opportunity while others pay according to the ordinance. If these owners are not willing to lease the property, then our residents should be allowed to use the property for recreational purposes which are not now possible.

AIRPORT - We must concentrate on obtaining grant finding from TDOT Aviation to correct some serious problems at the Ralph Hall Municipal Airport. We are presently working to obtain land that is needed for these improvements. It is very important that we attract commercial aviation businesses to the airport. With the runway length being fixed, it is very challenging to attract commercial aviation. With the new technologies being developed, drone and helicopter businesses are the type of commercial aviation businesses that we can attract.

VOLUNTEERISM - I once again encourage each citizen to get involved in our City in one of our many volunteer opportunities. If you want to get involved in this city, we will do our very best to find you a spot that gels with your experience level, interests, or available time commitment. It doesn't matter if you have ever been involved before. If you want a voice in this city, come talk to us at city hall or go onto our website www.rockwall.com.

CUSTOMER SERVICE - Our city employees are our best asset. We are in a customer service business – whether you are the water meter reader or a patrol officer. We expect every employee to treat citizens with respect and to do their job as professionally as possible.

Again, I am so honored to be your mayor, and I look forward to working with each of you to keep this the best city in the State of Texas.

Following Mayor Pruitt's comments, City Manager Rick Crowley then came forth and addressed the Council. He provided extensive comments regarding some of the city's past strategic plan-related accomplishments and strategic items that the city may wish to focus on moving forward into the future. The Council took no formal action pertaining to this discussion item.

2. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2020, and take any action necessary

Assistant City Manager / Finance Director Mary Smith briefed the Council on the upcoming budget process and outlook for next fiscal year's budget. She pointed out that the city's effective tax rate may end up being just slightly higher than our current rate. So, keeping the effective tax rate may require a very slight rate increase. Department directors have submitted their budget requests, and city management is currently working through those requests in order to arrive at the ability to present a balanced budget proposal to the Council for consideration later this summer.

General discussion ensued pertaining to projected property tax values. Mr. Crowley indicated that staff will be preparing the budget proposal based on the current tax rate, and then staff and council will move forward from there with the budget process.

XIII. 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 legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

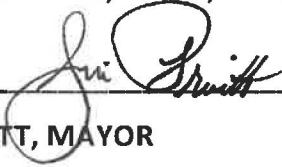
XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Pruitt reminded the public about the upcoming 4th of July parade and fireworks show. He then adjourned the meeting at 7:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1ST DAY OF JULY, 2019.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, July 01, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 **Mayor Pruitt called the public meeting to order at 5:00 p.m. with all council members present (Mayor Jim**
8 **Pruitt, Mayor Pro Tem Dana Macalik, and Council Members Patrick Trowbridge, John Hohenshelt, Kevin**
9 **Fowler, Bennie Daniels and Trace Johannesen). Also present were City Manager Rick Crowley, Assistant**
10 **City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt then read the**
11 **below listed discussion items into the public record before recessing the meeting to go into Executive**
12 **Session.**

13
14 **II. EXECUTIVE SESSION.**

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

- 17 1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall
18 Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as
19 city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section
20 §551.071 (Consultation with Attorney).
21 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations
22 within the city pursuant to Section 551.071 (Consultation with Attorney).
23 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
24 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
25 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
26

27 **III. ADJOURN EXECUTIVE SESSION**

28
29 **Council adjourned from Executive Session at 5:33 p.m.**

30
31 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

32 **Mayor Pruitt reconvened the public meeting at 6:02p.m. with all seven council members being present.**

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

34 **Mayor Pro Tem Macalik made a motion that the city accept TXDOT's offer for the right-of-way near the**
35 **IH-30 service road at T.L. Townsend. Councilmember Hohenshelt seconded the motion, which passed**
36 **unanimously of those present.**

37
38 **Mayor Pro Tem Macalik moved to decline TXDOT's offer for the sale of land near downtown, more**
39 **specifically at 501 N. Goliad. Councilmember Hohenshelt seconded the motion, which passed by a vote**
40 **of 7 ayes to 0 nays.**

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VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VIII. CONSENT AGENDA

- 1. Consider approval of the minutes from the June 17, 2019 regular city council meeting, and take any action necessary.**
- 2. Z2019-012 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary (2nd Reading).**
- 3. Z2019-013 - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an ordinance for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary (2nd Reading).**
- 4. Consider approval of an ordinance amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary (1st reading).**
- 5. Consider approval of a contract for professional engineering services with Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Rehabilitation Project in an amount not to exceed \$52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.**
- 6. Consider approval of the professional engineering services contract for BW2 Engineers, Inc. to perform the engineering design services for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed \$76,000.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.**
- 7. Consider approval of the professional engineering services contract for Teague Nall and Perkins, Inc. to perform the engineering design services for the W. Kaufman Street, N. First Street, and W. Rusk Water Replacement Project in an amount not to exceed \$60,600.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.**
- 8. P2019-027 - Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell Subdivision Addition being a 18.762-acre parcel of land identified as Lot**

83 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light
84 Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District,
85 addressed as 1700 John King Boulevard, and take any action necessary.

- 86 9. **MIS2019-008** - Consider a request by Matthew Mulliken of Mulliken Construction
87 Management, LLC on behalf of Jim Vaudagna of Dallas East for the approval of a parking
88 agreement between two (2) properties identified as Lot 1, Block B & Lot 1, Block C, Rockwall
89 Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
90 District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1280 & 1300 E.
91 Ralph Hall Parkway, and take any action necessary.

92 **Councilmember Johannesen moved to approve the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, and 9).**
93 **Hohenshelt seconded the motion. The ordinance captions were read as follows:**

94
95 **CITY OF ROCKWALL**
96 **ORDINANCE NO. 19-26**

97
98 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
99 **UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS**
100 **HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG)**
101 **DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-87) FOR SINGLE FAMILY 1 (SF-1) DISTRICT**
102 **LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS**
103 **TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL**
104 **COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY**
105 **EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO**
106 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING**
107 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN**
108 **EFFECTIVE DATE.**

109
110 **CITY OF ROCKWALL**
111 **ORDINANCE NO. 19-25**

112 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
113 **ORDINANCE NO. 14-51 & 17-22 OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE**
114 **UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS**
115 **HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR**
116 **RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK**
117 **B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE**
118 **FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING**
119 **FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)**
120 **FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
121 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

122
123 **CITY OF ROCKWALL**
124 **ORDINANCE NO. 19-___**

125
126 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE**
127 **OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE**
128 **MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE**
129 **MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY**
130 **CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

131
132 **The motion passed by a vote of 7 ayes to 0 nays.**

133

134 **IX. APPOINTMENT ITEMS**

135 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
136 regarding cases on the agenda and related issues and take any action necessary.

137

138 **This item was not addressed by Council / no action was taken.**

139

140 **X. PUBLIC HEARING ITEMS**

141 1. **MIS2019-003** - Hold a public hearing to discuss and consider a request by Jose Carmona Lopez
142 for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as
143 Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall,
144 Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-
145 7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

146 **Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He**
147 **explained that this property is located on the east side of the Lake Rockwall Estates subdivision along**
148 **Nichol Drive. This street is not currently served by city wastewater service, and it is difficult to extend**
149 **city service to this property. Notices were sent out to all property owners and residents located within**
150 **200'; however, no notices have been received back by staff.**

151 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.**
152 **There being no one indicating such, he then closed the public hearing.**

153 **Councilmember Trowbridge moved to deny this request. Mayor Pro Tem Macalik seconded the motion.**

154 **Lengthy discussion then took place among council members, generally related to the following: city**
155 **wastewater services, any possible alternatives to this onsite sewage facility, and inspection of septic**
156 **systems within the city (by Rockwall County, the entity that performs inspection services on behalf of the**
157 **city). Mr. Crowley, City Manager, indicated that the county has expressed it will not inspect OSSFs on**
158 **single lots; however, the County has routinely agreed to do inspections on septic systems within the city**
159 **when they are installed to service more than one lot, specifically (and especially) in Lake Rockwall Estates.**
160 **Councilmember Daniels sought clarification regarding if this is or is not an aerobic system. Mr. Miller**
161 **shared that staff is uncertain, as the applicant has not submitted an engineer's report to the city (and is**
162 **not required to do so until during the permitting stage). Lengthy discussion ensued among Council and**
163 **staff pertaining to whether or not a lot of this size (so small) and with the soil type can accommodate a**
164 **septic system. Indication was given that a septic system has to be stamped and sealed by a professional**
165 **engineer. Councilmember Daniels expressed that he may like to see the Council table action on this item**
166 **until staff has time to gather additional information and return to Council with a more professional**
167 **opinion regarding if a septic system is or is not appropriate on these two lots (i.e. can the small size**
168 **accommodate septic? Is the soil conducive to accommodating a septic system?, etc.). Councilmember**
169 **Trowbridge generally expressed concern about approving this request, as he seemed to prefer that city**
170 **wastewater be utilized instead of septic.**

171 Councilmember Trowbridge withdrew his motion, and Macalik withdrew her 'second.' Councilmember
172 Hohehshelt then moved to approve MIS2019-003. Councilmember Fowler seconded the motion, which
173 passed by a vote of 4 ayes with 3 nays (Trowbridge, Macalik and Pruitt).

174 **XI. ACTION ITEMS**

175 1. **MIS2019-005** - Discuss and consider a request by Michael Duval of G & A Consultants on behalf
176 of John Delin of R. W. Ladera, LLC for the approval of an Alternative Tree Mitigation Settlement
177 Agreement for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey,
178 Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development
179 District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66
180 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and
181 John King Boulevard, and take any action necessary.

182
183 Mr. Miller explained that this would be a gated, age-restricted community. He went on to explain the
184 tree mitigation that is required, indicating that the applicant has expressed there is no space on site for
185 additional installation of trees. This request went to the Planning & Zoning Commission, and a 5-2 vote
186 effectively resulted in its denial.

187
188 John Delin of Integrity Group / R.W. Ladera came forth and provided comments pertaining to this request.
189 Following extensive, lengthy discussion, Mayor Pruitt moved to settle the tree mitigation with a check to
190 the City for \$50,000. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes
191 to 0 nays.

192
193 2. Discuss and consider approval of a proposal from American Signal Corporation in the amount
194 of \$117,693.28 for replacement of three outdoor emergency warning sirens, hardware, and
195 software to be funded by general fund reserves, and take any action necessary.

196
197 Assistant City Manager Joey Boyd provided background information pertaining to this agenda item.
198 Councilmember Hohenshelt then moved to approve the proposal in the amount specified (above).
199 Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

200
201 **XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
202 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
203 **MATTERS.**

204
205 1. **Departmental Reports**

- 206 Building Inspections Monthly Report - May 2019
207 Fire Department Monthly Report - May 2019
208 GIS Division Monthly Report - May 2019
209 Harbor PD Monthly Report - May 2019
210 Internal Operations Monthly Report - May 2019
211 Recreation Monthly Report - May 2019
212 Rockwall Animal Adoption Center Monthly Report - May 2019
213 Police Department Monthly Activity Report - May 2019
214 STAR Transit Monthly Report - May 2019

215 STAR Transit 3rd Quarter Report

216 **2. City Manager's Report**

217 City Manager Rick Crowley shared brief details about the upcoming 4th of July festivities. There will be a
218 parade, fireworks and a parachute jump at Harry Myers Park. The new household hazardous waste
219 program has been implemented and is going very well so far with city residents.
220

221 Mayor Pruitt shared that he will be out on vacation and will not be holding Monday afternoon office
222 hours for the next two, upcoming Mondays. In addition, he shared that the Council has decided to not
223 move forward with purchasing land adjacent to the airport. He asked staff to bring back an ordinance
224 that regulates 'thru-the-fence' agreements and how those comply with law and TXDOT regulations.
225

226 **XIII. EXECUTIVE SESSION**

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

- 229 1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall
230 Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as
231 city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section
232 §551.071 (Consultation with Attorney).
- 233 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations
234 within the city pursuant to Section 551.071 (Consultation with Attorney).
- 235 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
236 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
237 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
238

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

240 Council did not reconvene into Executive Session following the close of the public meeting agenda. See
241 actions taken at the start of the 6:00 p.m. meeting, as noted above.
242

243 **XV. ADJOURNMENT**

244 Mayor Pruitt adjourned the meeting at 6:54 p.m.
245
246

247 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15th DAY OF JULY,
248 2019.
249

250
251 ATTEST:

252 
253 _____
254 KRISTY COLE, CITY SECRETARY





JIM PRUITT, MAYOR

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 15, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Dana Macalik called the public meeting to order at 4:00 p.m. Present were Mayor Pro Tem Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the entire meeting. Councilmember Trace Johannesen joined the meeting at 6:00 p.m.

II. WORK SESSION

1. Hold a work session to discuss planning and zoning related bills approved with the 86th Legislature.

City Manager Rick Crowley provided very brief, introductory comments and then called upon Planning Director Ryan Miller who briefed the Council on notable planning-related laws, which will take effect starting Sept. 1, 2019. This included HB 347 (related to annexation); HB 2439 (related to building materials and methods); and HB 3167 (related to development applications). Lengthy discussion took place related to these new bills. Council took no action as a result of this work session.

2. Hold a work session to discuss changes to Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances and the Unified Development Code (UDC).

Mr. Miller explained that he and Jeffrey Widmer, the city's Building Official, have discussed this, and they feel the Unified Development Code (UDC) is the best place for placement of fence regulations, since they are an aesthetic issue. In addition, this would allow the process for front yard fences to be taken up by the Planning & Zoning Commission with the Council only stepping in if an appeal were requested. Mr. Crowley shared that if the regulations are placed in the UDC, any subsequent amendment to fence regulations would have to go through a zoning process.

Mayor Pro Tem Macalik then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:35 p.m. She also read into the record the wording for Action Item #2, indicating that it will also be discussed in Executive Session under 551.071 (consultation with attorney).

III. 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:

- 39 1. Discussion regarding appointments to city regulatory boards, commissions, and committees -
40 specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of
41 Adjustments - pursuant to Section 551.074 (Personnel Matters)
42 2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with
43 Attorney)
44 3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with
45 Attorney)
46 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
47 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
48 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

49 **IV. ADJOURN EXECUTIVE SESSION**

50

51 **Council adjourned from Executive Session at 5:47 p.m.**

52

53 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

54 **Mayor Pro Tem Macalik called the meeting back to order at 6:00 p.m. with 6 of the 7 council members**
55 **being present (Pruitt absent).**

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

57 **Council took no action as a result of Executive Session.**

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

59 **Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.**

60 **VIII. OPEN FORUM**

61 **Mayor Pro Tem Macalik explained how Open Forum is conducted and opened it up for public comment.**

62 **Russell Phelps**
63 **214 Alta Vista**
64 **Rockwall, TX 75087**

65

66 **Mr. Phelps explained that the field behind his house, which is located behind the Walmart store,**
67 **consistently has very high grass. He would appreciate Walmart taking care of this, as they committed**
68 **to do when the store first opened.**

69 **David Wrightson**
70 **5803 Yacht Club Drive**
71 **Rockwall, TX 75032**

72

73 **Mr. Wrightson came forth and shared that he would like to speak about the mosque. He expressed**
74 **concern about the traffic, and the pre-dawn ‘request for prayer,’ which is typically announced over a**

75 loud speaker. He is also concerned about any potential school that might be associated with this
76 mosque, as schools of this nature are not inclusionary and they do not accept other religions.

77
78 Janice Morchower
79 144 Westwood
80 Rockwall, TX 75032

81
82 Ms. Morchower expressed concerns that developers and individuals continually come to ask for
83 exceptions and variances from the Council. She is confused about why the Council continues to allow
84 individuals to be granted exceptions to things like the city's Unified Development Code, zoning
85 regulations, etc. over and over again.

86
87 Mayor Pro Tem Macalik asked if anyone else would like to come forth and speak at this time.

88
89 Judith Matherne
90 1115 Signal Ridge Place
91 Rockwall, TX

92
93 Ms. Matherne came forth and expressed support for acceptance of the mosque. She understands the
94 previous speaker's concerns about variances; however, she acknowledged an understanding that
95 flexibility is important too, especially as a city grows. She shared that she has an understanding that
96 traffic will not be a great issue or concern, and – if it is – she is certain our police chief will handle said
97 concerns like they do at (for example) for Lakepointe Church on Sundays.

98
99 Bob Wacker
100 309 Featherstone
101 Rockwall, TX

102
103 Mr. Wacker shared that he serves on the Architectural Review Board (ARB), and the ARB felt that a
104 pitched roof should not have to be required for the mosque. He also thanked staff and the city for all
105 its hard work, especially on the various public events it hosts.

106
107 Akhtar Usman
108 713 Cornell Drive
109 Rockwall, TX

110
111 Mr. Usman came forth and shared that he is generally in support of the mosque. The traffic, he
112 explained, will not be concerning. The one month when the worshippers fast, traffic may increase;
113 however, it will be around 10PM at night. Also, Fridays from about 1-2 p.m. may have traffic.

114
115 There being no one else wishing to come forth and speak, Mayor Pro Tem Macalik then closed Open
116 Forum.

117
118 **IX. CONSENT AGENDA**

- 119 1. Consider approval of the minutes from the July 1, 2019 regular city council meeting, and take
120 any action necessary.

- 121 2. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 18. Fire
122 Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the
123 Fire Chief to appoint the Fire Marshal, and take any action necessary **(2nd reading)**.
- 124 3. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 44 "Utilities,"
125 Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-
126 432 to adopt a new plan that incorporates requirements pertaining to "Procedures for
127 Curtailment of Water Supplies," and take any action necessary. **(1st Reading)**
- 128 4. Consider approving the facilities agreement with Alders at Rockwall Property, LLC to
129 reconstruct the existing Squabble Creek Sanitary Sewer Interceptor within the Alders at
130 Rockwall development in an amount not to exceed \$556,034.66 and to be funded by sewer
131 bonds and take any action necessary.
- 132 5. **P2019-011** - Consider a request by Judy K. Larson for the approval of a final plat for Lot 1,
133 Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E.
134 M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single
135 Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District,
136 addressed as 556 N. FM-3549, and take any action necessary.
- 137 6. **MIS2019-012** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of
138 Tom Kirkland of TEKMAK Development Company for the approval of an Alternative Tree
139 Mitigation Plan for an 8.715-acre tract of land identified as a portion of Lot 1, Block B,
140 Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of
141 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30
142 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and
143 the IH-30 Frontage Road, and take any action necessary.
- 144 7. **P2019-026** - Consider a request by Bill Bricker of Columbia Development Co., LLC for the
145 approval of a preliminary plat for Lots 1-5, Block A, Park Station Addition, being a 16.26-acre
146 tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract
147 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned
148 Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any
149 action necessary.

150 **Councilmember Trowbridge moved to approve the entire Consent Agenda. Councilmember**
151 **Johannesen seconded the motion. Following a brief point of clarification, the ordinance captions were**
152 **read as follows:**

CITY OF ROCKWALL
ORDINANCE NO. 19-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Pruitt).

X. APPOINTMENT ITEMS

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

This item was not addressed by Council.

XI. ACTION ITEMS

1. Discuss and consider directing staff to amend the Unified Development Code (UDC) and the Municipal Code of Ordinances to address changes relating to fences and planning and zoning related bills approved with the 86th Legislature, and take any action necessary.

Planning Director Ryan Miller began this discussion item, summarizing several recently passed pieces of state legislation that affect cities. Councilmember Hohenshelt then explained that the state legislature, including our city's representatives Bob Hall and Justin Holland, recently voted to pass new laws that will – for example – take a way a city's ability to regulate building materials utilized on both residential houses and commercial buildings in cities in the future. So now property owners could possibly put a trailer or built a metal home. These new laws become effective September 1. Councilmember Trowbridge commented that property values will likely go down. Recent bills have

193 generally taken away some authority from cities. Councilman Hohenshelt pointed out that adhering to
194 these new laws will result in a hundred hours of staff time. Mayor Pro Tem Macalik summarized that
195 Council is asking staff to move forward with making necessary changes to our Codes and then bring
196 back those proposed changes to Council for consideration at a future date.

197 **2. SP2019-014** - Discuss and consider a request by Ahmed Helaluzzaman on behalf of Abdul Latif
198 Khan of Center for Peace and Mercy, Inc. for the approval of a variance in conjunction with
199 an approved site plan for a retail shopping center and house of worship on a 2.681-acre tract
200 of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of
201 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic
202 Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the
203 intersection of Turtle Cove Boulevard and Ridge Road [FM-740], and take any action
204 necessary.

205 Planning Director Ryan Miller explained that the city's Architectural Review Board (ARB) did
206 recommend approval of the proposed flat roof; however, when it went before the city's Planning &
207 Zoning Commission, the flat roof was ultimately not approved. So, the applicant is essentially appealing
208 to the City Council to seek approval of a variance so that they can utilize a flat, as opposed to a pitched,
209 roof. In order to pass, this require a $\frac{3}{4}$ majority vote for approval.

210
211 **Ahmed Helaluzzaman**
212 **545 Coventry Drive**
213 **Grapevine, TX**
214

215 Mr. Helaluzzaman came forth on behalf of the applicant, indicating that he is the designer of this
216 building. He generally sought Council's approval for this variance request.
217

218 Following brief comments from Council, Councilman Johannesen moved to approve SP2019-014.
219 Councilmember Trowbridge seconded the motion. Councilman Daniels briefly commented that he does
220 not believe a request for a variance to allow a flat roof (as opposed to a pitched roof) has ever been
221 denied by council in his tenure. He suggested that perhaps our regulations related to this topic may
222 need to be reconsidered. Councilman Hohenshelt expressed concern regarding variances pertaining to
223 city regulations, in general. Councilman Fowler asked Mr. Miller for some clarification regarding why
224 there is a requirement for pitched roofs, and Mr. Miller did so.
225

226 Following the discussion, the motion passed by a vote of 6 ayes with 1 absence (Pruitt).
227

228 **3. Z2018-046** - Discuss and consider a request by Brad Helmer on behalf of Heritage Christian
229 Academy (HCA) for the approval of an extension to a Specific Use Permit (SUP) [S-200;
230 Ordinance No. 19-02] allowing existing temporary educational buildings in conjunction with a
231 private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage
232 Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14

233 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408
234 S. Goliad Street [SH-205], and take any action necessary.

235 **Planning Director Ryan Miller provided background information pertaining to this agenda item.**

236
237 **Brad Helmer**
238 **2917 Chuck Wagon Drive**
239 **Rockwall, TX**

240
241 **Mr. Helmer came forth and addressed the Council concerning the details of this request for an SUP**
242 **extension.**

243
244 **Councilmember Hohenshelt suggested that Council consider granting a one month SUP extension,**
245 **pointing out that the SUP for these portable classrooms / buildings has been extended over and over**
246 **such that the portables have been in place for twenty years (since 1999).**

247
248 **Councilman Daniels generally expressed a desire for two-way communication to occur between Mr.**
249 **Helmer and city staff. Following extensive dialogue between the applicant and Council, Councilman**
250 **Daniels shared that there will come a time when Council will need to draw a line in the sand and**
251 **discontinue granting future SUP extensions.**

252
253 **Councilman Daniels moved to extend this SUP for a period of ninety days (90) and ask the applicant to**
254 **come back before Council within 45 days with a more extensive plan that shows more specific target**
255 **dates. Councilman Fowler seconded the motion. Fowler suggested that Mr. Helmer consider meeting**
256 **with Councilmember Johannesen on his 'plan' and to work on repairing the relations with city staff.**

257
258 **Mr. Miller shared that the 2016 project cannot be "finalized" until the required items (drainage and**
259 **detention ponds) are received by staff.**

260
261 **Following brief comments, the motion to extend the SUP for 90 days passed by a vote of 5 ayes, 1**
262 **against (Macalik), and 1 absence (Pruitt).**

263
264 **XII. EXECUTIVE SESSION**

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

- 267 **1. Discussion regarding appointments to city regulatory boards, commissions, and committees -**
268 **specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of**
269 **Adjustments - pursuant to Section 551.074 (Personnel Matters)**
270 **2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with**
271 **Attorney)**
272 **3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with**
273 **Attorney)**

274 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
275 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
276 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

277 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

278 **XIV. ADJOURNMENT**

279 Mayor Pro Tem Macalik thanked staff, including Andy Hesser and his staff in Parks & Rec., for the
280 wonderful 4th of July events. She went on to announce that Mr. Hesser will be leaving the City of
281 Rockwall to take a position as the new Parks & Rec Director with the City of Garland. She, council and
282 staff thanked Mr. Hesser for all his hard work over the years and wished him well.

283 Mayor Pro Tem Macalik adjourned the meeting at 7:07 p.m.

284
285 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5th DAY OF**
286 **AUGUST, 2019.**

287

288

289 **ATTEST:**

290

291

292



KRISTY COLE, CITY SECRETARY



JIM PRUITT, MAYOR



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, August 05, 2019 - 4:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the public meeting to order at 4:01 p.m. Present were Mayor Jim Pruitt and
8 Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace
9 Johannesen. Councilmember Dana Macalik arrived to the meeting at 4:04 p.m. Also present were City
10 Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith, and City Attorney Frank
11 Garza.

12
13 **II. WORK SESSION**

- 14 1. Hold a work session to discuss the progress of public input phase and engineering design for
15 four of the 2018 Roadway Bond Projects; Ridge Road West; S. Lakeshore Dr. (Summit Ridge
16 Dr. to Tanya Ln) & Russwood Dr.; Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln.
17 and Turtle Cove Blvd (RR tracks to Ridge Rd.), and take any action necessary.

18
19 **Jeremy White from the city's Engineering Department came forth and briefed Council on the above**
20 **listed roadway/sidewalk reconstruction projects.**

21
22 **Councilmember Trowbridge asked if any part of the proposed plans have been modified since the time**
23 **that resident meetings were held and/or residents were communicated with by staff. Ms. Williams**
24 **indicated that no, no changes have been made since that time.**

25
26 **Councilmember Fowler asked when a requirement for sidewalks was instituted. Mr. Crowley, City**
27 **Manager, shared that it was about in the mid 1980's. Mr. Miller shared that sidewalks are required in**
28 **all new city subdivisions, including those that are more rural-like, and the main intent is to create safety**
29 **for pedestrians. Ms. Williams, City Engineer, shared that the city has also put in sidewalks and modified**
30 **some of them in order to be "ADA" (American with Disabilities Act) friendly for those in wheelchairs or**
31 **motorized chairs.**

32
33 **Ms. Williams shared that the city has a registered arborist on staff (Mr. Travis Sales in the Parks**
34 **Department), so staff will be utilizing him, as necessary, related to trees that may be impacted by these**
35 **reconstruction projects.**

36
37 **Wayne McCallum**
38 **1050 Ridge Road West**
39 **Rockwall, TX**

40
41 **Mr. McCallum shared that his main concern is losing some of his property. He is ok with sidewalks;**
42 **however, he wishes they would be a bit more narrow (4' instead of 5'). He also wishes that the**

43 proposed street width would be narrower on Ridge Road West (he would like it to remain at 37' instead
44 of 41'). He believes the wider roadway will increase both traffic and speed. He does not like that
45 installation of sidewalks will increase his lawn upkeep (weed eating).

46
47 **No name given**
48 **795 Ridge Road West**
49 **Rockwall, TX**

50
51 This gentleman asked what will happen to seeping water that comes up through parts of the existing
52 roadway. Staff indicated that, as much as possible, that water will go into the storm sewer drains after
53 the reconstruction takes place.

54
55 **Mr. Adair**
56 **309 Dartbrook Dr.**
57 **Rockwall, TX**

58
59 Mr. Adair shared that he grew up at this home, and he is one of the sons of Mr. and Mrs. Adair. He is
60 generally opposed to sidewalk installation, as he believes it will ruin the neighborhood. Of the
61 neighbors he has talked to, he has yet to speak with any who have voice enthusiasm for this
62 reconstruction project.

63
64 Dr. Carson asked Mr. White (staff person) to readdress what the plan is for the crate myrtles and trees
65 and such on Ridge Road West. Mr. White shared that, in general, as much landscaping as possible will
66 be left 'as is.' Some of the irrigation will need to be removed and replaced.

67
68 **Richard Thompson**
69 **1180 Ridge Road West**
70 **Rockwall, TX**

71
72 Mr. Thompson came forth and suggested the Council possibly consider one sidewalk instead of two. He
73 does not believe that this roadway needs to be further widened. Also, he is concerned about edging /
74 weed eating being tripled after this project is finished. He is concerned about large, brick mailboxes
75 (many of which have brick that matches the home). He wants to know how the city will ensure that
76 those either get disassembled and reassembled. His brick is on his walkway too, and it is Chicago fired
77 brick that matches both his home and his sidewalk. Mayor Pruitt shared that, for the most part, the
78 mailboxes will be disassembled and reconstructed. He prefers to have the curb, the sidewalk and then
79 the yard (and avoid having a small 1.5'-2' strip of grass).

80
81 Mr. McCallum came forth again and pointed out that if the roadway is not widened, the city may not
82 even have to move the mailboxes.

83
84 Mayor Pruitt then read the below listed discussion items into the record before recessing the public
85 meeting to go into Executive Session at 4:57 p.m.

86
87 **III. EXECUTIVE SESSION.**

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

- 90 1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant
91 to Section 551.087 (Economic Development) and possible land purchase pursuant to Section
92 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
93 2. Discussion regarding possible sale of real property in the vicinity of Downtown, pursuant to
94 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
95 3. Discussion regarding appointments to and interviews for city regulatory boards, commissions,
96 and committees - specifically the Planning & Zoning Commission and Board of Adjustments -
97 pursuant to Section 551.074 (Personnel Matters)
98 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
99 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
100 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
101

102 **#3 CONSENT AGENDA (PULLED FROM PUBLIC MEETING AGENDA)** Consider authorizing the City
103 Manager to execute an Interlocal Agreement for Animal Control Services between the City of
104 Rockwall and Rockwall County, and take any action necessary.
105

106 **IV. ADJOURN EXECUTIVE SESSION**
107

108 **Council adjourned from Executive Session at 5:58 p.m.**
109

110
111 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

112 **Council reconvened the public meeting at 6:00 p.m. with all seven council members being present.**
113

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

115 **Mayor Pro Tem Macalik indicated that no action would be taken at this time as a result of Executive**
116 **Session.**

117 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

118 **Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.**

119 **VIII. OPEN FORUM**

120 **Mayor Pruitt explained how Open Forum is conducted, thanking members of the public for coming to**
121 **the Council meeting this evening. Mayor Pruitt welcomed two young Boy Scouts in the audience, who**
122 **explained that they are attending to obtain their “citizenship and community” merit badges. He went**
123 **on to explain that if people are present for the ‘sidewalks’ discussion, they may either speak during**
124 **Open Forum or during the sidewalks-related Action Item.**

125
126 **Melody Mayor**

127 **Fence contractor from Renew Fence & Construction came forth and indicated that she recently**
128 **performed work for:**

129 **Amy Harvey**
130 **506 Shoretrail Drive**
131 **Rockwall, TX**

132
133 **Ms. Mayor came forth and shared that she installed a wooden retaining wall (2'x6's with metal posts)**
134 **that is under 4' tall, and she did not realize that she needed to pull a permit until after she had already**
135 **done the retaining wall. She pointed out that Rockwall is the only city that requires that a permit be**
136 **pulled for a retaining wall under 4' tall. All other cities require a permit only if it is going be over 4' tall.**
137 **She shared that she had a professional engineer sign off on the work that was completed to prove that**
138 **it was well built. She explained that Ms. Harvey is a single mom, and this is why she opted to do a**
139 **wooden retaining wall because it cost her about \$6,000 less to do wood versus stone or rock. She is**
140 **wondering if there is some sort of variance process she may be able to go through in order to get the**
141 **work that has already been completed approved and signed off on by the city. Also, she wonders why**
142 **Rockwall is the only city around that requires a permit for 3' retaining walls and shorter when all the**
143 **other cities are 4' or under for pulling a permit.**

144
145 **Judith Head**
146 **203 Woodpark Lane**
147 **Rockwall, TX**

148
149 **She lives on a small street that has only eight homes on it, four on each side. She went on to express**
150 **several concerns pertaining to the reconstruction of her street and the installation of sidewalks. A lot**
151 **of homes have mature and expensive landscaping that will be adversely impacted. She believes that a**
152 **study should be done in order to determine the need for sidewalks, especially because her street is so**
153 **very steep. So, she does not know that sidewalks would even be necessary. She is concerned about**
154 **future maintenance of the sidewalks, should they be installed. She has a petition that shows that 100%**
155 **of the residents on Woodpark Lane are against installation of sidewalks, and they all do not believe it**
156 **is necessary to rebuild the street either. She wonders if the curbs will be wheelchair accessible. Also,**
157 **she wonders if an environmental impact study has been conducted regarding drainage, pointing out**
158 **that their alleyway is more concerning than their street.**

159
160 **Debra Norton**
161 **1235 Ridge Road West**
162 **Rockwall, TX**

163
164 **Ms. Norton shared that sidewalks do not create safety. They will be utilized for more than walkers and**
165 **runners (i.e. scooters, bicycles, etc.), and that actually adversely impacts safety. She is concerned that**
166 **the city is going to take 10' of her property, and she does not believe the city taking her property is**
167 **right. She has been paying taxes for a long time, and taking her property would just not be right. She**
168 **wants to see studies that show that sidewalks are needed, and she wants to see statistics that show**
169 **that pedestrians have been hit or hurt without sidewalks. She wants the city to be sure that there is**
170 **good reason to install the sidewalks. She believes that taking 10' of her property will result in her losing**
171 **a good bit of equity in her home.**

172
173 **Bob Wacker**
174 **309 Featherstone**
175 **Rockwall, TX**

176
177 **Mr. Wacker came forth and asked Council to explain to the public what their options might be**
178 **concerning sidewalks (i.e. is there a variance they may be able to request?).**

179

180 **Doug Demarco**
181 **1230 Ridge Road West**
182 **Rockwall, TX**
183

184 **Mr. Demarco shared that he and his wife have lived at this location for a relatively short period of time.**
185 **He does not believe the existing roadway is that bad, and he does not believe the entire roadway needs**
186 **replacing – only repairs are necessary, in his opinion. He generally expressed an indifference concerning**
187 **sidewalk installation as part of the project; however, if they are installed, he prefers that the sidewalks**
188 **be directly abutted to the curb/street (no grass strip in between the curb and the sidewalk). He**
189 **acknowledged the understanding that it is public right-of-way, and the property does not actually**
190 **belong to him, the homeowner; however, since he has been maintaining it, it sure does feel like ‘his**
191 **property’ that is being taken.**

192
193 **There being no one else wishing to come forth and speak during Open Forum, Mayor Pruitt then closed**
194 **Open Forum.**
195
196

197 **IX. CONSENT AGENDA**

- 198 **1. Consider approval of the minutes from the July 15, 2019 regular city council meeting, and take**
199 **any action necessary.**
200 **2. Consider approval of an ordinance amending the Code of Ordinances in Ch. 44 "Utilities,"**
201 **Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-**
202 **432 to adopt a new plan that incorporates requirements pertaining to "Procedures for**
203 **Curtailment of Water Supplies," and take any action necessary. (2nd Reading)**
204 **3. Consider authorizing the City Manager to execute an Interlocal Agreement for Animal Control**
205 **Services between the City of Rockwall and Rockwall County, and take any action necessary.**
206 **4. P2019-023 - Consider a request by Rick Bates of RLK Engineering, Inc. on behalf of William**
207 **Salée of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall High School**
208 **Addition being a 35.295-acre parcel of land currently identified as Lot 1, Block A, Rockwall**
209 **High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,**
210 **situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane,**
211 **and take any action necessary.**
212 **5. P2019-028 - Consider a request by Matthew Gardner of Halff Associates on behalf of Carolina**
213 **Molina of Alvaplast US (SPR Packaging) for the approval of a replat for a 43.0139-acre tract of**
214 **land identified as Lot 1, Block 1, Indalloy Addition; Tract 31 of the R. Ballard Survey, Abstract**
215 **No. 29; and Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County,**
216 **Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road,**
217 **and take any action necessary.**

218
219 **Councilmember Macalik moved to approve the entire Consent Agenda (#1, 2, 3, 4 and 5).**
220 **Councilmember Hohenshelt seconded the motion. The ordinance caption for No. 2 was read as follows:**
221
222
223

CITY OF ROCKWALL
ORDINANCE NO. 19-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

X. APPOINTMENT ITEMS

1. Appointment with Scott Self to hear proposal related to "4th of July" 2020 fireworks shows, and take any action necessary.

Scott Self
319 Harborview Drive
Rockwall, TX

Mr. Self came forth and proposed that five firework shows be done, simultaneously, at 9:30 p.m., each lasting for about 10 minutes in length. He pointed out that, although Harry Myers Park has been a good location for fireworks for a number of years, the adjacent property that has been used for years to park 500+ cars is being developed. So, the parking will be an issue. He went on to explain the five, proposed locations. He went on to share that the City of Heath is willing to partner with Mr. Self and the City of Rockwall, and they would have two (additional) fireworks shows, for a total of seven shows. He is coming forth now, in August, in order to seek approval of his proposal so that he can get to work quickly on obtaining and training lots of volunteers that would be utilized to help run these various fireworks shows. He explained that one advantage is that "point loading" would not be a problem, as crowds watching the fireworks would be spread out instead of consolidated in one location. He believes that this would be positively received by the public, and it could receive national recognition.

Mr. Self explained that the fireworks in these five shows would be about 3" in diameter versus the approximate 6" diameter of fireworks that are currently seen at the city's fireworks show at Harry Myers Park. He is asking for the City of Rockwall to finance \$20,000 for the five fireworks shows within the City of Rockwall, which is the same price the city is currently paying for the one show at Harry Myers. Mayor Pruitt expressed that if the city does not like the five, separate shows, then it could revert back to one, larger show like it has now in future years. Mr. Self concurred. Mr. Self shared that there will be some extra expenses, above and beyond the \$20k the first year, because – for example – he will have to purchase the barges from which the fireworks will launch the first year. However, he already has commitments from volunteers and those willing to sponsor some of the extra expense(s).

269 Councilmember Trowbridge acknowledged that things do essentially get bottlenecked when there is
270 only one, single fireworks location. However, he wonders if five, separate shows will spread out the
271 public too much. Mr. Self shared that some folks will be able to see two or three shows, simultaneously,
272 all at once. He shared that the only other place in the nation that he's seen this done and done well is
273 at the San Diego Harbor.

274
275 Councilmember Fowler shared that the city also has bands and other activities at Harry Myers on the
276 4th of July, prior to the actual fireworks show. So, he has concerns about losing some of those activities
277 and camaraderie. He also wonders where some people may park to watch some of the five, separate
278 shows.

279
280 Mayor Pruitt asked how this would be marketed / advertised. He believes there would have to be
281 indication given, within the marketing, to tell the public where to go in order to watch the show(s). Mr.
282 Self shared that he does not believe these shows would be marketed to those living outside of the City
283 of Rockwall – it will mostly be for the benefit of our own, actual residents. Mr. Self acknowledged the
284 importance of having at least one of the five shows at Harry Myers.

285
286 Mayor Pruitt and the Council provided informal guidance to Mr. Self and staff, instructing them to work
287 together to come back to the City Council with a more detailed plan for moving forward with trying out
288 this new idea for one year.

289
290 **XI. ACTION ITEMS**

- 291 1. Discuss and consider providing staff direction to move forward with the following 2018
292 Roadway Bond Projects, and take any action necessary:
293 a) Ridge Road West (Shores Blvd. to N. Goliad St./SH 205);
294 b) S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) and Russwood Dr.;
295 c) Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln; and
296 d) Turtle Cove Blvd (RR tracks to Ridge Rd.).

297
298 Mayor Pruitt began discussion of this item, sharing that a citywide ordinance was adopted years ago by
299 a previous city council, and that ordinance called for sidewalks to be installed in all new neighborhoods
300 and when existing roadways are reconstructed. He indicated that if the city residents do not want
301 sidewalks, then the Council needs to hear that; however, if the ordinance is changed, it would apply
302 citywide, as 'piece meal' would not be plausible. He went on to share that a lot of forethought went
303 into informing and educating the public on the bond election that was held and that the voters
304 overwhelmingly passed last year. He went on to that the Council gets a lot of opinions from those who
305 want sidewalks and also from those who do not want sidewalks.

306 Councilmember Hohenshelt addressed the policy related to installation of sidewalks, which he
307 mentioned was established about thirty years ago. All of the subdivisions built since that time have
308 had sidewalks installed to allow people who walk or run to enjoy them. He pointed out that there will
309 be dozens of projects like this over the course of the upcoming nine or ten years. So, whatever the
310 policy needs to be, then it needs to be decided now, and it needs to apply citywide. It will be too
311 challenging to address the issue of sidewalks with every single reconstruction project.

312 City Attorney Frank Garza pointed out that if the city does major reconstruction on a street that was
313 built after 1992, then the city is required to put 'curb cuts' that are "ADA compliant," and this is
314 regardless of whether or not sidewalks are installed on those streets.

315 Councilmember Fowler shared that perhaps the City should institute a policy that if reconstruction
316 happens on a street that already does not have sidewalks, then no sidewalks will be built; however, if
317 it is a new street or a new neighborhood going in, then sidewalks will be built. He went on to share that
318 the Council has in fact received a lot of emails from residents who do in fact want the sidewalks built
319 along with these reconstruction projects.

320 Councilmember Macalik shared that, speaking as a realtor, younger families do factor in whether or not
321 a neighborhood has sidewalks because they do tend to prefer there to be sidewalks. She understands
322 both sides of the issues; however, she believes that cities all over the United States are installing
323 sidewalks because they are quite popular.

324 Councilmember Trowbridge shared that this issue goes beyond those who actually live on a particular
325 street; however, he is also sensitive to the desires of a particular neighborhood.

326 Mayor Pruitt shared that he would like to have property owner feedback far before 40% of the design
327 engineering has already been complete and the money spent in that regard.

328 Councilmember Fowler asked – if this is already a city standard, then why is it even being debated or
329 discussed right now? Mr. Crowley, City Manager, shared that the city always attempts to go into a
330 neighborhood to inform them about an upcoming reconstruction project. It is at that time, typically,
331 when feedback regarding sidewalks and other aspects of a roadway reconstruction project is heard.

332 Councilmember Johannesen expressed frustration because the city tries hard to be very transparent
333 and communicate well with the public, and, unfortunately, residents don't seem to speak up until it
334 literally begins to affect their particular yard.

335 Councilmember Fowler shared that surveys showed that about 60% of residents indicated a desire to
336 have sidewalks on Ridge Road West, and about 40% indicated they do not want them.

337 Ms. Williams, City Engineer, explained that a machine runs along top of a roadway and analyzes its
338 structural integrity (not the 'driveability') and scores it as far as the need for it to be reconstructed (or
339 not).

340 Mayor Pruitt indicated that he will open it up for public comment to those who wish to come forth and
341 speak regarding "Ridge Road West" at this time. He first asked for City Engineer Amy Williams to speak
342 to the surveys that were sent out to property owners. Ms. Williams stated that there are sixty
343 properties and sixty surveys were sent out to those property owners. The response rate was 37% (22
344 were returned). Of those, 59.5% indicated they are "for" sidewalks and 40.5% indicated they are
345 "against" having sidewalks.

346

347 Don Laws
348 1620 Shores Boulevard
349 Rockwall, TX

350
351 Mr. Laws expressed concern about how much land is going to be taken away from the front of
352 everyone's house. Regarding safety, he believes that once Ridge Road West is widened, people will
353 drive along it at a faster rate of speed, and more people will be driving on it. He suggested that perhaps
354 the city consider installing a sidewalk only on one side of the roadway or build the road (only) and not
355 the sidewalks.

356 Mayor Pruitt mentioned that the city has considered sidewalks on only one side of a road; however, he
357 pointed out that the Council cannot get folks to agree on which side the sidewalk gets installed.

358 Doug Demarco
359 1230 Ridge Road West
360 Rockwall, TX

361
362 Mr. Demarco came forth and shared that everyone bought their home without a sidewalk, and they
363 were ok purchasing a home without a sidewalk in front of it. Regarding safety, people's driving behavior
364 tends to be related to the road and related conditions. So, he believes that a wider road will result in
365 cars driving faster. He suggested that if they are going to be installed, perhaps Council could consider
366 installing patterned sidewalks that are more beautiful or maybe use some of the money to add street
367 lights.

368
369 Julie Barlow
370 1005 Ridge Road
371 Rockwall, TX

372
373 Mrs. Barlow shared that she and her husband just purchased this home. She was not aware of the policy
374 that is in place that calls for the same standards for street widths and sidewalk installations. She
375 generally indicated that when a resident receives a survey, they are perhaps not understanding or are
376 not aware that the street width will be expanded and installation of sidewalks will mean that part of
377 their lawn gets 'taken in.' She is not in favor of 'one size fits all,' and she is in real estate. She believes
378 that people make decisions on purchasing a home based on how the neighborhood makes them feel.
379 She purchased this home, which was built in 1981, and moved out of a home that was built 10-15 years
380 or so. She and her husband purchased the home because she likes the large trees, no sidewalks, etc.
381 She believes that one policy, citywide, pertaining to sidewalks, is generally not feasible. She believes
382 some sort of variance or exception needs to be made in this particular case.

383 Tom Richmond
384 1105 Ridge Road West
385 Rockwall, TX

386
387 Mr. Richmond shared that it was not clear that there could have possibly been an option for
388 reconstruction of the street itself but with no sidewalk being added. He would like to see the roadway
389 reconstructed, but he would like the sidewalks to be left out. He wonders if the homeowners along the

390 roadway could get a variance to essentially 'skip the sidewalks.' He generally suggested that the Council
391 consider changing its policy regarding installation of sidewalks.

392 Mr. Crowley, City Manager, pointed out that a portion of a resident's yard is public "right-of-way," so
393 projects such as these do not take a person's property. The property line does not change, and the size
394 of the resident owned property does not change.

395 At 7:43 p.m., Mayor Pruitt called for a brief break and recessed the public meeting. Mayor Pruitt
396 reconvened the meeting at 7:55 p.m.

397 John Sunderson
398 1850 Wind Hill Road
399 Rockwall, TX

400

401 Mr. Sunderson shared that he does not live on this street; however, he is generally a proponent of
402 sidewalks. He does not believe that sidewalks being installed on this roadway would detract from the
403 beauty of the neighborhood. In fact, he believes that the sidewalks being installed would allow for
404 more pedestrians to enjoy the area. He believes the city's policy on sidewalks is fine 'as is,' and it does
405 not need to be changed. He reminded the Council and public that the Council is charged with
406 representing the entire city – not just one street or one neighborhood.

407 Doug Demarco
408 1230 Ridge Road West
409 Rockwall, TX

410

411 Mr. Demarco came forth again and shared his belief that residents who filled out the survey and/or
412 came to the informational resident meetings may not have totally understood about the street
413 widening and that 10' of their front lawns would be 'taken in' as a result of sidewalks being installed.
414 He suggested the city explain that better when sending out a survey. He understands that a portion of
415 their lawn is 'right-of-way,' but homeowners do not see it that way.

416

417 An unidentified resident came forth and shared that he was 50/50 on whether or not sidewalks should
418 be installed. He did not realize, however, that portions of front lawns would be lost if sidewalks were
419 installed. He did not understand what he was agreeing to and believes that several residents may not
420 have realized this either.

421

422 Jeff Boehm
423 1400 Plummer
424 Rockwall, TX

425

426 Mr. Boehm shared that he purposefully purchased a home nineteen years ago that did not have
427 sidewalks on the street. He generally expressed that, since these folks purchased a home without
428 sidewalks, it is not fair to them to now insist that they have sidewalks installed. He suggested the city
429 put a policy in place that if homes did not have sidewalks to begin with, then they will never have
430 sidewalks installed.

431 **Dusty Goucher**
432 **1240 Ridge Road West**
433 **Rockwall, TX**

434
435 **Ms. Goucher indicated that she agrees with the “no sidewalks” sentiments that have been expressed**
436 **this evening. She thought there would only be 3’, rather than 10’, of the front of her lawn taken. She**
437 **generally spoke against the installation of sidewalks.**

438
439 **Sandra Solomon**
440 **1635 Shores Boulevard**
441 **Rockwall, TX**

442
443 **Mrs. Solomon came forth and shared that she does not live on this road – she lives further down just a**
444 **little bit in The Shores. She acknowledged the Council members are elected to represent all citizens and**
445 **the city as a whole. She agrees the roadway needs to be reconstructed, and the curbs need**
446 **reconstructing too. She suggested that parking be restricted on it and the speed limit be reduced to 25**
447 **mph. She wished Council the best in making this decision, as she generally knows this is a tough**
448 **decision. She generally expressed concern about the survey that was conducted. She pointed out that**
449 **the ‘return rate’ was low, and it is uncertain if the responses were from those who truly understood on**
450 **what they were giving feedback.**

451
452 **Bob Wacker**
453 **309 Featherstone**
454 **Rockwall, TX**

455
456 **Bob Wacker came forth and shared that he loves sidewalks, and he lives in the Stonecreek subdivision,**
457 **which as sidewalks. He believes the city should move forward with installation of them in this instance.**
458 **He suggested that staff try and communicate about these matters further in advance so that residents**
459 **have additional time to consider these types of projects.**

460
461 **Mr. Richmond came forth again and suggested that the City consider re-surveying the residents along**
462 **the roadway.**

463
464 **Councilmember Trowbridge made a motion to move forward with redesigning the engineering plans to**
465 **remove the sidewalks along Ridge Road West. Councilmember Johannesen seconded the motion. He**
466 **expressed concern about residents who have expressed support for sidewalk installation now possibly**
467 **not being fairly represented (as the plan is perhaps now going to change without their input /**
468 **knowledge). Following the discussion, the vote failed by a vote of 2 ayes and 5 nays (Macalik,**
469 **Hohenshelt, Pruitt, Fowler and Daniels).**

470
471 **Councilmember Hohenshelt moved to approve the current design of Ridge Road West as presented by**
472 **staff / the City Engineer. Councilmember Macalik seconded the motion, which failed by a vote of 3 ayes**
473 **with 4 nays (Trowbridge, Fowler, Daniels and Johannesen).**

474
475 **Mayor Pruitt then took public comments concerning the S. Lakeshore Drive (Summit Ridge Dr. to Tanya**
476 **Ln.) and Russwood Drive reconstruction project.**

477
478

479 **Anthony Diesch**
480 **1302 S. Lakeshore Drive**
481 **Rockwall, TX**

482
483 **Mr. Diesch explained that he is not in favor of sidewalks, and he understands that the Council’s decision**
484 **in this regard is a very difficult one. His concerns, he explained, are mostly related to the damage that**
485 **will be done to the existing trees. He went on to share some photos of large, mature trees that will be**
486 **adversely impacted by 10’ of right-of-way being developed with concrete. He knows that mature trees**
487 **do add to real estate value.**

488
489 **Moriah Pruitte**
490 **311 Russwood Drive**
491 **Rockwall, TX**

492
493 **Ms. Pruitte shared that she believes that if residents would have understood that “do you want**
494 **sidewalks” on the survey equated to “10’ of your front lawn will be taken in,” then their answers would**
495 **have been far different. She is generally strongly opposed to the installation of sidewalks on this street.**

496
497 **Ron Gilleland**
498 **310 Meadowdale Drive**
499 **Rockwall, TX**

500
501 **This is a side street, and he and his wife have lived there for twenty-six years. Mr. Gilleland shared that**
502 **there are people who actually drive into this neighborhood, park their car, and then walk in the streets**
503 **of this neighborhood because it is pretty and it is safe. He generally expressed opposition to sidewalks**
504 **being installed. He is concerned about the trees being adversely impacted by the sidewalks installation,**
505 **and they will change the entire makeup of the neighborhood. He pointed out that there are at least a**
506 **few, highly mature (30-40 + year old) trees that will be drastically impacted if these sidewalks are**
507 **installed. He is generally in favor of the reconstruction and improvement of the roadway itself;**
508 **however, he is greatly in opposition of the sidewalks. Even if the sidewalk is diverted around the mature**
509 **trees, he believes the tree will be adversely impacted.**

510
511 **Jerry Welch**
512 **1509 S. Lakeshore Drive**
513 **Rockwall, TX**

514
515 **Mr. Welch shared that he is about five houses south of Tanya. He suggested that people typically walk**
516 **on the main street, and they perhaps do not walk as much on the side streets. So perhaps the city should**
517 **just put sidewalks on that main street and not install them on the side streets.**

518
519 **Nora Elwonger**
520 **308 Meadowdale**
521 **Rockwall, TX**

522 **Ms. Elwonger asked why a survey was conducted to begin with if a policy was already in place that**
523 **called for sidewalks to be installed. Asking the question led responders to believe that their opinions**
524 **would actually matter. City Manager Rick Crowley shared that it was actually his decision to include**
525 **the question about sidewalks because he anticipated that Council would like to have that feedback.**
526 **She generally indicated that she is strongly opposed to the installation of sidewalks. She purchased her**

527 home without sidewalks and prefers that the street stay that way. She pointed out that the Council
528 previously relied heavily on a survey the last time a decision was made regarding installation or no
529 installation of sidewalks. In this instance, more residents (about 72%) have expressed "no sidewalks."
530

531 **A.J. Echstein (unsure of spelling)**
532 **1605 Plummer Drive**
533 **Rockwall, TX**
534

535 **Mr. Echstein came forth and asked (a rhetorical question) if the city is going to require sidewalks to be**
536 **installed in the historical district.**
537

538 **Kathleen Ingram**
539 **1410 S. Lakeshore Drive**
540 **Rockwall, TX**
541

542 **Ms. Ingram came forth and suggested that Council consider changing the existing policy that calls for**
543 **sidewalks to be installed upon reconstruction of a roadway. She did not know that 'new streets' would**
544 **come with 'new sidewalks.'** She believes that voters have been misled through the "sidewalks" question
545 on the surveys. She believes a variance should be allowed in this instance because she does not know
546 that voters understood (when voting on the bond proposal) that a new, reconstructed roadway would
547 automatically be accompanied by the installation of sidewalks.
548

549 **Councilmember Daniels shared that previously when Council asked the people on Summit Ridge to go**
550 **discuss the matter and come back with a mutually agreed upon consensus, they were unable to do so.**
551 **Daniels proposed that the city's existing policy be amended to state that if a street does not already**
552 **have sidewalks, then it would not have new ones installed upon reconstruction....and if a street did**
553 **have existing sidewalks, then new ones would be installed upon reconstruction.**
554

555 **Mayor Pruitt moved to table this entire Action Item #1 and further discuss it at a later date. Councilman**
556 **Johannesen seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).**
557

558 **2. Discuss and consider directing staff to prepare an ordinance implementing a city initiated**
559 **Engineering Plan Review Fee, and take any action necessary.**

560 **City Engineer, Amy Williams, provided brief background information pertaining to this agenda item.**
561 **Councilman Hohenshelt moved to instruct staff to prepare this ordinance. Councilman Trowbridge**
562 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

563 **3. Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory**
564 **Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory**
565 **Board, and Park Board and take any action necessary.**

566 **Mayor Pruitt shared that Council is not ready to take action on these tonight. So, neither discussion nor**
567 **action took place regarding this matter.**

568 **XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
569 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
570 **MATTERS.**

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1. Departmental Reports

- Building Inspections Monthly Report - June 2019
- Finance Department Quarterly Report - June 2019
- Fire Department Monthly Report - June 2019
- GIS Division Monthly Report - June 2019
- Harbor PD Monthly Report - June 2019
- Internal Operations Department Monthly Report - June 2019
- Rockwall Animal Adoption Center Monthly Report - June 2019
- Rockwall County Meals On Wheels / Senior Services 3rd Quarter Report
- Recreation Monthly Report - June 2019
- Police Department Monthly Report - June 2019
- STAR Transit Monthly Report - June 2019

2. City Manager’s Report

No questions were asked pertaining to departmental of city manager’s report.

XIII. 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 Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)**
- 2. Discussion regarding possible sale of real property in the vicinity of Downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).**
- 3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)**
- 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 9:05 p.m.

609 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th
610 DAY OF AUGUST, 2019.

611

612 ATTEST:

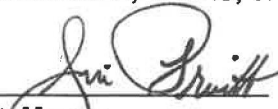
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Kristy Cole, City Secretary



Jim Pruitt, Mayor



MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 19, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Jim Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and City Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Councilmember Patrick Trowbridge was absent from the meeting.

Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II. 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 legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:45 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with six of the seven council members present (Trowbridge absent).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik moved to reappoint John Womble and Mark Moeller and newly appoint Sedric Thomas to the Planning & Zoning Commission (these 3 year terms will expire in August of 2022). Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge). Mr. Thomas replaces outgoing member Johnny Lyons, who is termed out.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESSEN

39 **Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.**

40 **VII. OPEN FORUM**

41 **Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth at**
42 **this time to address the Council. There being no one indicating such, he then closed Open Forum.**

43 **VIII. CONSENT AGENDA**

- 44 **1. Consider approval of the minutes from the August 5, 2019 regular city council meeting, and**
45 **take any action necessary.**
- 46 **2. Consider authorizing the City Manager to engage the firm of BrooksWatson & Co PLLC to**
47 **conduct the audit of the City's financial statements for the fiscal years ending September 30,**
48 **2019 - 2022, and take any action necessary.**
- 49 **3. Consider an ordinance amending the Code of Ordinances in Chapter 10. "Building and**
50 **Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and**
51 **Standards Commission" ("the Commission") to appoint the duties of the Commission to the**
52 **Board of Adjustments, and take any action necessary. (1st Reading)**
- 53 **4. Consider an ordinance amending the Code of Ordinances in Chapter 38. "Subdivisions,"**
54 **Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee**
55 **schedule for engineering plan review fees, and take any action necessary. (1st Reading)**
- 56 **5. P2019-029 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-**
57 **Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision**
58 **being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No.**
59 **72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88)**
60 **for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the**
61 **intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.**
- 62 **6. P2019-030 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-**
63 **Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate**
64 **Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified**
65 **as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County,**
66 **Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land**
67 **uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and**
68 **Clem Road, and take any action necessary.**

69 Councilmember Hohenshelt moved to approve the entire Consent Agenda as presented (#1, 2, 3, 4, 5,
70 and 6). Mayor Pro Tem Macalik seconded the motion. The ordinances were read as follows:

71 CITY OF ROCKWALL
72 ORDINANCE NO. 19-
73

74 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE
75 CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;"
76 ARTICLE II. "ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND
77 STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILDING AND
78 STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A
79 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
80 EFFECTIVE DATE.

81 CITY OF ROCKWALL, TEXAS
82 ORDINANCE NO. 19-____
83

84 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
85 THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL,"
86 SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING
87 PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
88 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
89

90 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).
91

92 IX. APPOINTMENT ITEMS

93 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
94 regarding cases on the agenda and related issues and take any action necessary.

95 Chairman of the P&Z Commission, Johnny Lyons came forth. Mayor Pruitt thanked Mr. Lyons for his
96 leadership and service on the Commission, indicating that he has 'termed out.' Council thanked Mr.
97 Lyons for his service. Mr. Lyons briefed the Council on recommendations of the Commission relative to
98 planning-related items on tonight's meeting agenda. Council took no action concerning this agenda
99 item.

100 2. Appointment with Brad Helmer of Heritage Christian Academy to discuss Specific Use Permit
101 (SUP) No. S-201 concerning temporary educational buildings, and take any action necessary.

102 Brian McKinney came forth on behalf of Mr. Helmer, indicating that he is at new parent/teacher
103 orientation this evening, so he could not be present. Mr. McKinney thanked Councilmembers
104 Johannesen and Trowbridge for their recent advice and guidance. Councilmember Johannesen
105 recommended that the city consider reapproving the SUP once every six months or so in order to
106 provide check points along the way. Mr. McKinney shared that a professional fund raising consultant
107 has been hired to help move the fundraising efforts forward.

108 Mayor Pruitt moved to approve the proposed timeline that was put forth, calling for HCA to come
109 before the council once every six months to provide updates on the timeline and with the
110 understanding that if things are not going well, the SUP may be discontinued by Council.

111 Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence
112 (Trowbridge).

113 **X. PUBLIC HEARING ITEMS**

114 **1. Z2019-015** - Hold a public hearing to discuss and consider a request by Greg Wallis of
115 Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific
116 Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre
117 parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall
118 County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097],
119 and take any action necessary **(1st Reading)**.

120 Planning Director Ryan Miller provided background information concerning this agenda item. He
121 indicated that thirty-two notices were sent out to property owners and residents located within 500' of
122 the subject property; however, no notices have been returned. The Planning & Zoning Commission has
123 recommended approval of this SUP request.

124 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
125 time. There being no one indicating such, he then closed the public hearing.

126 The applicant - 1520 E. IH-30 Rockwall, TX – came forth briefly. Councilman Johannesen then moved
127 to approve the SUP request. Councilman Hohenshelt seconded the motion. The ordinance was read as
128 follows:

129 **CITY OF ROCKWALL**
130 **ORDINANCE NO. 19-XX**
131 **SPECIFIC USE PERMIT NO. S-_____**

132 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
133 **THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, AS PREVIOUSLY**
134 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINOR**
135 **AUTO REPAIR GARAGE, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE**
136 **PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF**
137 **ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS;**
138 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND**
139 **DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
140 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

141 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

142 **2. Z2019-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a text
143 amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and
144 Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of
145 Ordinances for the purpose of updating the codes to conform to changes made by the 86th
146 Legislative Session, and take any action necessary **(1st Reading)**.

147 Planning Director Ryan Miller provided background information pertaining to this agenda item, sharing
148 that these issues were initially discussed with Council at a work session in early July. He explained that
149 these amendments are in response to passage of recent state legislation. He went on to explain each of
150 the proposed amendments and its purpose. A fifteen day notice was posted in the Herald Banner, and
151 all state and local notification requirements were also met associated with these proposed UDC and
152 Code amendments.

153 Councilmember Hohenshelt moved to approve Z2019-016 as presented. Councilmember Fowler
154 seconded the motion. The ordinance was read as follows:

155 CITY OF ROCKWALL
156 ORDINANCE NO. 19-XX
157

158 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
159 THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE
160 [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY
161 AMENDING ARTICLE II, AUTHORITY AND ADMINISTRATIVE PROCEDURES, ARTICLE IV,
162 PERMISSIBLE USES, ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, ARTICLE VIII,
163 LANDSCAPE STANDARDS, ARTICLE X, PLANNED DEVELOPMENT DISTRICT REGULATIONS,
164 ARTICLE XI, ZONING RELATED APPLICATIONS, AND ARTICLE XIII, DEFINITIONS, OF THE
165 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38], AND ARTICLE XI, FENCES, OF
166 CHAPTER 10, BUILDING AND BUILDING REGULATIONS, OF THE MUNICIPAL CODE OF
167 ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
168 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
169 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

170 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

171 After Action Item No. 3, Mayor Pruitt opened the public hearing for this agenda item, asking if anyone
172 would like to come forth and speak at this time. There being no one indicating such, he then closed the
173 public hearing.

174 XI. ACTION ITEMS

- 175 1. Discuss and consider recommendations by the Main Street Advisory Board regarding approval
176 of an ordinance amending the Code of Ordinances in Chapter 32. "Signs;" Article III.
177 "Regulations and Requirements;" Division 4. "Downtown District Signs" to modify allowances
178 for permanent signs in the Downtown District (DT), and take any action necessary. (1st
179 Reading)

180 Daniel Nichols of the Main Street Advisory Board came forth and provided a brief history to the Council
181 concerning these proposed amendments. Mayor Pruitt indicated that he personally attended the Main
182 Street Advisory Board meeting at which these proposed amendments were discussed. He shared that
183 he has some concerns about some of these proposed regulations. He went on to share his concerns in
184 greater detail. He generally does not feel like the city should be interfering to this degree with the
185 signage that businesses want to install at their downtown buildings. Councilman Daniels pointed out

186 that some signage preferences are a matter of personal preference and/or opinion. Also, he agrees
187 with the mayor that sometimes a city may be in danger of overstepping its bounds by overregulating.
188

189 At one point, Mayor Pruitt pointed out that the draft verbiage that calls for neon signs to be approved
190 by the Main St. Advisory Board is not viable since that particular board is only advisory in nature. So,
191 the city's Planning & Zoning Commission may be a better option since it is regulatory in nature (and
192 perhaps the City Council could serve as the appeal authority).
193

194 Councilmember Hohenshelt generally expressed that if the vast majority of business owners are in favor
195 of these sorts of regulations, then that is one thing; however, if more than half of them are not okay
196 with these regulations, then that may be a different story.
197

198 Councilmember Fowler moved to table this discussion item. Councilmember Hohenshelt seconded the
199 motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).
200

201 Mr. Crowley, City Manager, generally sought guidance regarding what type of additional information
202 or steps are needed in order to revisit this topic at a later date. Councilman Hohenshelt wanted to be
203 sure that anyone who may be impacted by these changes has been notified and invited to attend the
204 meeting the next time this is discussed with Council. Crowley suggested that staff send another notice
205 to all those property owners and businesses that were originally notified, remind them of the proposed
206 regulation changes and invite them to the council meeting when it will be discussed. That way, they
207 have an opportunity to either submit their comments in writing or attend the meeting in person if they
208 so desire. Council generally seemed agreeable to this idea. No further discussion took place at this time.
209

210 2. Discuss and consider authorizing the City Manager to issue a letter of support to TXDOT
211 regarding temporarily postponing implementation of shared outside lanes on John King Blvd.
212 until substantial improvements of the roadway are made, and take any action necessary.

213 City Manager Rick Crowley provided brief background information concerning this agenda item.
214 Following his comments, Councilmember Hohenshelt moved to authorize the City Manager to sign the
215 letter and send it to TXDOT. Councilmember Johannesen seconded the motion, which passed by a vote
216 of 6 ayes with 1 absence (Trowbridge).
217

218 3. Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory
219 Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory
220 Board, Main Street Advisory Board, and Park Board and take any action necessary.

221 Mayor Pro Tem Macalik moved to reappoint David Sweet and Kathleen Morrow and newly appoint (in
222 place of Jane Braddock) Amber Crimmings to the city's ART Review Team. Councilmember Fowler
223 seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).
224

225 Johannesen moved to reappoint Larry Denny and newly appoint Jamie Rice to the city's Park Board.
226 Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence.
227

228 Councilman Daniels moved to reappoint to the city's Architectural Review Board, Ashlei Neill, Robert
229 Miller and Julien Meyrat. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6
230 ayes with 1 absence.

231
232 Councilman Fowler moved to reappoint Ken Dickson to Animal Advisory Board. Councilmember
233 Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence.

234
235 Mayor Pruitt readdressed Public Hearing Item #2 at this juncture.

236
237 **XII. EXECUTIVE SESSION**

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

- 240 1. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section
241 §551.071 (Attorney/Client Consultation).
242 2. Discussion regarding appointments to and interviews for city regulatory boards, commissions,
243 and committees - specifically the Planning & Zoning Commission and Board of Adjustments -
244 pursuant to Section 551.074 (Personnel Matters)
245 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
246 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
247 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

248 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

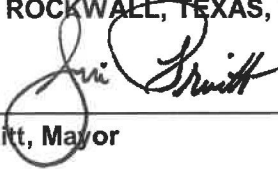
249 Council did not reconvene in Executive Session following the close of the public meeting agenda. See
250 action taken at the beginning of the 6:00 p.m. meeting as noted above.

251
252 **XIV. ADJOURNMENT**


253 Mr. Crowley reminded the Council that the budget work session is slated for Tues., Aug. 27 at Municipal
254 Court. Also, Mayor Pruitt indicated that TXDOT will be holding a public meeting concerning John King
255 Boulevard on September 19 at Liberty Hall at the County Courthouse.

256 Mayor Pruitt then adjourned the meeting at 7:18 p.m.

257
258 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd**
259 **DAY OF SEPTEMBER, 2019.**



Jim Pruitt, Mayor

262 **ATTEST:**
263 
264 _____
265 Kristy Cole, City Secretary



MINUTES Budget Work Session

ROCKWALL CITY COUNCIL SPECIAL MEETING

Tuesday, August 27, 2019 - 8:00 a.m.

Municipal Court Building - 2860 SH-66 Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 8:04 a.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Trace Johannesen, Bennie Daniels and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, departmental directors, the public information officer and city secretary.

II. OPEN FORUM / PUBLIC COMMENTS

At 9:32 a.m., Mayor Pruitt opened Open Forum, asking if anyone would like to speak at this time. Paul Johnson, a city police employee, came forth, indicating that he is the current Vice President of the Rockwall Police Officer's Association. He thanked the city council for the market adjustment raises. He pointed out that the data that HR collects pertaining to the market is not reflective of what those other municipalities will actually be adopting come October 1st of each year, so, essentially, our staff's salaries are already behind other, competitor cities.

Nick Grant
1569 Old E. Quail Run Road
Rockwall, TX

Mr. Grant came forth and asked for more information about plans for SH-205 where it exists going out of the city limits and in other areas along its route. Mayor Pruitt indicated that the city won't be bulldozing homes along the roadway near downtown like what TXDOT may have been proposing to do; however, the city will need to be innovative regarding how it will deal with traffic in that area in the future. Mr. Crowley shared that the \$44 million bond election related to John King Boulevard was put forth to voters in a way that indicated the future roadway would be utilized as a SH-205 bypass. He went on to further explain the history of the roadway construction as it relates to TXDOT standards when it was first built and afterwards. No action was taken as a result of the dialogue exchanged with Mr. Grant.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum at 9:41 a.m.

III. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE PROPOSED FISCAL YEAR 2020 CITY OF ROCKWALL MUNICIPAL BUDGET

Mr. Crowley began the budget discussions, indicating that the proposed budget was prepared based on the effective tax rate of 38.7991 cents per \$100 of valuation. This will essentially result in a decrease of the tax rate itself. Staff has been able to begin transferring water / wastewater funds over to the General Fund to "pay it back," essentially. New state legislation will result in an estimated loss of about \$175k in franchise-related fees that will no longer be collected by the city. The sales tax rate increase is estimated at about 5.44%, as compared to an increase of 3% projected by the current fiscal year budget. In addition,

42 there will be added police and fire personnel as well as a four-person parks maintenance crew and water
43 operations staff. There will be a market pay rate adjustment of 3% for non-sworn personnel and a 4% for
44 some public safety positions to address market deficiencies and ensure internal equity in pay.
45

46 At 8:50 a.m., Pruitt asked if those present would like to hold Open Forum now or later in the meeting. A
47 (then) unnamed gentlemen present in the audience expressed a desire to hold it after the budget
48 discussions have taken place.
49

50 General discussion ensued pertaining to the budget, expenditures, and 'wants' versus 'needs,' including
51 police department seized funds; use of funds for sidewalks (and associated citywide policy); the potential
52 for an additional pickle ball court or two in the future; and possible additional parking at the Harry Myers
53 Community Center/Pickle Ball Court/Park area. Discussions also took place regarding future, additional
54 neighborhood parks and The Harbor 'beach park.' Councilman Trowbridge indicated a desire for staff to
55 evaluate how our city's departmental and General Fund budgets compare to other, comparable, nearby
56 cities (i.e. what percentage of our overall budget goes to Parks and Parks Maintenance and how does our
57 percentage compare to that of other, similar cities nearby?).
58

59 Mayor Pruitt called for a break after Open Forum and recessed the public meeting (9:41 a.m.). He
60 reconvened the meeting at 9:59 a.m.
61

62 IV. DISCUSS WATER / SEWER SERVICE AREA

63 Mr. Crowley discussed with the Council two residential developments north and south of SH-276 by the
64 Rockwall Tech Park, indicating that they have a combined total of about 950 lots. He went on to discuss
65 the future infrastructure needs of the city as related to these developments and future development
66 elsewhere in the city. He talked about the potential of working with Fate, Wylie and Lavon to discuss the
67 feasibility of joining together for a possible new sewer treatment plant sometime in the future, which may
68 be the most financially viable thing to do. Discussions touched on a large, regional plant versus a 'package
69 plant,' which is much smaller, and that may be a consideration too.

70 Mrs. Smith, Assistant City Manager/Finance Director, discussed with the Council the city's current water
71 service area and the fact that the City of Rockwall has traditionally only serviced properties that are located
72 within our own city limits. She explained that, in the past, when annexations have occurred, the City
73 negotiates with those water supply corporations to buy the right to serve properties that have newly been
74 brought into the city. However, recent state legislation that limits a city's ability to annex may pose a
75 limiting factor in the future. She mentioned that Mt. Zion Water Supply Corporation may want the City of
76 Rockwall to, over time, take over their system, indicating that our rates are about half of what Mt. Zion's
77 current rates. Discussion took place regarding analyzing what the "cost of delivery" is to the City. Brief
78 comments were made concerning other water corporations, such as Blackland, too. Council expressed
79 that it is generally not opposed to the idea of the City of Rockwall potentially servicing water customers
80 outside of our city limits / ETJ.

81 V. DISCUSS BEST PRACTICES FOR NETWORK SECURITY

82 Denny Lassetter, IT Director, came forth and discussed network security, including ransomware threats
83 that have been impacting computer networks of both private businesses and government entities. He
84 went on to share some of the 'best practices' that are utilized in order to protect our own municipality's
85 network from these sorts of hackers. He also provided numerous recommendations for how individual

86 network and e-mail users may proactively work to protect the network too. Furthermore, he
87 recommended that the same password never be utilized over multiple devices and accounts and that
88 software always be kept up-to-date on mobile, tablet and desktop devices.
89

90 **VI. DISCUSS FUTURE LEGISLATIVE PLANNING**

91 Mr. Crowley discussed this item with the Council. He briefed them on the role that the TX Municipal League
92 (TML) has generally played on behalf of cities at the state legislature. In general, TML has taken the
93 approach that if a piece of proposed legislation will support / enhance 'local control,' then TML has rallied
94 for the bills, and if the proposed legislation generally aims to take away local control, it has taken a stance
95 against said legislation. Mr. Crowley expressed that he would like to know if the Council is generally okay
96 with him proactively working with other cities to encourage that they and TML begin to more solely focus
97 on pieces of proposed legislation that truly, truly matter to cities. The Council was generally agreeable to
98 Mr. Crowley doing so.
99

100 **VII. DISCUSS FIREWORKS PLANNING**

101 Mr. Crowley reminded the Council that Mr. Scott Self had recently spoken at a council meeting regarding
102 the idea of having 5 lower level fireworks shows for this coming July 4th holiday – with 4 being over Lake
103 Ray Hubbard / on the lake, and one being at Harry Myers Park (the typical location for the city sponsored
104 fireworks show). Mr. Self wanted the city to financially participate to some extent, and he planned to
105 recruit a lot of volunteers to train them and assist with 'pulling off' all of the proposed shows. Mr. Crowley
106 indicated that staff recently met with Mr. Self, and the general gist of the conversation resulted in several
107 'unanswered' questions and/or several things for which no good, sound answers exist (i.e. from how far
108 away might the 'lower level' fireworks be able to be seen? ; where would people park and/or congregate
109 to watch said shows? ; will they be parking along IH-30 and/or in neighborhoods, some of which are gated,
110 where residents may not appreciate them congregating to watch the fireworks shows? ; is it smart to
111 change the "big show" at Harry Myers to a "lower level" show the very first year? , etc.). Mr. Crowley went
112 on to share that his recommendation is that the city continue to pursue discussions with Mr. Self about
113 the four, other lower level shows over the lake, that staff study (thru GIS mapping and analysis) how far
114 away they will be able to be seen, and that the 'big show' at Harry Myers Park remain a 'big show,' at least
115 for this first, upcoming year (and perhaps beyond). Council generally agreed with Mr. Crowley. It was also
116 clarified that everything about the 4th celebration at Harry Meyers will remain unchanged (i.e. there will
117 still be bands playing that day too).

118 **VIII. ADJOURNMENT**

119 Mayor Pruitt adjourned the meeting at 11:44 a.m.

120

121 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY**
122 **OF SEPTEMBER, 2019.**

123


124

125 **ATTEST:**

126

127

128



Kristy Cole, City Secretary





Jim Pruitt, Mayor

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 03, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Dana Macalik called the public meeting to order at 4:02 p.m. Present were Mayor Pro Tem Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and the city's legal counsel, Patrick Lindner. Mayor Pruitt arrived to the meeting at 4:05 p.m. as noted below.

II. WORK SESSION

1. Hold work session to discuss sidewalks citywide

Mayor Pro Tem Dana Macalik read the work session agenda item and called upon City Engineer/Director of Public Works, Amy Williams. Mrs. Williams provided council members with samples of criteria that they may wish to consider when establishing a sidewalks policy. Mayor Pruitt arrived to the meeting at 4:05 p.m. Ms. Williams' criteria are as follows:

1. The street is above a residential/local classification or on the currently adopted Thoroughfare Plan (i.e. minor collector, major collector, minor arterial and major arterial)
2. If average daily traffic is 1,000 vehicles per day or more
3. If a portion of the block of the street is within 1,000 feet of a school, city park, or church, the entire block shall have a sidewalk.

Council discussed these three points at length with staff, generally clarifying the suggestions and trying to decide if the criteria are acceptable or if they may need to be modified in some way.

Mayor Pruitt opened up the public forum

John Ruess
202 West Boydston
Rockwall, TX

Mr. Ruess came forth and expressed concern about not having heard the Council or staff mention anything about the home owners who have purchased homes along these roadways and what they may or may not want regarding sidewalks. He encouraged the Council to let the property owners vote and decide for themselves if they do or do not want sidewalks installed in front of their homes / on their streets. All he has heard so far during this work session is "bureaucracy." He personally does not want a sidewalk on Boydston, and he does not believe they are needed on his street. He wants the Council to let the homeowners exercise democracy and decide for themselves if they will or won't have sidewalks.

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**Kathleen Ingram
1410 S. Lakeshore Drive
Rockwall, TX**

Ms. Ingram came forth and handed out suggested, proposed amendments for the current sidewalks-related ordinance. She too feels that property owners who live along these roadways should have more 'say' regarding if sidewalks will be installed or not. She shared that these suggestions came as a result of a group meeting of property owners on Lakeshore / S. Lakeshore.

**R.D. Vanderslice
1408 S. Lakeshore
Rockwall, TX**

Mr. Vanderslice came forth and shared that he has lived in Rockwall for thirty-six years. Back in April, he came forth and asked (at a meeting), are the sidewalks a "done deal?" He did not get a good feeling about the answer(s) received at that time. So, he went back and looked at his own survey to see how he had responded. He shared that when the bond description was sent out in a city brochure, indication was given that the city would work with the neighborhoods and that sidewalks were 'possible.' He does not understand why residents were even sent a survey asking if they do or do not want sidewalks if the schematics were already drawn up, and the sidewalks seemed to have been a "done deal" already by the time the neighborhood meeting was held. He suspects that if another, additional survey was sent, the city would receive an overwhelming response because, at this point, they are more educated on the subject of sidewalks. He does not believe that the city is listening to residents who live on these streets, in these neighborhoods. Mr. Vanderslice went on to share that he and his neighbors would rather live with the street 'as is' and not have the roadway improved if it means that sidewalks will be installed.

**Gary Piepenburg
1510 S. Lakeshore Drive
Rockwall, TX**

Mr. Piepenburg came forth and stated that he has lived in Rockwall about four years, and he has spoken to about forty people who are angry that sidewalks could possibly be installed and interrupt their neighborhood.

**Nora Elwonger
308 Meadowdale
Rockwall, TX**

Mrs. Elwonger came forth and wanted some clarification on some things. Mayor Pruitt encouraged her to discuss her questions with Ms. Williams (City Engineer). Discussion then took place between Mrs. Elwonger and staff regarding S. Lakeshore being designated (years ago) as a "minor collector roadway" on the city's thoroughfare plan as well as traffic counts. Mrs. Elwonger acknowledged that Texas having the third highest pedestrian fatalities in the nation may not tell the whole story.

**Ed Howard
1418 Lakeshore**

91 Rockwall, TX

92
93 Mr. Howard shared that he and his wife have lived here for only about 3 years. He walks every
94 morning at 5:30 a.m. for about an hour. Cars drive by fast, and he has had to move off the roadway
95 and into the grass several times because of cars driving by fast. He has also tripped and fallen at least
96 a couple of times. He and his wife are in favor of the sidewalks and the street improvements.

97
98 Ron Gilliland
99 310 Meadowdale
100 Rockwall, TX

101
102 Mr. Gilliland shared that his home would get 160' feet of sidewalk and retaining wall if the city moves
103 forward with installation of sidewalks. About 18 months ago, Alamo was opened, and it has diverted a
104 lot of traffic (even though there was never really a traffic problem to begin with). He and his wife eat
105 breakfast, and 6-8 a.m. in the morning is the prime time for pedestrian walkers. He would hate to
106 make decisions locally for Rockwall based on statewide pedestrian fatality statistics. Mr. Gilliland
107 commented and complimented staff member, Jeremy White, from the Engineering Dept. on his
108 professionalism and assistance in providing information to several residents who asked him for
109 assistance.

110
111 Jerry Welch
112 1509 Lakeshore Drive
113 Rockwall, TX

114
115 Mr. Welch came forth and showed a photo of what his front lawn will look like and how much
116 property will be taken up by sidewalks if they are installed. At first, he thought he was in favor of
117 them; however, he generally expressed that he is now opposed to their installation altogether.

118
119 Tom Hughes
120 1209 Lakehsore
121 Rockwall, TX

122
123 Mr. Hughes reminded Council and staff that they work for the citizens. He pointed out that several
124 'traffic calming' measures were put in place (striping, speed humps, four-way stops, etc.) on
125 Lakeshore. In some places on the street, a homeowner may not park in front of his or her home. He
126 does not believe that the 'traffic calming' measures that have been put in place have really helped. He
127 believes more efforts are needed. He is not in favor of sidewalks, and they will adversely impact trees,
128 lawns, etc. He is pleased with our police department and their enforcement efforts. He encouraged
129 Council to 'do the right thing' for people who live in this community.

130
131 Sophia Tsardoulis
132 204 Meadowdale Drive
133 Rockwall, TX 75087

134
135 Mrs. Tsardoulis came forth and asked why sidewalks are even being considered. Mayor Pruitt
136 shared that there are residents who do want sidewalks and are in fact in favor of them. The city
137 requires sidewalks to be installed in all new neighborhoods. She is concerned about climate change,
138 and taking them down would adversely impact climate change efforts.

139
140 Mayor Pruitt read the below listed discussion items into the public record before recessing the public
141 meeting to go into Executive Session at 5:12 p.m.
142

143 **III. EXECUTIVE SESSION.**

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

- 146 1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074
147 (Personnel Matters)
148 2. Discussion regarding appointments to and interviews for city regulatory boards,
149 commissions, and committees - specifically the Board of Adjustments - pursuant to Section
150 551.074 (Personnel Matters)
151 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of
152 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District
153 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
154

155 **IV. ADJOURN EXECUTIVE SESSION**

156
157 Council adjourned from Executive Session at 5:58 p.m.
158

159

160 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

161 Mayor Pruitt reconvened the public meeting at 6:00 p.m.

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

163 No action was taken as a result of Executive Session.

164 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE**

165 Councilmember Trowbridge delivered the invocation and led the Pledge of Allegiance.
166

166

167 **VIII. PROCLAMATIONS**

- 168 1. Childhood Cancer Awareness Month

169 Mayor Pruitt called forth Sarah Jones, and he read and presented her with this proclamation. She
170 shared that she has three children, and one of them has been diagnosed with a type of leukemia. It
171 has been eleven months today since he was diagnosed. She shared that the government only gives
172 4% of its budget to 'childhood cancer.' She encouraged support for finding alternative treatments and
173 a cure for childhood cancer.

174 Mayor Pruitt allowed several Boy Scouts in the audience to introduce themselves, all of whom
175 indicated they are here this evening because they are working on their merit badges.

176

177 **IX. OPEN FORUM**

178 **Mayor Pruitt explained how Open Forum is conducted, and he then opened up the floor for anyone**
179 **who would like to come forth and speak at this time.**

180 **Steve Curtis**
181 **2130 F.M. 1131**
182 **Rockwall, (County) Texas**

183
184 **Mr. Curtis came forth and explained that citizens who live in the county will be impacted by decisions**
185 **that are made by the various cities within the county. He suggested that each city board or**
186 **commission include at least one county resident.**

187
188 **Julie Barlow**
189 **1005 Ridge Road West**
190 **Rockwall, TX**

191
192 **Mrs. Barlow came forth and shared some research that she had done. Her neighbor sent out 35**
193 **questionnaires, and 21 responses were received back as of this past Saturday (62% response rate) She**
194 **explained that the survey only went out to residents who live on their street, and she briefed the**
195 **Council on the results.**

196
197 **Jonna Morton**
198 **313 Rockbrook**
199 **Rockwall, TX**

200
201 **Mrs. Morton shared the belief that sidewalks will take away from the nice feeling that pedestrians**
202 **have when walking on her street and in her neighborhood. She is a realtor and has been a realtor for**
203 **forty years. She bought her house after selling it, previously, to two other clients. She has been**
204 **blessed to be a successful realtor in Rockwall because selling homes here is so easy. She believes that**
205 **sidewalks being installed would have a negative effect on her neighborhood.**

206
207 **R.D. Vanderslice**
208 **1408 S. Lakeshore**
209 **Rockwall, TX**

210
211 **Mr. Vanderslice came forth and showed a photo of a new road that was done on Stonebridge, and**
212 **sidewalks were not installed there – only a new roadway and new curbs. He showed another**
213 **photograph of a roadway in front of homes where a few, large, mature trees exist, generally**
214 **indicating that if sidewalks were installed here, those trees would be adversely impacted. He has**
215 **lived in Rockwall for thirty-six years, and he and many of his neighbors have lived along this roadway**
216 **for more than thirty and forty years (he went on to name many of them specifically). He generally**
217 **spoke about the ‘specialness’ of this ‘legacy neighborhood’ and its beautiful landscaping and mature**
218 **trees and vegetation. He is very opposed to sidewalks and encouraged Council to not move forward**
219 **with them in his neighborhood / on his street.**

220
221 **John Ruess**
222 **202 West Boydston Avenue**

223 Rockwall, TX

224
225 Mr. Ruess acknowledged that Council needs to have a sidewalks policy in place. He strongly suggested
226 that Council's policy be 'let the people, through democracy, decide' on whether or not they want
227 sidewalks. He believes that someone in the city is 'pushing sidewalks.' He does not understand why
228 they are so important if nobody wants them.

229
230 There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.

231
232 **X. CONSENT AGENDA**

- 233 1. Consider approval of the minutes from the August 19, 2019 regular city council meeting, and
234 take any action necessary.
- 235 2. Consider approval of the minutes from the August 27, 2019 Special City Council / Budget
236 Work Session meeting, and take any action necessary.
- 237 3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and
238 Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and
239 Standards Commission" ("the Commission") to appoint the duties of the Commission to the
240 Board of Adjustments, and take any action necessary. **(2nd Reading)**
- 241 4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions,"
242 Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee
243 schedule for engineering plan review fees, and take any action necessary. **(2nd Reading)**
- 244 5. **Z2019-015** - Consider a request by Greg Wallis of Mershaw Architects on behalf of the
245 owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of
246 an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4,
247 Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned
248 Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action
249 necessary **(2ndReading)**.
- 250 6. **Z2019-016** - Consider approval of an **ordinance** for a text amendment to various sections of
251 the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10,
252 Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of
253 updating the codes to conform to changes made by the 86th Legislative Session, and take
254 any action necessary **(2nd Reading)**.
- 255 7. Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes
256 and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute
257 Purchase Orders in the amount of \$209,300 and \$118,000 respectfully to be funded out of
258 the General Fund Reserves, and take any action necessary.
- 259 8. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10.
260 "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential
261 Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical
262 Code" for the purpose of updating the codes to conform to changes made by the 86th
263 Legislature through passage of H.B. 2439, and taken any action necessary. **(1st reading)**

- 264 9. **P2019-032** - Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on
265 behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial
266 Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial
267 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
268 addressed as 2040 Kristy Lane, and take any action necessary.
- 269 10. **P2019-034** - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott
270 Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock
271 Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper
272 Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
273 District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic
274 Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and
275 take any action necessary.
- 276 11. **P2019-036** - Consider a request by Price Pointer of TCB Construction Group, LLC for the
277 approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land
278 identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas,
279 zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District,
280 addressed as 505 N. Goliad Street, and take any action necessary.

281
282 **Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9,**
283 **10, and 11). Councilmember Hohenshelt seconded the motion. The ordinance captions were then read**
284 **as follows:**

285 **CITY OF ROCKWALL**
286 **ORDINANCE NO. 19-29**

287
288 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE**
289 **OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II.**
290 **"ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS**
291 **COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILDING AND STANDARDS**
292 **COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE;**
293 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.**

294
295 **CITY OF ROCKWALL, TEXAS**
296 **ORDINANCE NO. 19-30**

297
298 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
299 **CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION**
300 **38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE;**
301 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING**
302 **FOR AN EFFECTIVE DATE.**

303 **CITY OF ROCKWALL**
304 **ORDINANCE NO. 19-31**
305 **SPECIFIC USE PERMIT NO. S-211**

306
307 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
308 **UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS,**
309 **AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A**
310 **MINOR AUTO REPAIR GARAGE, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE**
311 **PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF**

312 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
313 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
314 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
315 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

316
317 CITY OF ROCKWALL
318 ORDINANCE NO. 19-32
319

320 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
321 MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO.*
322 *04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II,
323 *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V,
324 *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X,
325 *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED*
326 *APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS*, OF THE UNIFIED DEVELOPMENT CODE
327 [*ORDINANCE NO. 04-38*], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING*
328 *REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR A PENALTY OF FINE
329 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
330 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
331 FOR AN EFFECTIVE DATE.

332
333 The motion passed by a vote of 7 ayes to 0 nays.

334 XI. APPOINTMENT ITEMS

- 335 1. Appointment with Mike Svetz of Pros Consulting to hear a presentation regarding the
336 athletic field feasibility study, and take any action necessary.

337 **Mr. Svetz came forth and provided a lengthy presentation to Council related to the results of the**
338 **athletic field feasibility study that his company undertook on behalf of the City of Rockwall. Mr. Svetz**
339 **indicated that he did present these findings to the city's Park Board as well. Indication was given that**
340 **further discussions related to this study will be held at some point in the future with both the Park**
341 **Board and the City Council; however, no action was taken at this time.**

- 342
343 2. Appointment with Phil Wagner, President of the Rockwall Economic Development
344 Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology
345 Park to no more than two hours, and take any action necessary.

346 **Mr. Wagner came forth and generally expressed concern about parking shortages that exist in certain**
347 **areas of the Tech Park. He seemed to indicate that the parking issues make it difficult to attract new**
348 **businesses to the Park. Following Mr. Wagner's comments, Council asked staff to bring back an**
349 **ordinance for Council to consider related to limiting parking to two-hours within the Technology Park.**
350 **Council took no formal action at this juncture.**

351
352 XII. PUBLIC HEARING ITEMS

- 353 1. Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall
354 budget and tax rate, and take any action necessary

355 **Mr. Crowley, City Manager, shared that the proposed budget was prepared based on the effective tax**
356 **rate. This means that the actual proposed rate for fiscal year 2020 will be less than the current fiscal**
357 **year's budget. Both property values and sales tax have increased, and staff is anticipating continued**

358 economic stability and health in the coming fiscal year. Mayor Pruitt indicated that a day-long budget
359 session was held last week. Mrs. Smith, Assistant City Manager / Finance Director, shared that the
360 proposed budget is available on the city's website on the Finance Department's webpage. She gave a
361 broad overview of the high points of the budget, including a few new positions and capital purchases.
362 She shared that the actual, final vote on the tax rate and budget will take place at the next, regular
363 city council meeting later on in September.

364 Mayor Pruitt shared that the city will be adding one, additional police officer that will specifically help
365 with mental health issues, including members of the public that the police interact with as well as
366 training for police staff.

367
368 Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak at
369 this time. There being no one indicating such, he then closed the public hearing. No action was taken
370 by Council at this time.

371
372 **XIII. ACTION ITEMS**

373 1. Discuss and consider citywide sidewalks policy, and take any action necessary.
374 Mayor Pruitt shared that this is a continuation of the work session item that Council discussed at the 4
375 o'clock meeting. He went on to generally share that sidewalks address safety concerns, so there are
376 certainly reasons for having sidewalks, especially when thousands of cars are traveling on some of
377 these streets.

378
379 Councilmember Hohenshelt assured the public that he has personally spent five to six hours of his
380 own personal time and another twenty hours or so at various public meetings discussing the topic of
381 sidewalks. He and other members of the Council have been dealing with the topic of sidewalks for
382 several years. The Council is trying to balance interconnectivity of the city and certain neighborhoods
383 and not just look at sidewalks in front of certain homes along certain streets. He pointed out that the
384 land in question is a 'dedicated right-of-way' that belongs to the city. So, the city is not 'taking'
385 anyone's land. Anything that the city disturbs has to be put back in place (i.e. mailboxes, sprinkler
386 systems, etc.). Property owners' lawns will be impacted, regardless, even if no sidewalks are installed
387 – even if only the roadway, waterlines and sewer lines are replaced. Trees may very well still be
388 affected. He shared that he has received many emails from residents who do want sidewalks installed.
389 Councilmember Macalik shared that this has been a tough decision and review for her personally. She
390 remembers when this neighborhood (Ridge Road Village) was developed because she has lived in the
391 area since 1961. She knows that many people who originally came to Rockwall and purchased homes
392 in this neighborhood did so for the suburban lifestyle. She, on the other hand, does recognize that
393 sidewalks may contribute positively to bringing a neighborhood closer together (i.e. kids having
394 lemonade stands and kids learning to ride their bicycles on sidewalks). Sidewalks, according to a study
395 she read, had a positive impact on residential home values by at least \$5,000. With that being said,
396 there needs to be some 'give and take' on this topic. She and other members of the Council are
397 diligently trying to figure out a way to create a 'win win' for everyone. She shared that she and other
398 members of the Council have received many, many e-mails from members of the public who have
399 young children – who maybe could not attend the evening meetings because of their kids – and, they
400 are very much in favor of sidewalks.

401
402 Councilmember Trowbridge shared that he, personally, has not heard any comments that would lead
403 him to believe that putting cars and people in the same place is a safe, good decision. He went on to
404 generally share that he and other members of Council have absolutely been listening to the citizens,

405 namely through surveys and various public meetings that have been held. He does not believe that
406 installing sidewalks around 80 year old trees will result in all of them dying – he pointed out that
407 sidewalks were installed about eight years ago on Goliad, and those trees are still living.
408

409 Mayor Pruitt summarized that the Council needs to decide how it will choose whether or not
410 sidewalks will be required. So, certain criteria needs to be identified in order to decide on a policy
411 related to sidewalks. Then, in areas where sidewalks will be required, where will they be placed (on
412 the curb or set back from the curb), and how wide they will be if installed.
413

414 Councilman Hohenshelt asked staff to pull back up on the overhead screen the following, potential
415 criteria for a sidewalks policy:
416

- 417 1. The street is above a residential/local classification or on the currently adopted Throughfare
418 Plan (i.e. minor collector, major collector, minor arterial and major arterial)
- 419 2. If average daily traffic is 1,000 vehicles per day or more
- 420 3. If a portion of the block of the street is within 1,000 feet of a school, city park, or church, the
421 entire block shall have a sidewalk.
422

423 He initially stated that his preference is to have one and two above *OR* three. Following some
424 additional dialogue with Councilman Fowler, Hohenshelt went on to share that he believes the policy
425 should be that if one, or two, or three exists, then sidewalks will be installed / required.
426 Councilmember Macalik suggested that the 1,000 vehicles per day (on number two above) be lowered
427 to 500 vehicles per day. Mayor Pruitt asked if traffic counts will be utilized based on today's traffic
428 counts or if updated traffic counts will be used some years from now when actual bond projects are
429 being addressed. Council seemed to generally agree to utilize the traffic counts "as is," as presented
430 and identified today.
431

432 Mr. Crowley asked for some clarification from Council on if they'd like to see an updated map when
433 the ordinance is brought back for consideration. Also, does the city's adopted Thoroughfare Plan need
434 to be revisited to reclassify certain streets and the proposed roadway widths.
435

436 Councilman Trowbridge expressed a desire to include the sixteen block "Downtown District" in the
437 policy to stipulate that "sidewalks are required." Councilman Johannesen pointed out that those
438 streets are already covered under the provision that the street be within 1,000 feet of a school, city
439 park or church.
440

441 Extensive dialogue continued to take place related to this proposed sidewalks policy.
442

443 Councilmember Hohenshelt made a motion to move forward with setting the city's sidewalk policy as
444 follows:
445

- 446 1. The street is above a residential/local classification or on the currently adopted Thoroughfare
447 Plan (i.e. minor collector, major collector, minor arterial and major arterial); AND
- 448 2. The average daily traffic is 750 vehicles per day or more; OR
- 449 3. A portion of the block of the street is within 1,000 feet of a school, city park, or church, then
450 the entire block shall have a sidewalk.
451

452 Hohenshelt specified that the exact criteria related to how and where traffic counts will take place
453 will be hammered out separately. Councilmember Trowbridge seconded the motion, which passed by
454 a vote of 7 ayes to 0 nays.

455
456 Discussion then ensued pertaining to sidewalk width and the placement of the sidewalks (either
457 abutted to the back of the curb or with a strip of grass in between the curb and the sidewalk).

458
459 Councilmember Hohenshelt moved to set the policy (for reconstruction projects – NOT for ‘new
460 subdivisions’) at 6’ wide sidewalks and that they be situated right abutted to the back of the curb.
461 Councilmember Trowbridge seconded the motion, which, following brief comments, passed
462 unanimously.

463
464 2. MIS2019-001 - Discuss and consider approval of a resolution establishing a public hearing
465 date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan,
466 and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action
467 necessary.

468 Planning Director Ryan Miller provided brief comments. Councilman Hohenshelt moved to set the
469 date for Oct. 21, 2019. Councilmember Trowbridge seconded the motion, which passed by a vote of 7
470 ayes to 0 nays.

471
472 3. Discuss and consider an ordinance approving a negotiated settlement between cities in the
473 Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding
474 the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take
475 any necessary action.

476 Assistant City Manager Joey Boyd provided brief background information concerning this agenda
477 item. Following his brief comments, Councilmember Macalik moved to approve the ordinance as
478 presented. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

479

480 CITY OF ROCKWALL
481 ORDINANCE NO. 19-33

482
483 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, APPROVING A
484 NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND
485 ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2019 RATE REVIEW
486 MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS
487 THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT;
488 FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND
489 REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING
490 A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED
491 EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY
492 TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS
493 ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN
494 MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND
495 REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL
496 COUNSEL.

497
498 The motion passed by a vote of 6 ayes with 1 against (Pruitt).

499
 500 4. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic
 501 Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any
 502 action necessary.

503 **No discussion / no action took place concerning this agenda item.**

504
 505 5. Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any
 506 action necessary.

507 **Mrs. Cole, City Secretary, briefed the Council on this agenda item. Councilmember Fowler then**
 508 **moved to reappoint the six students as detailed in the memo and newly appoint the six new students**
 509 **(see table below). Councilmember Trowbridge seconded the motion, which passed unanimously of**
 510 **those present. (7 ayes to 0 nays).**

	New or Reappt.	First Name	Last Name
1	Re-appointment	Mary Claire	Weible
2	Re-appointment	Susie	Wilson
3	Re-appointment	Mazie	Johnson
4	Re-appointment	Kavya	Venugopalan
5	Re-appointment	Peyton	Nielsen
6	Re-appointment	Parker	Yarbrough
7	NEW appointment	Madison	Melcher
8	NEW appointment	Jaxon	Stuart
9	NEW appointment	Marvin	Villalobos
10	NEW appointment	Katharine	Castro
11	NEW appointment	Matt	Kianpour
12	NEW appointment	Chloe	Davis

511
 512 **XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
 513 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER**
 514 **RELATED MATTERS.**

515
 516 **1. Departmental Reports**

- 517 Building Inspections Monthly Report - July 2019
- 518 GIS Division Monthly Report - July 2019
- 519 Internal Operations Department Monthly Report - July 2019
- 520 PARD Monthly Report - July 2019
- 521 Police Department Monthly Report - July 2019
- 522 Rockwall Animal Adoption Center Monthly Report - July 2019
- 523 Rockwall Fire Department Monthly Report - July 2019
- 524 STAR Transit Monthly Report - July 2019

525 **2. City Manager's Report**
526 Mayor Pruitt reminded the public that the city is hosting its annual volunteers' appreciation reception
527 on Sept. 17. He encouraged all who volunteer their time with the city to attend.

528 It was announced that the city's Building Official, Jeffrey Widmer, has been selected to serve as
529 President of the Building Officials Association of Texas (B.O.A.T.).

530 **XV. EXECUTIVE SESSION**

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

- 533 1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074
534 (Personnel Matters)
- 535 2. Discussion regarding appointments to and interviews for city regulatory boards,
536 commissions, and committees - specifically the Board of Adjustments - pursuant to Section
537 551.074 (Personnel Matters)
- 538 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of
539 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District
540 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

542 **XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**


543 Council did not reconvene in Executive Session following the close of the public meeting agenda. No
544 action was taken.


545 **XVII. ADJOURNMENT**

546 Mayor Pruitt adjourned the meeting at 7:51 p.m.

547
548
549 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16TH DAY OF**
550 **SEPTEMBER, 2019.**

551
552 **ATTEST:**
553

554 
555 **KRISTY COLE, CITY SECRETARY**



JIM PRUITT, MAYOR





2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, September 16, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the public meeting to order at 5:00 p.m. with the following council members and staff
8 being present: Mayor Jim Pruitt, Council Members Patrick Trowbridge, Kevin Fowler, Bennie Daniels and
9 Trace Johannesen, City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City
10 Attorney Frank Garza. Mayor Pro Tem Dana Macalik and Councilmember John Hohenshelt were absent
11 from the entirety of the meeting.

12
13 Mayor Pruitt then read the below listed discussion items into the public record before recessing the
14 meeting to go into Executive Session at 5:01 p.m.

15
16 **II. EXECUTIVE SESSION.**

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

- 19 **1.** Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071
20 (Attorney/Client Consultation).
21 **2.** Discussion regarding ballot nominations associated with elections to the Rockwall Central
22 Appraisal District Board pursuant to Section 551.074 (personnel matters)
23 **3.** Discussion regarding appointments to and interviews for city regulatory boards, commissions,
24 and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel
25 Matters)
26 **4.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
27 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
28 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

29 **III. ADJOURN EXECUTIVE SESSION**

30
31 **Council adjourned from Executive Session at 5:52 p.m.**

32
33 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

34 **Mayor Pruitt reconvened the public meeting at 6:06 p.m.**

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

36 **Mayor Pruitt indicated that no action is needed as a result of Executive Session.**

37
38 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT**

39 Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

40 **VII. PROCLAMATIONS**

41 1. Constitution Week

42 Two guests, including Mrs. Marilyn King, came forth and addressed the audience and Council concerning
43 "Daughters of the American Revolution" (DAR) and the importance of the U.S. Constitution. Mayor Pruitt
44 then read and presented the proclamation for "Constitution Week."
45

46 **VIII. OPEN FORUM**

47 Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth at this
48 time to address the Council.
49

50 Jim Turner
51 1691 E. Old Quail Run
52 Rockwall, TX
53

54 Mr. Turner came forth and expressed concern about the SH-205 / John King Boulevard roadway 'swap.' He
55 encouraged the city to hold a public forum and/or put out additional information about this topic, as he
56 believes that a lot of residents are uninformed about this topic. He thanked Council Members for replying
57 to his email; however, he believes the general public needs much more information about this topic.
58

59 There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.
60

61 **IX. CONSENT AGENDA**

- 62 1. Consider approval of the minutes from the September 3, 2019 regular city council meeting, and
63 take any action necessary.
- 64 2. Consider approving an annual contract extension to Terracare for Landscape Maintenance and
65 authorizing the City Manager to execute a contract extension in the amount of \$502,480 to be
66 funded out of General Fund, Parks Operations Budget, and take any action necessary.
- 67 3. Consider approval of an ordinance amending the Code of Ordinances in Chapter 10. "Buildings
68 and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI.
69 "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of
70 updating the codes to conform to changes made by the 86th Legislature through passage of H.B.
71 2439, and taken any action necessary. **(2nd reading)**
- 72 4. **P2019-017** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh
73 Shridharani of Harlan Properties, Inc. for the approval of a preliminary plat for the Emerson Farms
74 Subdivision containing 107 single-family residential lots on a 138.756-acre tract of land identified
75 as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas,
76 zoned Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses,

77 generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell
78 Road, and take any action necessary.

79 **5. P2019-031** - Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf
80 of the owner Jeff Kennemer of the Saddle Star Land Development, LLC for the approval of a final
81 plat for Phase 1 of the Saddle Star South Subdivision containing 66 single-family residential lots
82 on a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land
83 identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall
84 County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4)
85 District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on
86 the north side of John King Boulevard east of the intersection of Featherstone Drive John King
87 Boulevard, and take any action necessary.

88 **6. P2019-033** - Consider a request by Bill Bricker of Columbia Development Company, LLC on behalf
89 of David and Laura Cline for the approval of a replat for Lot 47, Block D, Park Place West Phase II
90 Addition being a 0.184-acre parcel of land being currently identified as Lot 20, Block D, Park Place
91 West Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
92 District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, addressed as 408 Jordan Farm
93 Circle, and take any action necessary.

94 **Councilmember Fowler moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6).**
95 **Councilmember Trowbridge seconded the motion, which passed unanimously of those present (Macalik**
96 **and Hohenshelt absent).**

97

98 **The ordinance caption for Consent Agenda item #3 was read as follows:**

99

**CITY OF ROCKWALL
ORDINANCE NO. 19-34**

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X. APPOINTMENT ITEMS

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

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Jerry Welch from the Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. Council took no action pertaining to this agenda item.

Mayor Pruitt addressed Open Forum next.

XI. PUBLIC HEARING ITEMS

- 1. Z2019-017** - Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller briefly explained that the applicant has requested to withdraw this application at this time. However, since it was advertised, the Council will still need to take action. Following brief comments, Councilmember Trowbridge moved to accept the applicant's request to withdraw. Councilmember Johannesen seconded the motion, which, after brief comments, passed by a vote of 5 ayes with 2 absent (Macalik and Hohenshelt).

- 2. Z2019-018** - Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an ordinance amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1114, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller provided background information concerning this agenda item. Notices were sent out to property owners and residents located within 500' of the subject property and PD-5. Also, homeowners associations were also noticed. One email was received back in favor. 12 notices and 2 emails expressing opposition were received. Two emails and 5 notices were received back expressing opposition to the land use, and 7 notices were received back expressing opposition to Case No. 2019-018. In addition, the Planning & Zoning Commission heard this case and has recommended approval of the amendment to the PD, per staff's conditions of approval by a vote of 6-0 with Commissioner Moeller being absent.

Rob Whittle
P.O. Box 369
Rockwall, TX

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Mr. Whittle, the applicant, came forth and briefly addressed Council concerning his request. He generally asked Council to approve his request.

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

Councilmember Trowbridge moved to approve Z2019-018. Councilmember Fowler seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [ORDINANCE NO.'S 73-31, 87-23, 88-11, 96-25 & 00-28] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5), BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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.

The motion passed by a vote of 5 ayes with 2 absent (Macalik, Hohenshelt).

Mayor Pruitt next addressed the proclamation for Constitution Week.

- 3. Z2019-019** - Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of an ordinance for a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller indicated that the applicant expressed to staff this afternoon that he would like to withdraw this request. Mayor Pruitt then moved to allow the applicant to withdraw this application/request. Councilman Fowler seconded the motion. The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

- 4. Z2019-020** - Hold a public hearing to discuss and consider a request by Todd Panzner for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract

201 No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within
202 the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green
203 Circle and SH-276, and take any action necessary **(1st Reading)**.

204 **Planning Director Ryan Miller provided background information concerning this agenda item. He**
205 **indicated that sixteen notices were sent out to adjacent property owners and residents located within**
206 **500' of the subject property. One notice has been received back in favor. In addition, the Planning &**
207 **Zoning Commission has recommended approval of this request.**

208
209 **Todd Panzner**
210 **1600 Eldridge Pkwy., Apt. 1204**
211 **Houston, TX**

212
213 **The applicant briefly came forth and addressed Council.**

214
215 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There**
216 **being no one indicating such, he then closed the public hearing.**

217
218 **Councilman Fowler moved to approve Z2019-020. Councilmember Johannesen seconded the motion. The**
219 **ordinance caption was read as follows:**

220
221 **CITY OF ROCKWALL**
222 **ORDINANCE NO. 19-XX**

223 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
224 **AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY**
225 **OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE**
226 **ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG)**
227 **DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND**
228 **IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF**
229 **ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN**
230 **EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;**
231 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND**
232 **DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY**
233 **CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE**
234 **DATE.**

235
236 **The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).**

237
238 **XII. ACTION ITEMS**

239 **1. Discuss and consider a request by Phil Wagner of the Rockwall Economic Development**
240 **Corporation for the approval of an ordinance establishing a two (2) hour parking limit for all on-**
241 **street parking within the Rockwall Technology Park and Corporate Crossing, and take any action**
242 **necessary. (1st Reading)**

243 **Mr. Phil Wagner came forth and shared that he has spoken with the city attorney, Mr. Garza, and it has**
244 **been suggested that one caveat be added to this ordinance between first and second reading. And that is**
245 **that parking permits would be issued for those vehicles that have no other option but to park for more**

246 than 2-hours at a time (i.e. construction-related vehicles doing work in the area). Mayor Pruitt asked who
247 would be issuing said permits. Mr. Crowley, City Manager, shared that the REDC staff would issue said
248 permits on behalf of the city. Mayor Pruitt expressed concern and general disagreement with criminalizing
249 parking and with empowering the REDC to issue the permits and decide who will and won't be criminalized.
250 General discussion ensued pertaining to the fact that the original building occupant received a parking
251 requirement variance; however, since that time, the original tenant is no longer there, and a new tenant
252 is now occupying the facility. The new tenant operates a type of business that has many employees,
253 whereas the original tenant operated a business that did not have a lot of employees. This is how and why
254 the parking woes have emerged. General discussion ensued pertaining to enforcement. Mayor Pruitt
255 strongly expressed opposition to making this a criminal matter when it is truly a civil matter. He does not
256 mind making it a civil penalty; however, he has a problem utilizing our Police Department to enforce these
257 parking limitations on a criminal basis. City Attorney Frank Garza provided brief comments, generally
258 indicating that enforcing this two-hour parking limit will be very difficult to enforce. Also, he does
259 understand the mayor's concerns pertaining to creating criminal penalties concerning this topic. That is
260 why some cities have made it an 'administrative violation' rather than a 'criminal violation.'

261
262 **Craig Renfro**
263 **1556 Parkside Circle**
264 **Rockwall, TX**

265
266 Mr. Renfro, current Chairman of the REDC, came forth and shared his observations pertaining to the
267 parking congestion in the area. He generally indicated that the parking congestion is causing potential
268 business prospects to be dissuaded from signing contracts to locate their business(es) in the Tech Park
269 because of the parking-related concerns. He seemed to reinforce Mr. Wagner's sentiments that some sort
270 of remedy is most assuredly needed with regards to solving the parking-related concerns. It is viewed as
271 negative by companies that visit from places like China and Germany.

272
273 General discussion ensued pertaining to civil versus criminal remedies associated with solving the parking
274 concerns. Mr. Wagner mentioned that the property's deeds, covenants and restrictions do call for no 'on
275 street' parking; however, he has concerns about taking a tenant to court and suing them (civilly) to get
276 them to comply and remedy their parking problems.

277
278 Council generally asked the City Manager to go out to the Tech Park and speak with the tenant to explain
279 to the tenant the parking-related remedies that the city *could* potentially institute if they are unable to get
280 their own parking congestion under control.

281
282 **So, Council took no formal action pertaining to this agenda item at this time.**

283
284 **2. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC)**
285 **budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action**
286 **necessary**

287 **Following brief comments from Mrs. Smith, Assistant City Manager/Finance Director, Mayor Pruitt moved**
288 **to approve the budget and amended budget. Councilmember Johannesen seconded the motion, which**
289 **passed by a vote of 5 ayes with 2 absences (Hohenshelt and Macalik).**

290
291 **3. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year**
292 **2020 and amended budget for fiscal year 2019, and take any action necessary.**

293 **Phil Wagner of the REDC came forth and shared that this is essentially Rockwall’s business park, and there**
294 **are approximately twenty tenants that operate there. The REDC owns land there, and it handles**
295 **maintenance of common areas, irrigation, planters and the like. Councilmember Trowbridge moved to**
296 **approve the budget as presented. Councilmember Fowler seconded the motion, which passed**
297 **unanimously of those present (5 ayes with 2 absences – Macalik and Hohenshelt).**

298 **4. Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in**
299 **fiscal year 2020, including authorizing the City Manager to execute associated funding**
300 **agreements, and take any action necessary.**

301 **Mary Smith, Assistant City Manager and Finance Director of the City, provided brief background**
302 **information pertaining to this agenda item. City Attorney Frank Garza indicated that if any councilmember**
303 **is a member of an organization’s board of directors (not a member of the organization itself, but a member**
304 **of the actual board of directors), then he needs to recuse himself from voting on the funding request for**
305 **that particular organization. Indication was given that Councilman Fowler is a member of the Noon**
306 **Rotary’s Board, and Councilmember Johannesen is a member of the American Legion’s Board. Therefore,**
307 **they will recuse themselves from voting on those organizations’ funding requests.**

308
309 **Councilmember Trowbridge then moved to approve all recommended funding requests except for the**
310 **American Legion and Noon Rotary ones. Councilmember Daniels seconded the motion, which passed by a**
311 **vote of 5 ayes and 2 absences (Macalik and Hohenshelt).**

312
313 **Fowler moved to approve the funding request for the American Legion. Councilman Daniels seconded the**
314 **motion, which passed by a vote of 4 ayes, 1 abstention (Johannesen) and 2 absences (Macalik and**
315 **Hohenshelt).**

316
317 **Councilman Trowbridge moved to approve the Noon Rotary-related funding request. Councilman**
318 **Johannesen seconded the motion, which passed by a vote of 4 ayes, 1 abstention (Fowler) and 2 absences**
319 **(Macalik and Hohenshelt).**

320
321 **5. Discuss and consider approval of an ordinance amending the budget for fiscal year 2019, and**
322 **take any action necessary.**

323 **Mayor Pruitt moved to approve the ordinance amending the budget. Councilman Trowbridge seconded**
324 **the motion, which passed by a vote of 5 ayes with 2 absences (Hohenshelt, Macalik).**

325
326 **6. Discuss and consider approval of an ordinance adopting the proposed budget for fiscal year 2020,**
327 **and take any action necessary.**

328 **Councilmember Trowbridge moved to approve the ordinance adopting the budget. Councilmember**
329 **Johannesen seconded the motion. The ordinance was read as follows:**

330 **CITY OF ROCKWALL**
331 **ORDINANCE NO. 19-36**
332

333 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND**
334 **ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2019, THROUGH**
335 **SEPTEMBER 30, 2020; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE**

336 **MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE**
337 **DATE.**

338
339 **The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).**

340 **7. Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2019,**
341 **and take any action necessary.**

342 **Mayor Pruitt moved to approve the tax rate at a lower rate of .3879 (per \$100 of assessed valuation), which**
343 **is just below the effective tax rate. Councilmember Daniels seconded the motion. The ordinance caption**
344 **was read as follows:**

345 **CITY OF ROCKWALL, TEXAS**
346 **ORDINANCE NO. 19-37**

347
348 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
349 **LEVYING THE AD VALOREM TAXES FOR THE YEAR 2019 AT A RATE OF \$.3879 PER**
350 **ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE**
351 **PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2019**
352 **TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO**
353 **PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE**
354 **CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES**
355 **AND INTEREST; APPROVING THE 2019 TAX ROLL; PROVIDING FOR EXEMPTIONS OF**
356 **PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.**
357

358 **The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).**

359
360 **8. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation**
361 **Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.**

362 **No discussion took place, and no action was taken concerning this agenda item.**

363
364 **9. Discuss and consider authorizing the City Manager to negotiate agreements with WME and Red**
365 **11 Music for Founders Day Festival opening and headliner entertainment to be paid from Hotel**
366 **Occupancy Tax Funds in the amount of \$45,000, and take any action necessary.**

367 **Councilmember Fowler moved to authorize the City Manager to negotiate the agreements with WME and**
368 **Red 11 Music for Founder's Day, as presented. Councilmember Johannesen seconded the motion, which**
369 **passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).**

370 **XIII. EXECUTIVE SESSION**

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

373 **1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071**
374 **(Attorney/Client Consultation).**

375 **2. Discussion regarding ballot nominations associated with elections to the Rockwall Central**
376 **Appraisal District Board pursuant to Section 551.074 (personnel matters)**

- 377 3. Discussion regarding appointments to and interviews for city regulatory boards, commissions,
378 and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel
379 Matters)
380 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
381 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
382 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

384 Council did not reconvene in Executive Session following the close of the public meeting agenda.

385 **XV. ADJOURNMENT**

386 Mayor Pruitt adjourned the meeting at 7:27 p.m.

387

388 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 7TH DAY OF**
389 **OCTOBER, 2019.**

390

391 **ATTEST:**

392

393

394


KRISTY COLE, CITY SECRETARY


JIM PRUITT, MAYOR



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, October 07, 2019 - 4:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro
8 Tem Dana Macalik, and Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie
9 Daniels, and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers
10 Mary Smith and Joey Boyd and City Attorney Frank Garza.

11 **II. WORK SESSION**

- 12 1. Hold work session with city attorney to hear briefing regarding recently passed state legislation
13 impacting cities.

14 City Attorney Frank Garza briefed the Council on various pieces of recently passed legislation that impact
15 cities.

- 16 2. Hold Work Session to discuss flag pole entry feature on IH-30

17 City Councilman Bennie Daniels came forth and provided background information pertaining to this
18 agenda item. He explained that this idea was birthed as a result of a discussion he had over two years
19 ago with a local veteran, former FBI agent and resident, David Cutcomb. In late 2018, Councilmember
20 Johannesen and John Adams, both of whom are members of the local American Legion Auxiliary, were
21 asked to join the efforts. Councilman Daniels further explained that the purpose of this flag being placed
22 in a prominent location is to send the message that the City of Rockwall is proud of the United States of
23 America. Assistant City Manager Joey Boyd then came forth and shared with the Council three, separate
24 possible locations for placement of a 200' flagpole that will display the American flag. Indication was
25 given that the initial project would consist of the flagpole, flag and lighting but not landscaping. The
26 funding would come out of General Fund Reserves. The options considered by the group included the
27 following (along with associated budget estimates):

- 28 150' Flagpole with installation: \$57,750
29 170' Flagpole with installation: \$76,114
30 180' Flagpole with installation: \$98,340
31 195/200' Flagpole with installation: \$113,340

32 Mr. Boyd explained that the planning committee is seeking direction as to if the City Council approves of
33 the concept of the entry feature, a confirmation of the 3rd site being the preferred site, and
34 authorization to further study the site by performing a geotechnical study to get a soil report for base
35 design. Based on the geotechnical report, a structural engineering firm will perform foundation design

36 and provide a rendering to submit to TXDOT for approval. The design will be performed and stamped by
37 a structural engineer. The cost for the geotechnical study and report is \$3,500 and base design is \$1,200.
38 In addition, an FAA Study will be required due to the location of the site being within 7 nautical miles of
39 an airport. The study is free but can take up to 12 weeks to complete. This can be written authorization
40 from the State and while geotechnical and flagpole base design is being performed for the site.

41 Mr. Boyd also shared that the ongoing costs is estimated at \$3000 - \$6000 annually for flags and a
42 replacement flag. Council generally gave indication that they desire for Councilman Daniels and staff to
43 go ahead and move forward with the next steps of the project, which is expected to cost no more than
44 \$8,000.

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

47 City Engineer Amy Williams briefed the Council on the updated design standards, which are quite lengthy
48 and were included in council members' informational meeting packet. Following brief comments,
49 Council generally gave its blessing for staff to move forward by bringing the proposed standards back to
50 Council at a future meeting for formal action.

51 Mayor Pruitt then read the below listed discussion items into the public record before recessing the
52 meeting to go into Executive Session at 4:52 p.m.

53 **III. EXECUTIVE SESSION.**

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

- 56 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section
57 §551.071 (Attorney/Client Consultation).
- 58 2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section
59 551.071 (Consultation with Attorney).
- 60 3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074
61 (Personnel Matters)
- 62 4. Discussion regarding sale of real property in the vicinity of IH-30 pursuant to Section §551.072
63 (Real Property) and Section §551.071 (Consultation with Attorney).
- 64 5. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to
65 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 66 6. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section
67 §551.071 (Attorney/Client Consultation).
- 68 7. Discussion regarding ballot nominations associated with elections to the Rockwall Central
69 Appraisal District Board pursuant to Section 551.074 (personnel matters)
- 70 8. Discussion regarding appointments to city regulatory boards, commissions, and committees -
71 specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
- 72 9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
73 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
74 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- 75
- 76

77 **IV. ADJOURN EXECUTIVE SESSION**

78

79 **Council adjourned from Executive Session at 5:56 p.m.**

80

81 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

82 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members present.**

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

84 **Council took no action as a result of Executive Session.**

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

86 **Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.**

87 **VIII. PROCLAMATIONS**

88 **1. Fire Prevention Month**

89 **Mayor Pruitt read the proclamation for Fire Prevention Month. Fire Chief, Kenneth Cullins indicated that**
90 **the Fire Department will host its annual Open House this Saturday at Fire Station #2 behind the Kroger on**
91 **the South side of the city. He shared that there will be bounce houses, food and fun, and he invited and**
92 **encouraged everyone to attend.**

93

94 **2. Rockwall Fire Dept. Presentation of Life Saving Award to Tyra Winters**

95 **Mayor Pruitt, Fire Chief Cullins and Assistant Fire Chief, Brett Merritt presented Tyra with a Life Saving**
96 **Award, recognizing her heroic efforts related to recently dislodging a piece of candy from the throat of a**
97 **small child who was choking during the RHS homecoming parade. Tyra introduced her family, sharing**
98 **that she learned this lifesaving technique after a classmate was choking on a granola bar in 8th grade, and**
99 **she – at the time – did not know what to do to help. Thereafter, her mother got her trained in CPR and**
100 **the Heimlich maneuver. She thanked her family for its support.**

101 **IX. OPEN FORUM**

102 **Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and**
103 **speak at this time.**

104

105 **Dennis Denney**
106 **162 Meadowlark Circle**
107 **Rockwall, TX 75087**

108

109 **Mr. Denney came forth to speak about the planned RV park on Cornelious Road (located outside the city**
110 **limits, in the county). He expressed various concerns associated with this proposed development,**
111 **including environmental concerns such as water run off and the development being solely on septic.**

112

113 **There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.**

114

115 X. CONSENT AGENDA

- 116 1. Consider approval of the minutes from the September 16, 2019 regular city council meeting,
117 and take any action necessary.
- 118 2. **Z2019-018** - Consider a request by Rob Whittle for the approval of an **ordinance** amending
119 Planned Development District 5 (PD-5) to change the garage setback requirements for an
120 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of
121 Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot
122 Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV)
123 District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take
124 any action necessary **(2nd Reading)**.
- 125 3. **Z2019-020** - Consider a request by Todd Panzner for the approval of an **ordinance** for a zoning
126 change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of
127 land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall
128 County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV)
129 District, generally located south of the intersection of Green Circle and SH-276, and take any
130 action necessary **(2nd Reading)**.
- 131 4. Consider awarding a bid to All Seasons Foam Coatings and authorizing the City Manager to
132 execute a Contract for a new Liner for the Harbor Fountain in the amount of \$142,500 to be
133 funded out of General Fund Reserves, and take any action necessary.
- 134 5. Consider awarding a bid to B&B Concrete and authorizing the City Manager to execute a
135 Contract for the removal and replacement of 4,200 sf of concrete trail at Myers Park in the
136 amount of \$59,600 to be funded out of the Recreation Development Fund, and take any action
137 necessary.
- 138 6. **P2019-037** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of
139 Carla Rankin Real Estate Holding for the approval of a final plat for Lot 1, Block A, Rankin
140 Addition being a 0.29-acre tract of land identified as Tract 22 of the J. Strickland Survey,
141 Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO)
142 District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 4035 N.
143 Goliad Street [SH-205], and take any action necessary.
- 144 7. **P2019-038** - Consider a request by Bryon Connally of CBG Surveying Texas, LLC on behalf of
145 Shannon McCord Riddell for the approval of a replat for Lot 1, Block A, Goliad-Riddle Addition
146 being a 0.4079-acre tract of land identified as Lot C, Block 117, B. F. Boydston Addition, City of
147 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, addressed as 501 S. Goliad
148 Street, and take any action necessary.
- 149 8. Consider awarding a bid to Play Works - Playwell Group and authorizing the City Manager to
150 execute a Purchase Order for new shade canopy at Tuttle Sports Complex Playground in the
151 amount of \$38,853 to be funded out of the Recreation Development Fund, and take any action
152 necessary.
- 153 9. Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a
154 Purchase Order for a new Brush Truck in the amount of \$190,462.32 for Streets and Drainage
155 Operations to be funded out of General Fund Reserves, and take any action necessary.

- 156 10. Consider authorizing the City Manager to execute a contract with the Texas Department of
157 Transportation, Aviation Division for participation in the Routine Airport Maintenance Program
158 (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to
159 be provided by the Airport Operating Budget, and take any action necessary.
- 160 11. Consider authorizing the City Manager to execute a contract between the City of Rockwall and
161 STAR Transit for transportation services for fiscal year 2020 in the amount of \$109,884 to be
162 funded by the Administration Department Operating Budget, and take any action necessary.
- 163 12. Consider authorizing the City Manager to execute a contract with Meals on Wheels Senior
164 Services for certain nutritional and senior service programs for fiscal year 2020 in the amount
165 of \$40,000 to be funded from the Administration Department Operating Budget, and take any
166 action necessary.
- 167 13. Consider awarding a bid to Freightliner/CLS Equipment Co. and authorizing the City Manager to
168 execute a Purchase Order for a new Vac Truck in the amount of \$389,415.25 to be funded out
169 of the Water and Sewer Fund, Wastewater Operations budget, and take any action necessary.
- 170 14. Consider authorizing the City Manager to execute an Engineering Services Agreement with
171 Binkley & Barfield, Inc. for the 2020 fiscal year to provide general engineering services for the
172 preparation and review of all TIAs ("traffic impact analysis") submitted to the City of Rockwall,
173 to be funded by the 2019-2020 Engineering Consulting Budget with developer reimbursement,
174 and take any action necessary.
- 175 15. Consider authorizing the City Manager to execute an interlocal agreement between the city and
176 Rockwall County regarding fire protection services, and take any action necessary.
- 177

178 **Councilman Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,**
179 **12, 13, 14 and 15). Councilmember Trowbridge seconded the motion. The ordinance captions were read**
180 **as follows:**

181 **CITY OF ROCKWALL**
182 **ORDINANCE NO. 19-38**

183
184 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS**
185 **AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [ORDINANCE NO.'S 73-**
186 **31, 87-23, 88-11, 96-25 & 00-28] AND THE UNIFIED DEVELOPMENT CODE**
187 **[ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,**
188 **FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5),**
189 **BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY**
190 **SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS**
191 **AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED IN EXHIBIT**
192 **'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR**
193 **A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
194 **(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
195 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**
196

197
198 **CITY OF ROCKWALL**

ORDINANCE NO. 19-39

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 FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' 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.

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

XI. APPOINTMENT ITEMS

1. Appointment with representative(s) of The Downtown Rockwall Association to consider a request to utilize a portion of parking on N. San Jacinto for a valet parking stand (including loading / unloading) for the "Shop Small Saturday" event on November 30, and take any action necessary.

Tammy Sharp
108 Teakwood Drive
Rockwall, TX

Mrs. Sharp came forth and briefed the Council on this proposal. Councilmember Macalik thanked Tammy, her husband and everyone for their efforts this past Saturday at the Rib Rub Run & Roll. Councilman Fowler moved to approve this request, as presented. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Appointment with Josh Deaton of Sideways BBQ to request permission to sell alcoholic beverages at The Harbor public event venue as part of a Veteran's Day event on November 9, 2019, and take any action necessary.

Josh Deaton
5446 Ranger Drive
Rockwall, TX 75032

Mr. Deaton came forth and briefed the Council on the nature of his request, generally explaining that he is seeking permission to sell alcoholic beverages at The Harbor as part of a Veterans' Day event on Nov. 9. He shared that he was in the Marine Corps., and his son is in the Marines as well. So, he is very passionate about putting on this Veteran's Day event. He's received a lot of support from the community, businesses and the city. Mike Thorton, a Medal of Honor recipient, is scheduled to speak at 1:00 p.m., and two bands are scheduled, so far. Two high dollar smokers have been donated for the cause, and Wood Creek is willing to donate their beer. Also, five veteran-related charities have been identified, and 100% of the proceeds raised during the event will be donated to these charities. He went on to explain

243 the plan for selling tickets for the beer, and he shared that a person will be 'cut off' and unable to
244 purchase any more beer after they've been served four beers and received four stamps on their hand.

245

246 Mayor Pruitt shared that he has looked into the city's ordinances and policies concerning the sale of beer
247 (specifically downtown, at The Center, and at The Harbor). He went on to explain that, as long as Mr.
248 Deaton's plans comply with the existing, city policies, then his event may be handled administratively by
249 staff, and the Council will not need to vote on this matter.

250

251 Councilmember Johannesen asked if Mr. Deaton is working with TABC on this matter. Mr. Deaton
252 explained that, yes, he is working closely with TABC, and he is purchasing related insurance for the event
253 as well.

254

255 XII. ACTION ITEMS

256 1. Discuss and consider approval of the Hotel Occupancy Subcommittee's recommendation for
257 funding of the "Salute to Veterans" event, and take any action necessary.

258 Mr. Deaton shared further details pertaining to his vision for this Salute to Veterans event, which he
259 plans to hold at The Harbor on Nov. 9. Following discussion concerning the requirements associated with
260 spending 'hotel occupancy tax ("HOT") funds,' Mayor Pruitt moved to approve the subcommittee's
261 recommendation of \$7,500 in funding and the waiver of Harbor rental related fees. Councilman
262 Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Johannesen).

263

264 2. Discuss and consider approval of a resolution providing for the submission of names to the
265 Rockwall Central Appraisal District (CAD) for nominations to the Board of Directors, and take
266 any action necessary.

267 Mayor Pruitt moved to put forth John Hohenshelt and Patrick Trowbridge as the nominees for City of
268 Rockwall for the CAD Board of Directors. Councilmember Fowler seconded the motion, which passed by
269 a vote of 7 ayes to 0 nays.

270

271 3. SP2019-031 - Discuss and consider an appeal by Ryan Moorman of R. D. Moorman, Inc.
272 concerning a variance request denied by the Planning and Zoning Commission in conjunction
273 with an approved site plan for an office building on a 1.244-acre parcel of land identified as Lot
274 22, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
275 District, addressed as 259 Ranch Trail, and take any action necessary.

276 Planning Director Ryan Miller provided background information pertaining to this agenda item. Mayor
277 Pruitt made a motion deny the requested exception to the standards pertaining to vertical articulation.
278 Councilman Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

279 4. Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist
280 staff in the annual update to the Comprehensive Plan, and take any action necessary.

281 Mayor Pruitt suggested to Mr. Miller that he get with the previous CPAC committee members and see if
282 they would like to serve again.

283 5. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic
284 Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action
285 necessary.

286 **Councilmember Johannesen moved to appoint Jason Alvarado on the city's Park Board. Councilman**
287 **Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

288
289 **Councilmember Trowbridge moved to appoint Stuart Smith to the Main Street Advisory Board (to replace**
290 **Terry Gregory, who resigned, with a partial term expiring in Jan. 2020). Councilmember Hohenshelt**
291 **seconded the motion, which passed unanimously (7 ayes to 0 nays).**

292
293 **Councilmember Fowler moved to reappoint Mr. Potter, Mr. Wolf, and Mr. Woodruff to the Airport**
294 **Advisory Board (thru August 2021). Councilmember Macalik seconded the motion, which passed by a**
295 **vote of 7 ayes to 0 nays.**

296
297 6. Discuss and consider approval of a resolution establishing a "Complete Count Committee" for
298 the U.S. 2020 Census, and take any action necessary.

299 **Mayor Pruitt moved to approve the resolution, including appointing Councilman Bennie Daniels to head**
300 **up the effort. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

301 **XIII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
302 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
303 **MATTERS.**

304
305 **1. Departmental Reports**

- 306 Building Inspections Monthly Report - August 2019
- 307 GIS Division Monthly Report - August 2019
- 308 Harbor PD Monthly Report - August 2019
- 309 Internal Operations Department Monthly Report - August 2019
- 310 Recreation Monthly Report - August 2019
- 311 Rockwall Animal Adoption Center Monthly Report - August 2019
- 312 Rockwall Fire Dept. Monthly Report - August 2019
- 313 Rockwall Meals on Wheels Senior Services 4th Quarter Report
- 314 Rockwall Police Department Monthly Report - August 2019
- 315 STAR Transit Monthly Report - August 2019

316 **2. City Manager's Report**
317 **No discussion, questions, or action took place pertaining to departmental or city manager's reports.**

318 **XIV. EXECUTIVE SESSION**

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

- 321 1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section
322 §551.071 (Attorney/Client Consultation).

- 323 2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section
324 551.071 (Consultation with Attorney).
325 3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074
326 (Personnel Matters)
327 4. Discussion regarding sale of real property in the vicinity of Mims Rd. and IH-30 pursuant to
328 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
329 5. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to
330 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
331 6. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section
332 §551.071 (Attorney/Client Consultation).
333 7. Discussion regarding ballot nominations associated with elections to the Rockwall Central
334 Appraisal District Board pursuant to Section 551.074 (personnel matters)
335 8. Discussion regarding appointments to city regulatory boards, commissions, and committees -
336 specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
337 9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
338 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
339 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
340

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

342 **Council did not reconvene in Executive Session following the close of the public meeting agenda.**

343 **XVI. ADJOURNMENT**

344 **Mayor Pruitt adjourned the meeting at 6:51 p.m.**

345

346 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21ST DAY OF**
347 **OCTOBER, 2019.**

348
349 **ATTEST:**
350



JIM PRUITT, MAYOR

351 
352 **KRISTY COLE, CITY SECRETARY**



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, October 21, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem
8 Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler and Trace
9 Johannesen. Also present were Assistant City Manager Joey Boyd, Assistant City Manager Mary Smith,
10 and City Attorney Frank Garza. Councilmember Bennie Daniels and City Manager Rick Crowley were
11 absent from the entire meeting.

12
13 Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting
14 to go into Executive Session (at 5:01 p.m.).

15
16 **II. EXECUTIVE SESSION.**

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

- 19 1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program.
20 Section 551.071 (Consultation with Attorney).
- 21 2. Discuss contract negotiations with wholesale utility customers pursuant to Section 551.071
22 (Consultation with Attorney).
- 23 3. Discussion regarding TXDOT program for exchange of right-of-way pursuant to Section
24 §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 25 4. Discussion regarding legal issues pertaining to potential annexation/development in the
26 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
- 27 5. Discussion regarding possible sale/purchase/lease of real property in the vicinity of
28 downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation
29 with Attorney).
- 30 6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard
31 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with
32 Attorney).
- 33 7. Discussion regarding appointments to city regulatory boards, commissions, and committees -
34 specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
- 35 8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
36 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
37 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

38 **III. ADJOURN EXECUTIVE SESSION**

39
40 Council adjourned from Executive Session at 5:52 p.m.

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

42 Mayor Pruitt reconvened the public meeting at 6:00 p.m.

43 **V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESSEN**

44 Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

45 **VI. PROCLAMATIONS**

46 1. Domestic Violence Awareness Month

47 Connie Pettitt, Executive Director of Women in Need, Inc., came forth.

48 2. First Presbyterian Church of Rockwall Day

49 Cheryl Taylor of First Presbyterian Church of Rockwall came forth. Mayor Pruitt then read and presented
50 her the proclamation, in recognition of the church's 165th year anniversary.

51 3. National Community Planning Month

52 Ryan Miller, Planning Director and members of the city's Comprehensive Planning Advisory Committee
53 (CPAC) came forth. Mayor Pruitt then read and presented this proclamation in celebration of National
54 Community Planning Month.

55 4. Texas Chamber of Commerce Week

56 Darby Burkey from the Rockwall Chamber came forth at this time. Mayor Pruitt then read and
57 presented her with this proclamation.

58

59 **VII. OPEN FORUM**

60 Carolyn Francisco
61 272 Victory Lane
62 Rockwall, TX 75032

63

64 Mrs. Francisco came forth and thanked the Council for their recent approval of a hotel occupancy tax
65 funding (HOT funding) request on behalf of the Rockwall County Historical Foundation.

66

67 Mr. Nicholas Grant
68 1569 E. Old Quail Run Road
69 Rockwall, TX

70

71 Mr. Grant came forth and generally expressed concerns pertaining to the 'roadway swap' with TXDOT
72 pertaining to SH-205 / John King Boulevard.

73

74 Kim Cook
75 2830 Stoney Hollow Lane
76 Rockwall, TX

77

78 Mrs. Cook came forth and shared that she has some concerns about the city's water system. She knows
79 that there have been some improvements to pipelines and other improvements; however, she would
80 like some additional explanation about what funds are going towards and why residents' water bills are
81 so high. She thanked Councilman Trowbridge for placing an item on tonight's agenda to discuss city
82 water.

83

84 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

85 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

86 Mayor Pro Tem Macalik made a motion to move forward with the 380 real estate agreement on real
87 property in the vicinity of downtown. Councilman Trowbridge seconded the motion, which passed
88 unanimously of those present (6 ayes with 1 absence (Daniels)).

89
90 Mayor Pro Tem Macalik made a motion to direct staff to negotiate the sale or exchange of real property
91 in the vicinity of John King Blvd. Councilman Hohenshelt seconded the motion, which passed by a vote
92 of 6 ayes with 1 absence (Daniels).

93 Macalik moved to reappoint to the Board of Adjustments David Lowrey, Stuart Smith, and Shannon
94 Bennett for an additional term (through August of 2021) and newly appoint Kevin Hadawi to replace
95 Peter Flores (for a term to expire in August of 2021). Councilmember Trowbridge seconded the motion,
96 which passed by a vote of 6 ayes with 1 absence (Daniels).

97 Regarding the Historic Preservation Advisory Board, Councilman Trowbridge moved to reappoint
98 Carolyn Francisco and Jay Odom to serve an additional term (thru Aug. 2021) and newly appoint Brad
99 Adams to replace Mike Mishler, whose term has expired, through August 2021.

100 **IX. CONSENT AGENDA**

101 1. Consider approval of the minutes from the October 7, 2019 regular city council meeting, and
102 take any action necessary.

103 2. Consider approving cooperative purchasing agreement with the City of Cleburne and
104 authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any
105 action necessary.

106 3. Consider approving cooperative purchasing agreement with the City of Royse City and
107 authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any
108 action necessary.

109 4. Consider awarding a bid to Musco Sports Lighting and authorizing the City Manager to execute
110 a Purchase Order for adding lights at the Myers Park Pickle Ball Court in the amount of \$42,612
111 to be funded out of General Fund Reserves, and take any action necessary.

112 5. Consider awarding a bid to Caldwell Country Chevrolet and Rockdale Country Ford and
113 authorizing the City Manager to execute Purchase Orders for new 2020 model vehicles in the
114 amount of \$301,502 to be funded out of General Fund Reserves and Water Sewer Fund, and
115 take any action necessary.

116 6. Consider authorizing the City Manager to execute a maintenance and services agreement
117 with RLC Controls, Inc. for the 2020 fiscal year to provide maintenance and service for
118 Supervisory Control and Data Acquisition computer systems (SCADA) for the Water,
119 Wastewater, and Street Divisions of Public Works, to be funded by the 2019-2020 budget,
120 and take any action necessary.

121 Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6).
122 Councilman Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absent (Daniels).
123

124 **X. APPOINTMENT ITEMS**

125 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
126 regarding cases on the agenda and related issues and take any action necessary.

127 **Jerry Welch with the city's Planning & Zoning Commission came forth and briefed the Council on**
128 **recommendations of the Commission, relative to planning-related items on tonight's meeting agenda.**
129 **Following brief questions and answers, Council took no action pertaining to this particular agenda item.**

130 **XI. PUBLIC HEARING ITEMS**

131 1. **MIS2019-001** - Hold a public hearing to discuss and consider approval of an **ordinance**
132 adopting updated impact fees for water, wastewater, and roadway facilities by updating the
133 land use assumptions and capital improvement plans for such facilities, establishing updated
134 service areas for such facilities, providing definitions, providing for collection and assessment,
135 and take any action necessary. **(1st Reading)**

136 Planning Director Ryan Miller introduced Eddie Haas with Freese and Nichols, the city's consultant
137 pertaining to this matter. Mr. Haas came forth and delivered a detailed briefing to Council on the study
138 pertaining to the impact fee analysis and associated impact fee calculations. In summary, the city's
139 Capital Improvements Advisory Committee (CIAC) (with is the Planning & Zoning Commission) has
140 recommended a review of benchmark city data, an increase of 25% to the current collection rate,
141 carrying that rate for all roadway service areas and maintaining one collection rate for all land use types.

142 Another representative from Freese and Nichols then came forth and presented to Council an overview
143 of the water and wastewater impact fees study / analysis and associated recommendation for the
144 impact fee calculations.

145 Mr. Chaney with Birkhoff, Hendricks and Carter came forth and briefed Council on the wastewater
146 impact fees analysis and associated recommendation for the impact fee calculation.

147 Following Mr. Haas' presentation, Mayor Pruitt opened the public hearing, asking if anyone would like
148 to come forth and speak at this time.

149 **Bob Wacker**
150 **309 Featherstone**
151 **Rockwall, TX 75087**

152
153 Mr. Wacker came forth and expressed concern about there not currently being sufficient impact fees
154 to pay off the bonds for John King Blvd. He shared that he has calculated that his water bill will go out
155 29% in the next three years, and his wastewater bill will go up by about 70%. Staff indicated that this
156 topic is concerning impact fees, not individual water / wastewater bills.

157
158 There being no one else wishing to come forth and speak during the public hearing, Mayor Pruitt then
159 closed the public hearing.

160
161 Councilmember Trowbridge clarified his understanding that impact fees are related to outside
162 developer contributions funding city roadway, water and wastewater improvements, essentially having
163 developers bear the cost burden.

164

165 Councilmember Johannesen moved to approve the ordinance for MIS2019-001 as written. Following
166 additional comments, Councilmember Trowbridge seconded the motion.
167

168 Councilmember Hohenshelt moved to amend the main motion on the floor to set the rate within the
169 ordinance at 350. Councilmember Trowbridge seconded the amendment to the motion, which passed
170 by a vote of 4 ayes with 2 against (Macalik and Pruitt).
171

172 The amended ordinance was read as follows:

173 CITY OF ROCKWALL
174 ORDINANCE NO. 19-XX
175

176 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
177 THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE
178 AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38,
179 *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER,
180 WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS
181 AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED
182 SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR
183 COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
184 FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
185

186 The vote on the amended motion failed by a vote of 3 ayes, 3 nays (Macalik, Pruitt and Fowler), and 1
187 absence (Daniels).
188

189 Councilmember Fowler moved to accept the impact fee study, as presented and recommended by the
190 CIAC. Mayor Pro Tem Macalik seconded the motion. Following brief discussion, the motion passed by
191 a vote of 5 ayes, 2 nays (Trowbridge and Pruitt), and 1 absence (Daniels).
192

193 Mayor Pruitt called for a break and recessed the meeting at 7:44 p.m.
194

195 Mayor Pruitt called the meeting back to order at 7:54 p.m.
196

197 2. **Z2019-021** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA
198 Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT
199 Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned
200 Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the
201 development standards and concept plan on a 70.408-acre tract of land identified as Tracts
202 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall
203 County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4)
204 District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located
205 on the north side of John King Boulevard south of Featherstone Drive, and take any action
206 necessary (**1st Reading**).

207 Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices
208 were sent out to property owners located within 500' of the subject property (only those w/in the city
209 limits). One response has been received back in opposition of the request. The P&Z Commission has
210 unanimously recommended approval of this request.

211 Pat Atkins
212 Saddlestar Land Development, Inc.
213 3076 Hays Lane
214 Rockwall, TX
215

216 Mr. Atkins came forth and provided a brief overview of his request to Council.
217

218 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
219 time. There being no one indicating such, he then closed the public hearing.
220

221 Councilman Trowbridge moved to approve Z2019-021. Councilmember Hohenshelt seconded the
222 motion. The ordinance was read as follows:

223
224 CITY OF ROCKWALL
225 ORDINANCE NO. 19-XX
226

227 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
228 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE
229 CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND
230 PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 16-39*] FOR THE
231 PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN
232 ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT
233 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING
234 IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY,
235 ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE
236 FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL
237 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF
238 TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
239 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
240 AN EFFECTIVE DATE.
241

242

243 The motion passed by a vote of 6 ayes with 1 absence (Daniels).
244

245 3. Z2019-022 - Hold a public hearing to discuss and consider a request by Marty Wright for the
246 approval of an ordinance for a Specific Use Permit (SUP) allowing an accessory building on a
247 one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City
248 of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as
249 2340 Saddlebrook Lane, and take any action necessary (1st Reading).

250 Indication was given that the applicant would like to postpone action on this item until the Nov. 4, 2019
251 city council meeting. Since the case was advertised for public hearing this evening, Mayor Pruitt opened
252 the public hearing, asking if anyone would like to come forth and speak at this time. There being no one
253 indicating such, the mayor then closed the public hearing.
254

255 Councilman Trowbridge then moved to accept the applicant's request to postpone action on this item
256 until the November 4 city council meeting. Councilmember Hohenshelt seconded the motion, which
257 passed by a vote of 6 ayes with one absence (Daniels).
258

259 4. Z2019-024 - Hold a public hearing to discuss and consider a request by Adam Buczek of Stone
260 Creek Balance, LTD for the approval of an ordinance for a zoning amendment to Planned
261 Development District 70 (PD-70) for the purpose of changing the number of hard-edged

262 retention ponds required for the residential subdivision being a ~336.00-acre tract of land
263 identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey,
264 Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County,
265 Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District
266 land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass
267 Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection
268 of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(1st Reading)**.

269 **Planning Director Ryan Miller provided background information pertaining to this agenda item. 928**
270 **notices were sent out to residents and property owners located within 500' of the subject property.**
271 **Thus far, 27 notices have been received back in favor and 12 have been received back in opposition.**
272 **Also, the P&Z has voted 5-2 to recommend approval of this request.**
273

274 **Adam Buczek**
275 **Skorburg Co.**
276 **8214 Westchester drive, Suite 710**
277 **Dallas, TX 75225**
278

279 **Mr. Buczek came forth and briefed the Council on the nature of his request, showing an extensive Power**
280 **Point presentation.**
281

282 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this**
283 **time.**
284

285 **Michael Podina**
286 **802 York Drive**
287 **Rockwall, TX 75087**
288

289 **Mr. Podina shared that he and his wife live directly across the street from an existing pond (on York).**
290 **He shared that he and his wife moved in about two years ago, and – at that time – if was looking**
291 **significantly better than it does currently. Also, algae is taking over, snakes are getting bad, and nutria**
292 **are beginning to multiply, and they carry diseases. He does not feel that it is necessary for Stone Creek**
293 **to have an additional pond, and he agrees that it will be better for the HOA and homeowners for there**
294 **to NOT be any additional ponds. The maintenance of the neighborhood and the existing ponds is**
295 **currently lacking.**
296

297 **Bob Wacker**
298 **309 Featherstone**
299 **Rockwall, TX 75087**
300

301 **He believes Stone Creek has enough ponds already. Cattails, weeds and snakes have taken over the**
302 **main entrance pond. He went on to show photographs of each of the existing ponds within the**
303 **neighborhood, providing details regarding if each one does or does not have a hard edge and fountain.**
304 **He believes that everyone, in general, agrees that additional ponds are not needed. Mr. Wacker went**
305 **on to indicate that he agrees with Mr. Buczek, the developer, and he supports what is being requested**
306 **this evening.**
307

308 **Nick Grant**
309 **1569 Old E. Quail Run Rd.**
310 **Rockwall, TX**

311
312 **Mr. Grant suggested that the developer provide to the HOA the cost of hardscaping the pond.**

313
314 **There being no one else wishing to come forth and speak, Mayor Pruitt then closed the public hearing.**

315
316 **Councilman Johannesen shared that he lives in Stone Creek, and his home backs up to one of the ponds**
317 **within the subdivision. He provided various comments pertaining to the existing York Pond, which is**
318 **an Army Corps. Of Engineers Pond.**

319
320 **Councilman Johannesen moved to approve Z2019-024. Mayor Pro Tem Macalik seconded the motion,**
321 **which – following brief questions and answers – passed by a vote of 6 ayes with 1 absence (Daniels).**

322
323
324 **XII. ACTION ITEMS**

325 **1. Discuss and consider a request for a variance from the sign separation requirement for a new**
326 **monument sign to be located at 1306 Summer Lee Drive, and take any action necessary.**

327 **Building Official Jeffrey Widmer came forth and briefed the Council on the nature of this variance**
328 **request. He generally explained that there are limited options for placement of the sign, and that is**
329 **why the applicant is requesting a variance.**

330
331 **Zeke Bullock**
332 **Barnett Signs**
333 **4250 Action Drive**
334 **Mesquite, TX 75150**

335
336 **Mike Fisher**
337 **244 Harvest Ridge**
338 **Rockwall, TX**

339
340 **Mr. Bullock and Fisher came forth and introduced themselves, indicating they are happy to answer any**
341 **questions of Council.**

342
343 **Councilman Hohenshelt moved to grant the variance request on the sign. Councilman Johannesen**
344 **seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).**

345
346 **2. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic**
347 **Preservation Advisory Board, and Park Board, and take any action necessary.**

348 **Council addressed this item, along with Ex. Session action above.**

349
350 **3. Discuss and consider trends in water consumption, and take any action necessary.**

351 **Councilmember Trowbridge shared with the council a spreadsheet that he's created to evaluate water**
352 **usage (total gallons, daily average, maximum day, etc.) and what the average Rockwall citizen uses and**
353 **what his / her fees are like as a result of their consumption. The point of his presentation, in part, was**
354 **to point out that variances in water bills are cyclical, and they are especially more expensive in the**
355 **summer months. Following Trowbridge's comments, Mrs. Smith shared that it will cost at least \$3.5**
356 **million to convert the remainder of the city to "smart meters" (radio read meters). Currently, about**
357 **40% of the city is operating on radio-read meters. The city annually budgets for trading out a certain**
358 **number of old meters for smart meters. This year, about 2k meters out of 16k will be changed out. So,**

359 in approximately five years, just about all – if not all - of the city should be operating on the new, radio
360 read (smart) meters. Council took no action pertaining to this agenda item.

361 4. Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist
362 staff in the annual update to the Comprehensive Plan, and take any action necessary.

363 **Mayor Pruitt moved to approve the resolution. Councilman Trowbridge seconded the motion, which**
364 **passed by a vote of 6 ayes with 1 absent (Daniels).**

365 5. Discuss and consider approval of an **ordinance** amending the Rockwall Code of Ordinances in
366 Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of
367 Developments within Subdivisions Adopted to reflect the 2016 update to these standards,
368 and take any action necessary. **[1st reading]**

369 **Councilman Hohenshelt moved to approve the ordinance as presented. Councilman Trowbridge**
370 **seconded the motion. The ordinance was read as follows:**

371 **CITY OF ROCKWALL**
372
373 **ORDINANCE NO. 19-XX**

374
375 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
376 **AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38.**
377 **SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR**
378 **DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING**
379 **FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO**
380 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**
381 **OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
382 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

383
384 **The motion passed unanimously of those present (Daniels absent).**

385
386 **XIII. EXECUTIVE SESSION**

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

- 389 1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program.
390 Section 551.071 (Consultation with Attorney).
- 391 2. Discuss contract negotiations with wholesale utility customers pursuant to Section 551.071
392 (Consultation with Attorney).
- 393 3. Discussion regarding TXDOT program for exchange of right-of-way pursuant to Section
394 §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 395 4. Discussion regarding legal issues pertaining to potential annexation/development in the
396 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
- 397 5. Discussion regarding possible sale/purchase/lease of real property in the vicinity of
398 downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation
399 with Attorney).

- 400 6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard
401 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with
402 Attorney).
- 403 7. Discussion regarding appointments to city regulatory boards, commissions, and committees -
404 specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
- 405 8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
406 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
407 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

409 Council did not reconvene in Executive Session following the close of the public meeting agenda.

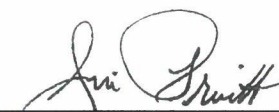
410 **XV. ADJOURNMENT**

411 Mayor Pruitt adjourned the meeting at 8:58 p.m.

412

413 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF
414 NOVEMBER, 2019.

415
416 ATTEST:
417



JIM PRUITT, MAYOR

418 
419 KRISTY COLE, CITY SECRETARY



ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, November 04, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Jim Pruitt called the meeting to order at 5:05 p.m. Present were Mayor Jim Pruitt and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Pro Tem Macalik arrived and joined the meeting at 5:08 p.m.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:06 p.m.

II. 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 lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:47 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members being present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilman Trowbridge delivered the invocation and led the Pledge of Allegiance.

VI. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Del Wendt
1841 Kelly Lane
Rockwall, TX 75087

Mr. Wendt thanked Councilmember Trowbridge for shining a light on the meter reading topic that results in longer cycles and larger bills a couple of times per year. He encouraged the City to address this issue to rectify it. He thanked the Council for lowering the tax rate, sharing that the city portion of his tax bill did decrease for about \$10. Regarding impact fees, Mr. Wendt thanked Trowbridge for his comments at the last city council meeting. He feels the taxpayer was left out of the discussion at the last meeting. He pointed out that if impact fees are not paid for by developers, then the taxpayer has to pick up the cost. He shared the belief that, even if the council decides to go higher than what was previously discussed, it will not be heavily felt by / will not heavily impact the developer. He wonders what the impact of the Council's decision will ultimately be on tax payers. He urged Council to revisit this, bearing in mind the impact on the taxpayer.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower spoke about the condos that are being built at The Harbor, which she pointed out are essentially apartments. She shared that she had a phone conversation with Mayor Pruitt a while back, and she is wondering if there are any updates regarding this forthcoming development. She wonders how this transitioned from individually deeded condominiums to 'apartments.' She also spoke briefly on impact fees, sharing that she supports impact fees and believes they should be higher on developers. She does not believe that the taxpayers should have to pay for new development. Mrs. Morchower spoke briefly about a building moratorium that will be on the agenda this evening. She understands that this will be a short moratorium and it will be in the ETJ. She believes a longer moratorium is ideal in order to allow time for infrastructure development to catch up with growth. She is specifically concerned about existing and worsening traffic congestion. She suggested that a couple of traffic lights be evaluated for their timing; however, the mayor pointed out that both signal lights she has pointed out are TXDOT owned and operated.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik moved to approve the parking lease for police vehicles in the downtown area. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the October 21, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-021** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No.

97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(2nd Reading)**.

3. **Z2019-024** - Consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an **ordinance** for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(2nd Reading)**.
4. Consider approval of an **ordinance** amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect updates to these standards, and take any action necessary. **[2nd reading]**
5. **P2019-039** - Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Julia McKinney for the approval of a replat for Lot 8, Block A, Ellis Centre Phase 2 Addition being a 1.21-acre parcel of land identified as Lot 4, Block A, Ellis Centre Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located west of the intersection of Alpha Drive and Sigma Court, and take any action necessary.
6. **P2019-041** - Consider a request by David Raines for the approval of a replat for Lot 35, Block A, Chandler's Landing, Phase 18, Section 2 being a 0.19-acre tract of land identified as Lot 12, Block A, Chandler's Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary.
7. Consider approval of a resolution terminating American United Life Insurance Company of Indianapolis, Indiana, a OneAmerica Company, as the city's 457(b) plan administrator's agent, and instead appointing International City Management Association Retirement Corporation (ICMA-RC) as investment advisory with respect to the City of Rockwall's 457(b) Plan, and take any action necessary.
8. Consider authorizing the City Manager to execute a professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Squabble Creek Lift Station Wastewater Sludge Grinders project in an amount not to exceed \$34,790.00, to be funded by the Wastewater Operations Budget, and take any action necessary.
9. Consider awarding a bid to WPI and authorizing the City Manager to execute a contract for on site fixed generators at three lift stations totaling \$229,380 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
10. Consider approval of a purchase from the Debt Service fund for two (fire truck) pumpers in lieu of issuing debt, in the amount of \$1,250,633, and take any action necessary.

Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Hohenshelt seconded the motion. The ordinances were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-40**

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 FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [ORDINANCE NO. 16-39] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, 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. 19-41**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 09-44, BEING A 395.075-ACRE TRACT OF LAND SITUATED IN THE W. T. DEWEESE SURVEY, ABSTRACT NO. 71 AND THE S. KING SURVEY, ABSTRACT NO. 131, 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. 19-42**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; 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.

Following brief comments, the motion passed by a vote of 7 ayes to 0 nays.

IX. APPOINTMENT ITEMS

1. Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss and consider the possibility of changing the city's regulations pertaining to residential retaining walls, including material and height restrictions, and take any action necessary.

Mayor Pruitt indicated that this item will be postponed until the next, regular city council meeting, as Ms. Mayer was unable to attend the meeting this evening due to a death in her family.

2. Appointment with Brad Helmer of Heritage Christian Academy to provide an update on the progress of their capital campaign in accordance with the requirements of Specific Use Permit No. S-200 (Ordinance No. 19-02).

Brad Helmer
2917 Chuckwagon Drive
Rockwall, TX

Mr. Helmer came forth and indicated that his fundraising is currently at about 22%, and they are continuing to work on the fundraising efforts. He thanked the Council for working well with him on this SUP. Mayor Pruitt shared that he looks forward to seeing Mr. Helmer for an additional update on this in February. Council took no action pertaining to this agenda item.

3. Appointment with Scott Mommer of Lars, Anderson & Associates, Inc. on behalf of the Home Depot to discuss amending the Unified Development Code (UDC) to allow the "Rental, Sales, and Service of Heavy Machinery and Equipment" land use in the Commercial (C) District by a Specific Use Permit (SUP), and take any action necessary.

Jason Pyka
12225 Greenville Ave., Ste. 1000
Dallas, TX 75243

Mr. Pyka shared that he is appearing this evening on behalf of Mr. Mommer. Discussion took place pertaining to how much heavy equipment may be visible. Mr. Miller shared that the applicant will be required to build a masonry wall that is one foot higher than the equipment that is being screened. The applicant may request an alternate screening, which will consist of trees, shrubs and a wrought iron fence around it. This will be by the building expansion that will be at one end of the building and will be near 10 parking spaces.

The city attorney clarified that Council is deciding this evening whether or not to allow this type of use in a commercial district. If the council does decide to allow this use, then Home Depot would have to apply for an SUP thereafter and go through the standard SUP approval process.

Following the discussion, Councilmember Daniels moved to approve moving forward with amending the UDC to allow this land use. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. PUBLIC HEARING ITEMS

1. **Z2019-022** - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an ordinance for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information concerning this agenda item. The applicant is requesting approval of a Specific Use Permit (SUP) for a detached garage that exceeds the maximum allowable size for properties located within a Single-Family 16 (SF-16) District. Currently situated on the subject property, there is a 3,397 SF brick single-family home and a 216 SF accessory building that is clad with wood. The proposed building will be situated behind the main structure, will be 13' 8" in height, and will be constructed of metal. The building will include a 24' x 40' (i.e. 960 SF) detached garage and a 6' x 40' (i.e. 240 SF) porch that will be on the front of the building. The total footprint of the building will be 1,200 SF (i.e. 35% of the size of the home). The porch will incorporate windows with shutters, double walk-in doors, and wooden posts. The applicant has stated that the purpose of the porch is to blend the building with the neighborhood by incorporating architectural elements that are typically seen on a single-family home. The building will have two (2) roll-up doors located on each of the side façades (i.e. north and south façades) and the applicant has stated that detached garage will be utilized to store several antique vehicles. The existing 12' x 18' (i.e. 216 SF) accessory building will be relocated and will be situated adjacent to the northern side façade of the proposed detached garage. The applicant has provided a site plan and proposed building elevations to be reviewed by the Planning and Zoning Commission and the City Council. Thirty notices were sent out to adjacent property owners. Four emails and one notice in favor were received back, and 1 was received back in opposition. The Planning & Zoning Commission recommended denial of the applicant's request by a vote of 7-0.

Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak.

Greg Givens
2308 Saddlebrook Lane
Rockwall, TX

Mr. Givens came forth and spoke in favor of approval of this SUP.

Steve Griffin
2348 Saddlebrook Lane
Rockwall, TX

Mr. Griffin spoke in favor of approval of this SUP.

Mr. Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and generally spoke in favor of this item.

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

Councilmember Fowler moved to approve Z2019-022. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A ONE (1)-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 10, BLOCK B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* 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.

The motion failed by a vote of 4 ayes with 3 against because it required a $\frac{3}{4}$ majority vote of council in order to be approved (Trowbridge, Hohenshelt and Pruitt voted against).

2. Hold a public hearing to discuss and consider imposing a moratorium on accepting and reviewing subdivision plats for commercial and residential property situated within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower came forth and said she is strongly in favor of this moratorium.

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

Councilmember Trowbridge moved to approve the moratorium. Councilmember Fowler seconded the motion. Following brief discussion, the motion passed unanimously of those present.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVIDING FOR

APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

XI. ACTION ITEMS

1. **MIS2019-001** - Discuss and consider approval of an ordinance adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary.
(2nd Reading)

Mr. Miller provided brief comments concerning this agenda item, indicating that this did not receive a unanimous approval at the last city council meeting. Mayor Pro Tem Macalik moved to approve the ordinance for MIS2019-001. Councilmember Hohenshelt seconded the motion. Hohenshelt proceeded to provide lengthy comments pertaining to this topic, generally indicating that there may be a misnomer that if impact fees are in place and adequate, then citizens' taxes will decrease. Mayor Pruitt expressed concern about residential roadway impact fees, as he believes they will adversely impact someone who, for example, is wanting to build on his or her acre or acre-and-a-half lot.

The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 19-43**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes with 3 against (Trowbridge, Pruitt and Daniels).

2. Discuss and consider the revised median openings for Texas Department of Transportation (TXDOT) roadway FM 552, and take any action necessary.

City Engineer/Director of Public Works, Amy Williams, provided background information pertaining to this agenda item. Mayor Pruitt moved to approve the revised median openings. Councilman Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider appointments to fill vacancies on the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

Councilmember Johannesen moved to appoint Anna Dodd to the city's Park Board (to replace former member, Fran Webb). Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

- Building Inspection Monthly Report - September 2019
- Finance Department Report - September 2019
- GIS Division Monthly Report - September 2019
- Harbor PD Monthly Report - September 2019
- Internal Operations Department Monthly Report - September 2019
- Recreation Monthly Report - September 2019
- Rockwall Animal Adoption Center Monthly Report - September 2019
- Rockwall Fire Department Monthly Report - September 2019
- Rockwall Police Department Monthly Report - September 2019
- STAR Transit Monthly Report - September 2019

2. City Manager's Report

Mr. Crowley, City Manager, shared that he would like to begin exploring possible dates with council members in order to schedule a city council / staff retreat sometime after the first of the year.

Councilmember Fowler and Fire Chief Cullins briefly discussed EMS related calls.

Mayor Pruitt shared that there will be a Veterans appreciation event at The Harbor from 1-6 PM this Saturday. Also, the City is hosting a Veterans appreciation lunch for city, county and school district employees this Thursday, and the Council is invited to attend.

XIII. 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 lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Councilmember Hohenshelt moved to approve reappointing the following members to the Rockwall Economic Development Corporation (REDC) board for additional two year terms (expiring Dec. 2021): Rick Carroll, Rick Johnson and Matthew Neyland. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

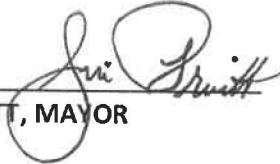
XV. ADJOURNMENT

Pruitt adjourned the meeting at 7:23 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF NOVEMBER, 2019.

ATTEST:


KRISTY COLE, CITY SECRETARY


JIM PRUITT, MAYOR



ROCKWALL CITY COUNCIL SPECIAL MEETING

Friday, November 8, 2019 - 3:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER (AND OPEN FORUM HELD)

Mayor Pruitt called the meeting to order at 3:02 p.m. Present were Mayor Jim Pruitt, Councilmembers Patrick Trowbridge, Kevin Fowler, Bennie Daniels and Trace Johannesen, City Manager Rick Crowley, and Assistant City Managers Joey Boyd and Mary Smith.

Mayor Pruitt indicated that an Open Forum would be held at this time, asking if anyone would like to come forth and speak.

David Booth
D.R. Horton
11655 Caddo Creek Drive
Rockwall, TX 75166

Mr. Booth came forth and spoke, indicating that he just became aware of the item being considered today. He explained that his company has a residential development project in the ETJ that has been ongoing for about the past six months. A lot of consultants are working on the project. He went on to explain that in the ETJ, a developer does full blown engineering plans and goes straight to the 'final plat' stage. He shared that at a "pre-development meeting" that was held on Oct. 24 with city staff, a moratorium was not discussed or indicated at all, even though the city's discussions concerning imposing a moratorium started the next day, on Oct. 25. Mr. Booth went on to ask for an exception for his particular project, indicating that they will build their own water / sewer lines and streets. He explained that their project will not tie into any city streets, only state owned and maintained roads. He understands the reasoning for the moratorium; however, he does not believe his project will impact the City from the standpoint of maintenance and consumption of public facilities. Therefore, he would like to be able to continue his project, but this moratorium will really disrupt the process associated with his project. He shared that his project will abide by any / all City of Rockwall standards, which are all 'above and beyond' those that are in place in the county.

There being no one else wishing to come forth and speak, Mayor Pruitt closed the "Open Forum" / public input part of the meeting.

II. HOLD A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE IMPOSING A MORATORIUM ON ACCEPTING AND REVIEWING SUBDIVISION PLATS FOR COMMERCIAL AND RESIDENTIAL PROPERTY SITUATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ), AND TAKE ANY ACTION NECESSARY. (2ND READING)

Mayor Pruitt asked staff why 1.5 acre tracts are being exempted. Mr. Miller shared that the reason for this exemption is because those typically provide onsite sewage systems, and they don't pose issues for infrastructure. Anything larger than that, however, does impact infrastructure.

Mr. Miller indicated that, if they are required to subdivide, the city would review a property that does not create more than 2 lots, that each lot is greater than 1.5 acres and that they provide onsite sewage facilities. Mayor Pruitt expressed concern, indicating he does not understand why these types of properties should be exempted out.

Councilman Johannesen asked for staff to explain what a moratorium practically means. Mr. Miller shared that this particular moratorium only applies to the submission of plans/subdivision plat applications to the City for residential properties in the ETJ. This particular moratorium will be for 120 days. However, he pointed out that the Council does have the ability to possibly remove the moratorium sooner if the City signs an updated 'interlocal agreement' with the County to spell out how development(s) in the ETJ will be handled.

Mayor Pruitt moved to approve the ordinance imposing a moratorium, expressing that no properties will be exempted from the moratorium until the County gives the city plans regarding how subdivision plats and developments will be handled in the County (within the city's ETJ) so that it is fair to everyone concerned. Councilmember Daniels seconded the motion.

The ordinance was read as follows:

**CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-44**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

III. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 3:13 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF NOVEMBER, 2019.

ATTEST:


KRISTY COLE, CITY SECRETARY




JIM PRUITT, MAYOR

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, November 18, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Students from the city's Youth Advisory Council (YAC) were also present.

Mayor Pruitt then read the below listed items into the public record before recessing the meeting to go into Executive Session at 5:03 p.m.

II. 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 ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:18 p.m.

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

Mayor Pro Tem Macalik called the public meeting to order at 6:05 p.m. Mayor Pruitt joined the meeting at 6:07 p.m. (following the prayer and pledge).

V. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

VI. INTRODUCTION OF ROCKWALL YOUTH ADVISORY COUNCIL (YAC) MEMBERS

The mayor and council members introduced the nine YAC students who were guests in attendance this evening.

VII. PROCLAMATION

Mayor Pruitt called forth Marilyn King from the Daughters of the American Revolution (DAR) and read and presented her with a (surprise) proclamation, naming the month of November as "Marilyn King Appreciation Day" in the City of Rockwall.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

X. CONSENT AGENDA

1. Consider approval of the minutes from the November 4, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the November 8, 2019 special city council meeting, and take any action necessary.
3. **P2019-040** - Consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.
4. Consider approval of an Interlocal Purchasing Agreement with the City of Texarkana and authorizing the City Manager to execute such agreement, and take any action necessary.
5. Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for \$156,600, to be funded by the Sewer Operations budget, and take any action necessary.
6. Consider approval of the St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project and authorize the City Manager to execute a contract

with Pittard Construction Company, Inc. in an amount of \$827,282, to be funded by Water/Wastewater bonds, and take any action necessary.

Councilmember Johannesen moved to approve the Consent Agenda, as presented. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. PUBLIC HEARING ITEMS

1. **MIS2019-014** - Hold a public hearing to discuss and consider approving an ordinance amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller provided background information pertaining to this agenda item. The Planning & Zoning Commission has recommended approval of this ordinance.

Mayor Pruitt opened the public hearing for MIS2019-014, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the Public Hearing.

Councilmember Trowbridge moved to approve MIS2019-014. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

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

XII. ACTION ITEMS

1. Discuss and consider approval of a resolution approving a resolution of the Rockwall Economic Development Corporation, authorizing the issuance of the Corporation's Sales Tax Revenue Refunding and Improvement Bonds, confirming a sales tax collection resolution, enacting other provisions relating to the subject, and taking any action necessary.

Assistant City Manager Mary Smith indicated that the REDC did approve a motion on Friday to move forward with the bond refinancing. Councilmember Fowler moved to approve the resolution approving the REDC resolution. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. 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 ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT


Mayor Pruitt thanked the members of the Youth Advisory Council (YAC) for their attendance this evening and for their ongoing participation in YAC.

The meeting was adjourned at 6:27 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2nd DAY OF DECEMBER, 2019.

ATTEST:


KRISTY COLE, CITY SECRETARY


JIM PRUITT, MAYOR



2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, December 02, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 **Mayor Pro Tem Dana Macalik called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Dana**
8 **Macalik, Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace**
9 **Johannesen as well as City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and**
10 **City Attorney Frank Garza. Mayor Jim Pruitt was absent from the entirety of the council meeting.**

11 **Mrs. Macalik read the following discussion items into the record before recessing the public meeting to go**
12 **into Executive Session at 5:01 p.m.**

13 **II. EXECUTIVE SESSION.**

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

- 16 1. Discussion regarding legal issues pertaining to potential annexation/development in the
17 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
18 2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable)
19 pursuant to Section §551.071 (Consultation with Attorney).
20 3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to
21 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
22 4. Discussion regarding ballot voting associated with appointments to the Rockwall Central
23 Appraisal District Board pursuant to Section 551.074 (personnel matters)
24 5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
25 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
26 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
27

28 **III. ADJOURN EXECUTIVE SESSION**

29
30 **Council adjourned from Executive Session at 5:36 p.m.**

31
32 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

33 **Mayor Pro Tem Macalik reconvened the public meeting at 6:00 p.m. with 6 of the 7 council members being**
34 **present (Pruitt absent).**

35 **V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT**

36 **Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.**

37 **VI. OPEN FORUM**

38 **Mayor Pro Tem Macalik explained how Open Forum is conducted, asking if anyone in the audience would**
39 **like to come forth and address the Council at this time. There being no one indicating such, she then closed**
40 **Open Forum.**

41 **VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

42 **Indication was given that no action was needed as a result of Executive Session.**

43 **VIII. CONSENT AGENDA**

- 44 **1. Consider approval of the minutes from the November 18, 2019 regular city council meeting, and**
45 **take any action necessary.**
- 46 **2. MIS2019-014 - Consider approving an ordinance amending the OURHometown Vision 2040**
47 **Comprehensive Plan for the purpose of updating the water and wastewater master plans, and**
48 **take any action necessary (2nd Reading).**
- 49 **3. P2019-044 - Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf**
50 **of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition**
51 **being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition,**
52 **City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480**
53 **Justin Road, and take any action necessary.**
- 54 **4. P2019-047 - Consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of**
55 **2424 MTA Realty, LLC for the approval of Lots 1, 2, & 3, Block A, MTA Andrews Addition being a**
56 **final plat of a 9.6990-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey,**
57 **Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated**
58 **within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740]**
59 **and Turtle Cove Boulevard, addressed as 2424 Ridge Road, and take any action necessary.**
- 60 **5. MIS2019-015 - Consider a request by Michael Guerrero of Atticus Harbor Village, LLC for the**
61 **approval of an alternative tree mitigation plan for a 6.915-acre tract of land identified as Lots 3A,**
62 **4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned**
63 **Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to**
64 **Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee**
65 **Drive, and take any action necessary.**
- 66 **6. Consider approval of a proposal from Ramco Rugged Portables in the amount of \$67,845.95 for**
67 **the Getac cloud storage solution and annual maintenance, appropriating Seizure Funds for this**
68 **purpose, and take any action necessary.**

69
70 **Councilman Hohenshelt moved to approve the Consent Agenda as presented (#s 1, 2, 3, 4, 5, and 6).**
71 **Councilmember Trowbridge seconded the motion. The ordinance caption was read as follows:**
72

73
74
75

76 CITY OF ROCKWALL

77 ORDINANCE NO. 19-45

78 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
79 TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE
80 MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION
81 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME
82 RULE CHARTER.

83
84 The motion passed by a vote of 6 ayes with 1 absent (Pruitt).
85

86 IX. ACTION ITEMS

- 87 1. Discussion and consider a resolution providing for the casting of votes and submission of the
88 official voting ballot associated with appointments to the Rockwall Central Appraisal District
89 Board for the year 2020-2021, and take any action necessary.

90 Councilmember Fowler moved to approve the resolution, assigning 449 votes to John Hohenshelt and 1
91 vote to Patrick Trowbridge. Councilmember Johannesen seconded the motion, which passed by a vote of
92 6 ayes with 1 absent (Pruitt).
93

- 94 2. A2019-001 - Discuss and consider the approval of a resolution stating an intention to commence
95 annexation proceedings by Petition per Chapter 43, Subchapter C-4 of the Texas Local
96 Government Code for a 41.49-acre tract of land situated within the City of Rockwall's
97 Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west
98 of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action
99 necessary.

100 Councilmember Trowbridge moved to approve A2019-001 (and the associated resolution). Councilmember
101 Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).
102

- 103 3. Discuss and consider approval of a facilities agreement with 549/I-30 Partners, L.P. for the
104 construction of the Justin Road and FM-3549 intersection, and take any action necessary.
105

106 City Engineer / Director of Public Works, Amy Williams provided brief background information concerning
107 this agenda item. Following brief questions and answers, Councilmember Fowler moved to approve the
108 facilities agreement. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes
109 to 0 nays with 1 absent (Pruitt).

110 X. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT
111 CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
112

113 1. Departmental Reports

- 114 Building Inspections Monthly Report - October 2019
115 GIS Division Monthly Report - October 2019
116 Harbor PD Monthly Report - October 2019
117 Internal Operations Department Report - October 2019

- 118 Recreation Monthly Report - October 2019
- 119 Rockwall Animal Adoption Center Monthly Report - October 2019
- 120 Rockwall Fire Department Monthly Report - October 2019
- 121 Rockwall Police Department Monthly Report - October 2019
- 122 STAR Transit Monthly Report - October 2019

123 **2. City Manager's Report**

124 **Brief announcements were made, including a reminder about the City's upcoming Christmas Tree Lighting,**
125 **Christmas parade and associated downtown events on Saturday, December 7.**

126

127 **XI. EXECUTIVE SESSION**

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

- 130 1. Discussion regarding legal issues pertaining to potential annexation/development in the
- 131 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
- 132 2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable)
- 133 pursuant to Section §551.071 (Consultation with Attorney).
- 134 3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to
- 135 Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 136 4. Discussion regarding ballot voting associated with appointments to the Rockwall Central
- 137 Appraisal District Board pursuant to Section 551.074 (personnel matters)
- 138 5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
- 139 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
- 140 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- 141

141

142 **XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

143 **Council did not convene in Executive Session following the close of the public meeting agenda.**

144 **XIII. ADJOURNMENT**

145 **Mayor Pro Tem Macalik adjourned the meeting at 6:13 p.m.**

146 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16th DAY OF**
147 **DECEMBER, 2019.**

148

149 **ATTEST:**

150



JIM PRUIITT, MAYOR

151


KRISTY COLE, CITY SECRETARY

152



1 **MINUTES** 

2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, December 16, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro
8 Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie
9 Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers
10 Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt read the discussion items below
11 into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

12 **II. EXECUTIVE SESSION.**

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

- 15 **1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation**
16 **with Attorney)**
- 17 **2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with**
18 **Attorney)**
- 19 **3. Discussion regarding possible purchase/acquisition of real property for park land in the north**
20 **portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071**
21 **(Consultation with Attorney).**
- 22 **4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,**
23 **Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)**
24 **regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

25 **III. ADJOURN EXECUTIVE SESSION**

26
27 **Council adjourned from Executive Session at 5:52 p.m.**

28 **RECONVENE PUBLIC MEETING (6:00 P.M.)**

29 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with 6 of the 7 council members being present**
30 **(Johannesen stepped out of the meeting and was absent for its entirety).**

31 **IV. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT**

32 **Councilman Hohenshelt delivered the invocation and led the Pledge of Allegiance.**

33 **V. OPEN FORUM**

34 **Kristin and David Bota**

35 **840 Lazy Brooke Drive**
36 **Rockwall, TX 75087**

37
38 **Mr. and Mrs. Bota came forth and expressed concern about commercial utilization of drones, especially**
39 **flying over residential neighborhoods. She wanted to encourage the City Council to consider enacting**
40 **an ordinance to regulate their use within the City of Rockwall. She generally expressed her belief that**
41 **footage obtained by drones is intrusive to personal privacy and can pose a safety risk to those residents**
42 **who are videoed (i.e. break ins, robberies, etc.).**

43
44 **Following Mrs. Bota's comments, Bob Wacker (lives on Featherstone) came forth and provided follow-**
45 **up comments pertaining to drones. He then briefly spoke about the last plat associated with Stone**
46 **Creek Estates. He thanked the staff and Council for its work on this development and wished everyone**
47 **a Merry Christmas.**

48
49 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

50 **Mayor Pro Tem Macalik moved to approve a reciprocal development agreement between the City of**
51 **Rockwall and the following parties: Cory Knowlton, Charles W. Sinks and Sandra Sinks. Councilmember**
52 **Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absent (Johannesen).**

53 **VII. CONSENT AGENDA**

- 54 **1. Consider approval of the minutes from the December 2, 2019 regular city council meeting,**
55 **and take any action necessary.**
- 56 **2. Consider approval the professional engineering services contract for Birkhoff, Hendricks &**
57 **Carter, L.L.P. to perform the engineering design services for the Buffalo Creek Tributary 1**
58 **Sanitary Sewer Interceptor Capacity Improvements Project in an amount not to exceed**
59 **\$164,780., to be funded by Sanitary Sewer Bonds, and take any action necessary.**
- 60 **3. Consider authorizing the City Manager to execute an interlocal agreement with Rockwall**
61 **County regarding Municipal Judge Services for upcoming "No Refusal Weekends," and take**
62 **any action necessary.**
- 63 **4. Consider authorizing the City Manager to execute an agreement with MHS Planning & Design,**
64 **LLC to update the Parks, Recreation & Open Space Master Plan for 2020-2030 in amount of**
65 **\$38,150 to be funded by Recreation Development Fund reserves, and take any action**
66 **necessary.**
- 67 **5. P2019-045 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John**
68 **Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing**
69 **118 single-family residential lots on a 36.428-acre tract of land identified as a portion of Tract**
70 **3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned**

71 Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses,
72 located at the southwest corner of John King Boulevard and Featherstone Drive, and take any
73 action necessary.

74 **6. P2019-046** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John
75 Arnold of BH Phase 11, LTD for the approval of a final plat for the Breezy Hill, Phase XI
76 containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract
77 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall
78 County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10)
79 District land uses, generally located adjacent to Breezy Hill Road north of the intersection of
80 Breezy Hill Road and FM-552, and take any action necessary.

81 **Regarding the Consent Agenda, Councilmember Trowbridge moved to approve all items, as presented**
82 **(#s 1, 2, 3, 4, 5, and 6). Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6 ayes**
83 **with 1 absence (Johannesen).**

84 **VIII. PUBLIC HEARING ITEMS**

85 **1. Z2019-025** - Hold a public hearing to discuss and consider a request for the approval of an
86 **ordinance** for a text amendment amending the Permissible Use Charts contained in Article IV,
87 Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of
88 allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific
89 Use Permit (SUP) in the Commercial (C) District, and take any action necessary. **(1st Reading)**

90 **Planning Director Ryan Miller provided background information pertaining to this agenda item. He**
91 **explained that this text amendment is in response to a request that was previously made to Council by**
92 **a representative of Home Depot. Staff has made the amendment and is proposing some land use**
93 **standards and regulations that Council may wish to consider as part of this proposed text amendment.**
94 **This issue was taken before the Planning & Zoning Commission, and the Commission has recommended**
95 **approval by a vote of 6-0. Proper public notice has been given as well regarding this public hearing.**

96 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this**
97 **time. There being no one indicating such, he then closed the Public Hearing. Councilmember**
98 **Hohenshelt moved to approve Z2019-025. Councilman Daniels seconded the motion. The ordinance**
99 **was read as follows:**

100 **CITY OF ROCKWALL**
101 **ORDINANCE NO. _____**

102 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
103 **ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT**
104 **CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS**
105 **HERETOFORE AMENDED, BY AMENDING ARTICLE IV,**
106

107 **PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE**
108 **[ORDINANCE NO. 04-38], PROVIDING FOR A PENALTY OF FINE NOT**
109 **TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)**
110 **FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
111 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN**
112 **EFFECTIVE DATE.**
113

114 **The motion passed by a vote of 6 ayes with 1 absence (Johannesen).**

115 **IX. ACTION ITEMS**

- 116 **1. Discuss and consider adoption of a resolution setting solid waste collection rates, and take**
117 **any action necessary**

118 **Mr. Bernas came forth and shared that, per the contract, there is a 3% cost of living increase annually.**
119 **It was explained that, per the City Charter, the Council must fix the garbage rates by resolution.**
120 **Following brief discussion, Councilmember Fowler moved to comply with the contract by adopting the**
121 **proposed resolution setting the solid waste collection rates. Councilmember Trowbridge seconded the**
122 **motion. One, small needed change to the resolution was pointed out. The motion to approve the**
123 **resolution with the small correction being made then passed by a vote of 6 ayes with 1 absence**
124 **(Johannesen).**

- 125
126 **2. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020**
127 **Census and take any action necessary.**

128 **Councilman Daniels explained that this is a voluntary committee made up of representatives**
129 **throughout the county and from the County itself. This committee has met two times so far. The**
130 **purpose of the committee is to decrease the undercount of the census within Rockwall County. The**
131 **objective is to have as complete a count as possible. Historically, we have had pretty good compliance;**
132 **however, there is a certain tract of land that has traditionally been undercounted in each census. He**
133 **explained that, in general, the undercounted area is in and around the Lake Rockwall Estates**
134 **subdivision. The number one reason for undercounts is distrust of the government. He went on to**
135 **explain that those who perform the Census are sworn to a strict, lifetime confidentiality Oath. He**
136 **stressed that the Census is directly associated with Congressional representation, and that is very**
137 **important to the State of Texas at the Federal government level. Last, the Census is very important**
138 **because many Federal grants are given out based on population, and we want to be sure we get our**
139 **fair share of those grant monies. He pointed out that jobs are available, part time, this summer for**
140 **those who might be interested in working on the Census count.**

141
142 **Mr. Boyd, Assistant City Manager, provided follow up comments after Councilman Daniels spoke,**
143 **sharing some of the upcoming expectations as far as 'next steps' associated with the Census. April 1 is**
144 **Census Day, and the counts will be presented to the President of the U.S. on or before Dec. 31, 2020.**
145

146 **People will be able to participate in the Census by the internet, by phone, at a Census center, or in**
147 **person (with a Census rep. showing up at one's door).**

148
149 **Council took no action pertaining to this agenda item.**
150

151 3. Discuss and consider an update regarding the South Lakeshore/Summit Ridge reconstruction
152 project, and take any action necessary.

153 Mayor Pruitt shared that this is the largest bond project to date, and we are 10 months into a 2 year
154 long project. He explained that his neighbors recently met; however, they did not invite him to the
155 meeting. The mayor explained that staff has met with him and provided him with the huge contracts
156 associated with this bond project, and he has reviewed those. He shared that some residents have
157 concerns that there are many days when it appears as though no construction work is taking place, or
158 very little work and progress is being made. He believes that two years is a very long time for a
159 neighborhood to be torn up. He believes that the city needs a better way of communicating with
160 residents about what is going on with the progress of construction. Also, he believes that city
161 notifications should be expanded beyond those who only live in that immediate area. He shared that
162 the contractor is responsible for ensuring the roadways are passable and that potholes stay filled. The
163 contractor is required to clean up the job sites every day (i.e. after it rains). He would like to see the
164 City limit a project like this to about a year (rather than 2 years). Also, he thinks that incentives should
165 be built into the contract to encourage contractors to finish the job(s) just as soon as possible.
166 Discussion took place related to a subcontractor of the general contractor who was negligent and
167 accidentally damaged the bridge deck by cutting through it. The bridge repair should take place
168 sometime after the first of the year.

169 Council took no action pertaining to this agenda item.

170 4. Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board and
171 Main Street Advisory Board, and take any action necessary.

172 Councilman Trowbridge explained that our city's Main Street Advisory Board has been pretty solidly in
173 place for the last ten years. Now, however, three people are rolling off due to term limits, and there is
174 one person who is resigning due to time constraints. He mentioned that candidate Jennifer Hoffman
175 needs to get registered to vote and that she is working on that now. So, pending her doing so, he'd like
176 to recommend her along with a few other candidates. Mayor Pruitt then moved to appoint the
177 following individuals to the city's Main Street Advisory Board: Stacy Fuqua, Craig Stoddart, Geoffrey
178 Lyons and Jennifer Hoffman and also appoint Jennifer Hoffman to the Historic Preservation Advisory
179 Board. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1
180 absence (Johannesen).

181 (Note: terms for the four new Main Street Advisory Board members will be from Jan. 2020 thru Jan.
182 2022 and the initial (partial) term for Ms. Hoffman on the Historic Preservation Advisory Board will run
183 thru Aug. of 2021).

184 X. EXECUTIVE SESSION

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

- 187 1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation
188 with Attorney)
189 2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with
190 Attorney)
191 3. Discussion regarding possible purchase/acquisition of real property for park land in the north
192 portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071
193 (Consultation with Attorney).
194 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
195 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
196 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

197 **XI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

198 Council did not reconvene in Executive Session following the close of the public meeting agenda. See
199 the start of the 6:00 p.m. meeting above for action taken at the beginning of this meeting.
200

201 **XII. ADJOURNMENT**

202 Mayor Pruitt adjourned the meeting at 6:58 p.m.
203
204
205

206 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 26th DAY OF
207 DECEMBER, 2019.

208
209 ATTEST:
210



JIM PRUITT, MAYOR

211 
212 _____
KRISTY COLE, CITY SECRETARY



MINUTES

ROCKWALL CITY COUNCIL SPECIAL MEETING

Thursday, December 26, 2019 - 6:00 PM

City Hall – 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 6:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, Kevin Fowler, and Bennie Daniels. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza and Councilmembers Trace Johannesen and John Hohenshelt were absent from the meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance

III. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. He also stated that if anybody was here for the Public Hearing agenda item regarding the annexation to please come forth and speak at that time .

There being no one wishing to come forth and speak during Open Forum, Mayor Pruitt closed this portion of the meeting.

IV. CONSENT AGENDA ITEMS

1. Consider approval of the minutes from the December 16, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-025** - Consider a request for the approval of an ordinance for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. **(2nd Reading)**
3. Consider subcommittee recommendation for Hotel Occupancy Tax funding grant for the 2020 Texas Juvenile Chief's Summit in the amount of \$30,000 and take any action necessary.

35 Regarding Consent Agenda item #3, Councilmember Trowbridge stated he assumed the Hotel
36 Occupancy Tax falls within that budget. If that is the case, then Councilmember Trowbridge moved to
37 approve all items, as presented (#s 1, 2, and 3). Mayor Pro Tem Dana Macalik seconded the motion.
38 The ordinance caption was read as follows:

39 CITY OF ROCKWALL

40 ORDINANCE NO. 19-46

41 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
42 AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE
43 CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV,
44 PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-
45 38], PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
46 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
47 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
48 AN EFFECTIVE DATE.

49 The motion passed by a vote of 5 ayes, 0 nays and 2 absences (Johannesen & Hohenshelt).

50 V. PUBLIC HEARING ITEMS

51 1. A2019-001 - Hold a public hearing to discuss and consider commencing annexation
52 proceedings by petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code
53 for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction
54 (ETJ), and generally located on the north side of Cornelius Road west of the intersection of
55 Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.

56 Planning Director Ryan Miller provided background information pertaining to this agenda item. On
57 December 2, 2019, the City Council adopted *Resolution No. 19-27* directing staff to proceed with the
58 annexation process for a ~41.49-acre tract of land adjacent to Cornelius Road. This direction came in
59 response to a petition submitted on November 19, 2019 by Barbara Lee (*a resident in the ~41.49-acre*
60 *tract of land*) indicating that a majority of the property owners in the annexation area supported
61 annexation.

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63 Miller explained that the next step in the annexation process is taking place this evening, which is for
64 the City Council to hold a public hearing. In preparation for this public hearing and based on the
65 annexation requirements outlined in Subchapter C-4, *Annexation of Areas with Population of Less than*
66 *200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code, City staff
67 sent a letter to all properties within the annexation area notifying the property owners of the time and
68 date of the public hearing. Staff also included a copy of the *Resolution No. 19-27* with the letter. This
69 resolution outlines the City services that will be provided if the annexation effort is successful. Staff has
70 included a copy of the letter that was sent out on December 4, 2019 in the City Council members'
71 packets for review. It was noted that once this public hearing is complete, the following steps will need
72 to be completed:

- 73 • January 2, 2020: 31-days after the resolution is adopted the municipality may start to collect
74 signatures for the annexation petition from property owners within the annexation area.

- 75 • **May 30, 2020:** 180-days after the resolution is adopted the window for the municipality to
76 collect signatures from property owners within the annexation area ends. If the City obtains
77 the number of signatures on the petition required to annex the area, the City may annex the
78 area after notifying the residents and property owners of the results of the petition.
- 79 • **June 1, 2020:** The City Council will be required to hold a public hearing and the first reading of
80 the annexation ordinance.
- 81 • **June 15, 2020:** The City Council will be required to hold a second public hearing and the
82 second reading of the annexation ordinance.

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84 Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at
85 this time. Councilmember Patrick Trowbridge asked for confirmation that the City Council would not be
86 taking any action at the meeting regarding this agenda item and this is the first meeting of the series.
87 Mr. Miller noted that **no action** is required by the City Council at this meeting, **December 26, 2019**.
88 Councilmember Kevin Fowler clearly stated that this request is prescribed very specifically by state law,
89 and to meet the time requirements, the meeting was held on this date. Mr. Miller clarified that the City
90 did not have a choice regarding tonight's meeting date, as state law mandated it.

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92 **Forest W. Barton Jr.**
93 **1209 Marilyn Jayne (Lot #5)**

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95 Mr. Barton came forth during the public hearing and stated he resides on lot #5. Mr. Barton thanked
96 the Council for allowing us to come forth to offer our opinions regarding the annexation process. He
97 stated he is in favor of the annexation and thinks it would be a good thing for the residents. Mr. Barton
98 also stated there are a couple of questions/concerns that need to be addressed as this goes forward.
99 Mr. Barton stated that number one is the County is in the process of replacing the street (Marilyn Jane).
100 They replaced from areas starting with lot #2 and then down to the beginning of lot #5 which is his
101 property. That was last year. This year they will continue with the areas from lot #5 down to lot #7,
102 and next year - in theory - they were going to complete the rest of street, and then come back around
103 to the circle. Mr. Barton stated this project would need to be addressed at some time. Mr. Barton stated
104 he did not know if the County has put it on hold and if they are going to continue with it. Mayor Pruitt
105 stated he would ask the county about that question before they continue this project. Mr. Barton
106 stated there were several other concerns. One is that they all on septic systems and it would be nice
107 for the City to be in position at some point to bring a sewer system into that area. It would be a great
108 benefit to everyone and much appreciated. Mr. Barton stated he did not know if there were any plans
109 for that process in the future. Mr. Barton wonders if that could possibly be a target down the road. Mr.
110 Barton stated another main thing as we progress with this process is residents would like to have their
111 area upgraded as much as possible. He expressed that the residents understand that some things are
112 grandfathered in and will be things that are not going to fall under that purview. Mr. Barton is not sure
113 how to determine what falls under the grandfathered clause, what is limited, and what is not going to
114 be subjected to it at all. Mr. Barton stated he did not know how to locate this kind of information. Mr.
115 Barton stated that as we progress thru this process he does realize that residents petitioning for
116 annexation is the first step at getting there, and hopes that the City can address these items to allow
117 residents to kind of get a feeling for where this is going and how it is going to be approached.

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Sarah Cook
1206 Marilyn Jane (Lot #13)

Mrs. Cook stated she wanted to thank the Council for the consideration of our request regarding the annexation and would like to go on the record that we are in support of the annexation.

Barbara Lee
668 Cornelius Rd. (Lot #23)

Mrs. Lee stated she wanted to go on record that they strongly support the annexation. Mayor Pruitt asked Mr. Miller to confirm that Ms. Lee is the only property landowner that owns approximately 25% land area (approximately 40 acres) in the annexation area, which Mr. Miller did confirm.

Brian James
1202 Marilyn Jane (Lot #11)

Mr. James stated he is in support of the annexation.

Councilmember Patrick Trowbridge stated that one of items that was brought up was the service agreement. Councilmember Patrick Trowbridge stated he wanted to know what it is, and has it been executed? He also asked what was in it - what city services are included in it? Mr. Miller stated the service agreement along with the resolution, which contained the lists/schedules of City Services that will be provided once the annexation is successful. He pointed out that it was presented at the 12.02.19 City Council meeting. That information was also included in the mailer that sent to residents dated December 4, 2019. Mr. Miller stated that currently the City does not have any hard services, which includes sewer, and the City currently does not serve water out there because it is in the Mount Zion water district. Once the City services are extended out there, they would have the ability to tie into to those. Mr. Miller stated that all soft services such as code enforcement, planning & zoning, trash, building inspections, animal control would immediately be available once the annexation is complete. Councilmember Patrick Trowbridge asked for further clarification, and Mr. Miller stated that services will include police and fire service. Councilmember Patrick Trowbridge also asked if they would still be under the same water district and Mr. Miller stated yes.

There being no one else wishing to come forth and speak, Mayor Pruitt thanked the residents for attending the Council meeting and giving their support regarding the annexation process.

Mayor Pruitt then closed the public hearing.

Mayor Pruitt read the following discussion item into the record before recessing the public meeting to go into Executive Session at 6:18 p.m.

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160 **VI. EXECUTIVE SESSION**

161 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
162 **FOLLOWING MATTERS, AS AUTHORIZED BY CHAPTER 551 OF THE TX GOVERNMENT CODE:**

- 163
- 164 **1. Discussion regarding possible purchase/acquisition of real property for park land in the**
- 165 **north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071**
- 166 **(Consultation with Attorney).**
- 167

168 **VII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**


169 **Mayor Pruitt called the meeting back to order at 6:26 p.m. Mayor Pro Tem Macalik made a motion to**
170 **authorize the city manager to move forward with the purchase of real property in the north portion of**
171 **the city, with Arkoma Development LLC. Councilmember Trowbridge seconded the motion, which**
172 **passed by a vote of 5 ayes with 2 absent (Johannesen & Hohenshelt).**

173 **VIII. ADJOURNMENT**

174 **Mayor Pruitt adjourned the meeting at 6:28 p.m.**

175 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6th DAY OF**
176 **JANUARY, 2020.**

177
178 **ATTEST:**
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JIM PRUITT, MAYOR

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181 **KRISTY COLE, CITY SECRETARY**

