

Minutes
Rockwall City Council
May 5, 2003
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

Mayor Jones called the meeting to order at 6:00 p.m. Present were Mayor Jones and Councilmembers Cecil, Dobbs, Cotti, Morris, King and Raulston. Councilmember King led the invocation and the Pledge of Allegiance.

PROCLAMATIONS

Mayor Jones introduced Olivia Moheka of American Idol fame, who sang "The Star Spangle Banner" in honor of Ralph Hall. Mayor Jones then read the proclamation for Ralph Hall Day and presented it to Congressman Ralph Hall.

CLICK IT OR TICKET TEXAS – Mayor Jones read the proclamation and presented it to Police Chief Mark Moeller.

DINE OUT ROCKWALL DAY – Mayor Jones read the proclamation and presented it to the 2002/2003 Leadership Rockwall Class.

MOTORCYCLE SAFETY AND AWARENESS MONTH – Mayor Jones read the proclamation and presented it to Rebecca Hollingsworth and others motorcyclists accompanying her.

NATIONAL BICYCLE MONTH—Mayor Jones read the proclamation and presented it to Scott Self.

CINCO DE MAYO – Mayor Jones read the proclamation and presented it to Tony Rios.

OPEN FORUM

No one appeared to address the Council.

CONSENT AGENDA

5a. PZ-2003-21-Z – Consider approval of an **Ordinance** for a City initiated amendment to the Comprehensive Zoning Ordinance (Ord. No. 83-23) relative to the conditional use requirements for self-storage facilities in the Commercial zoning district, specifically to allow for direct access from major thoroughfares in certain cases, thus amending Section 4.1.G.16(d) and take any action necessary. **(2nd Reading)**

5b. PZ-2003-31-CUP – Consider approval of an **Ordinance** for a request from Gary Evans for a conditional use permit to allow an accessory building that exceeds the 15-foot maximum height restriction of the SF-E/4.0, Single-Family Residential Estate, four-acre minimum zoning district

on a 4.39-acre lot known as Rolling Meadows Estate; Lot 5; Block A located at 2585 Rolling Meadows Dr. **(2nd Reading)**

- 5c. PZ-2003-22-FP** -- Consider approval of a request from Kirby Albright for a residential final plat for Lakeside Village Phase V-C, being a 9.918-acre tract containing 61 single-family lots and zoned "PD-2", situated between Mediterranean Drive and Marina Drive southwest of Village Drive and take any action necessary.
- 5d. PZ-2003-34-FP** -- Consider approval of a request by Don Taylor for a residential final plat of a 4.83-acre tract zoned "A" Agricultural and to be known as Lot 1, Block A, D.R. Taylor Addition, located at 1050 Quail Run Rd and situated on the northeast corner of the intersection of Quail Run Rd and the future S.H. 205 By-Pass and take any action necessary.
- 5e. PZ-2002-5-FP** -- Consider approval of a request from Dub Douphrate for a single-family residential final plat of a 29.899-acre, 104-lot development zoned PD-29 known as Lakeview Summit-Phase II located north of Alamo Road and west of SH 205 and Lakeview Summit -Phase IA and take any action necessary.
- 5f.** Consider authorizing the City Manager to execute a Facilities Agreement with Pulte Homes for the widening of N. Lakeshore Drive and take any action necessary.
- 5g.** Consider approval of the recommendation to reject the bids for the Myers Park project and take any action necessary.
- 5h.** Ratify approval of the appointment of Nell Welborn as the Early Voting Ballot Board Judge and take any action necessary.

Councilmember Cotti requested that item 5c be pulled and then made a motion to approve all the remaining items. Councilmember Raulston seconded the motion. The ordinances were read as follows:

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. NO. 83-23) OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED BY AMENDING ARTICLE IV, SECTION 4.1, CONDITIONAL USE PERMITS, ITEM G.16.D, PROVIDING FOR DIRECT ACCESS TO MAJOR THOROUGHFARES FOR SELF-STORAGE FACILITIES IN CERTAIN CASES; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR AN ACCESSORY BUILDING EXCEEDING THE MAXIMUM PERMITTED HEIGHT WITHIN THE "SF-

E/4.0" SINGLE-FAMILY RESIDENTIAL DISTRICT, ON A 4.39-ACRE TRACT LOCATED AT 2585 ROLLING MEADOWS DRIVE (LOT 5, BLOCK A, ROLLING MEADOWS ESTATES), AND MORE FULLY DESCRIBED HEREIN AS "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 unanimous vote of 7 ayes and 0 nays.

Councilmember Cotti stated that with regard to item 5c that there had been a meeting between the parties and that all the issues were resolved and he thanked Mr. Albright and the Lakeside Village Homeowners Association for their cooperation. Cotti then made a motion to approve item 5c and Councilmember Raulston seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

APPOINTMENTS

- 6a. Appointment with Sally Chavarria, Executive Director of Hunt County Committee on Aging, Inc./The Connection regarding new funding allocation for transit and take any action necessary.

Sally Chavarria discussed the new allocation process for transportation funding in Rockwall. There has been an extension of the urbanized area to include the Rockwall area, but she does not know at this time how it will affect the City. We are now in two different funding areas: 5307 and 5309.

Councilmember Cotti asked if the decision to expand the urbanized area was unilateral. Chavarria stated that this was a federal decision. Cotti asked if there was anyway to challenge the decision and Chavarria advised that she did not know. It affects more than transit. Cotti stated that this will be a cost impact on the City and asked Chavarria to investigate it and see if there is anything we can do. Chavarria stated that she would do this and get back to the Council.

Councilmember Morris asked if Chavarria had any idea what the impact would be. Chavarria stated there are more funds available, but they will be offset by the larger area.

Sam Buffington stepped forward and stated that every year we usually have representatives at the Regional Transport Committee hearing – they are the ones who have the input.

No action was taken on this matter.

- 6b. Changed to item 7b.

- 6c. Appointment with Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any necessary action.

Ross Ramsay discussed the various planning and zoning items and how the Planning and Zoning Commission acted on them. Item 7a was tabled at the last meeting because the builder was not here. Item 8a is back because the Board of Adjustment had proposed a development that was not compatible. They revised it and came back and the Planning and Zoning Commission approved the amended request.

- 6d. Appointment with the Youth Advisory Council to discuss the Youth Advisory Council budget, t-shirts and banner and take any action necessary.

Rachel Hall and Bushra Siddiqi appeared on behalf of the Youth Advisory Council and thanked the Council for all of their support. Hall advised the Council that next year they will need approximately \$150 for shirts and that for the Cancer Walk to be held on June 13th, they will a banner that will cost approximately \$150. Hall also gave a status report regarding the voter registration project they undertook.

Mayor Jones thanked the group for the voter registration drive. Councilmember Morris stated that Hall had said, "if there was any money left over" but his experience with teenagers was that there was never any left over. You need money and you need incidentals.

Councilmember Cotti commended the group on their hard work and the voter registration drive and stated that he too supports the funding. Cotti stated that the Council would ask for money in the 2004 budget for the Youth Advisory Council and that the shirt would be included in that. He then made a motion to approve the \$150 for the banner to come from the Mayor/Council line item in this year's budget. Councilmember Morris stated that "Terry and I" second this motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

PUBLIC HEARING ITEMS

- 7a. **PZ-2003-9-RP** – Hold a public hearing and consider a request from C. Scott Lewis Homes for a residential replat of a single, 0.149-acre lot located on the northern end of Australia Court Drive known as Lot 20, Block A, Chandlers Landing Phase 17. This replat serves to reduce the width of the drainage and utility easement on the west side of the subject lot from 15-ft to 10-ft. and take any action necessary.

Robert LaCroix discussed the background of the request. The main concern by residents was drainage. We talked to a consultant and he said it would work. Oncor will work with a 10' easement and so will SBC. There were no negative return notices.

Mayor Jones opened the public hearing. The following persons came forward to address the Council:

Scott Lewis, Applicant -- Mr. Lewis appeared before the Council to ask for their approval of the request.

There being no other persons to come before the Council, Mayor Jones closed the public hearing.

Councilmember Morris made a motion to approve the request with Staff and Planning and Zoning recommendations. Councilmember Dobbs seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

- 7b.** Hold a public hearing and consider demolition of a substandard building owned by Mr. Billy Peoples, pursuant to the Property Maintenance Code and take any action necessary.

Jeffrey Widmer, Building Official, discussed the background of the request. The structure is located on Mims Road and Code Enforcement has received numerous complaints about the building. Code Enforcement sent the owner notices by certified mail/return receipt requested, placed notices on the building, and published notices. The property was appraised at \$1800 and the maximum permit he could issue would be \$840 and this would not be enough to bring the structure into compliance. Widmer asked the Council to order the Owner to have the structure demolished within a certain time period and if he does not the City will have the structure demolished at a cost of approximately \$5,200 and a lien will be placed on the property.

Councilmember Morris asked what time frame we are looking at. Widmer advised it would be not more than 90 days. Mayor Jones asked how it had been determined that the building was dangerous. Widmer advised that Section 6-182 sets out what constitutes deficiencies or what defines a dangerous building and that this building had several of the deficiencies. Councilmember Raulston asked if this would also include storm cellars. Widmer replied yes.

Mayor Jones opened the public hearing and the following persons appeared before the Council:

Doug Morris appeared on behalf of his father-in-law, Billy Peoples. Morris stated that he had just been handed this information this afternoon, but that they would do their best to comply. Morris stated they wanted to market the property as commercial and asked for a reasonable amount of time to comply with the demolition request. Councilmember Billy Morris (no relation) asked what he thought was reasonable. Doug Morris replied that 90 days would be ok.

There being no one further to address the Council, Mayor Jones closed the public hearing.

Councilmember Morris made a motion to order the buildings demolished within 90 days from tonight and Councilmember Raulston seconded the motion. Raulston thanked Jeffrey for the fine job they are doing to make Rockwall a better place to live. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Mayor Jones thanked the Peoples family for all of their contributions to the community.

248
249 **SITE PLANS/PLATS**
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- 251 **8a. PZ-2003-26-SP-BE-LP** – Discuss and consider a request by Arlyn
252 Samuelson of Pogue Engineering & Dev. for a site (including building
253 elevations) and landscape plan for a 1.0775-acre tract being Lot 5R,
254 Block A, Horizon Ridge Addition, for a proposed Bank of America. The
255 site is zoned "PD-9" and is located along Horizon Rd (FM 3097) just
256 southeast of Ridge Rd (FM 740) and take any action necessary.
257

258 **Robert LaCroix discussed the background of the request. Initially the Planning and**
259 **Zoning Commission was not pleased with the plans and discussed the changes they**
260 **wanted with the applicant. The applicant made the requested changes and presented**
261 **new plans. There is a decrease in the parking and an increase in the landscaped area to**
262 **27% -- only 15% is required. The plan meets all of our requirements and the Planning**
263 **and Zoning Commission did recommend approval.**
264

265 **Councilmember Morris thanked Staff, the Planning and Zoning Commission and the**
266 **applicant for their hard work and made a motion to approve the request. Councilmember**
267 **Dobbs seconded the motion and the motion passed unanimously by a vote of 7 ayes and**
268 **0 nays.**
269

270 **ACTION ITEMS**
271

- 272 **9a.** Discuss and consider approval to retain Rutledge Crain C.P.A.'s as the
273 City auditors for the fiscal year ending September 30, 2003, and take any
274 action necessary.
275

276 **Mary Smith, Finance Director discussed the background of the request. Due to the new**
277 **rules set out in GASB34, Staff is requesting that we be allowed to retain Rutledge Crain**
278 **for one more year. We will save at least \$10,000 this year by doing so.**
279

280 **Councilmember Morris made a motion to retain Rutledge Crain as recommended and**
281 **Councilmember Raulston seconded the motion. Councilmember Cecil asked if our**
282 **methodology would change. Smith advised that the day-to-day would not change, but**
283 **that there will be some changes. The motion passed unanimously by a vote of 7 ayes**
284 **and 0 nays.**
285

286 **CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING**
287 **MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
288

- 289 **10a.** Departmental Reports

- 290 **10b.** City Manager's Report

291 **Mary Smith told the Council that Environmental Day was a great success and that Staff's**
292 **help was greatly appreciated. Councilmember Morris thanked the Staff for their hard**
293 **work and working on their day off and stated "I appreciate you."**
294

295 **Mayor Jones also stated that he appreciated the hard work.**
296

Julie Couch told the Council that the trip to Loudoun County, the 2nd fastest growing county in the nation, was a great success. They have a 200,000+ population and have a volunteer fire department. They currently have 20 stations and are adding more. Couch stated that she would be providing the Council with a more in-depth report.

Couch stated that with regard to the budget, that we don't anticipate any change.

Councilmember Cotti stated that the General Fund looks extremely good. With regard to our water/sewer funds, he understands that we are entering the period when we recoup the majority of our funds. With regard to Environmental Day he wanted to specifically recognize Angie Smith, Kelly Allensworth, Kay Roberson and Cheryl Austin for their hard work. Cotti asked Mary Smith for further input that the report on false alarms be broken down by false/commercial/residential.

Couch stated that the 1st Annual City picnic was a great success and thanked the Council for coming out. Cotti suggested that next year the Council be the cooks.

There being no further business to come before the Council in regular session, the meeting was adjourned at 7:19 p.m. into Executive Session.

HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074, AND 551.086 OF TEXAS GOVERNMENT CODE TO DISCUSS:

- a. Land Acquisition for City Facilities and Park Land.
- b. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
- c. Personnel Issues: Evaluation of City Manager.
- d. Deliberate commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.

TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Cotti made a motion that the City Manager be authorized to enter into an agreement with TBG Partners in an amount not to exceed \$32,500 and Councilmember King seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m.

Attest:

Ken Jones, Mayor

346 **Dorothy Brooks, City Secretary**

MINUTES

Canvass of Election Returns

6:00 p.m. May 6, 2003

City Hall, 385 S. Goliad, Rockwall, Texas 75087

Mayor Pro Tem John King called the meeting to order at 6:00 p.m. Present were Mayor Pro Tem King and Councilmembers Cotti and Morris.

Mayor Pro Tem King declared the results of the May 3, 2003, election correct and official and made a motion to approve the canvass resolution. Councilmember Morris seconded the motion and the motion passed unanimously.

There being no further business, the meeting was adjourned at 6:05 p.m.

John King, Mayor Pro Tem

ATTEST:

Dorothy Brooks, City Secretary

Minutes
Rockwall City Council
May 19, 2003
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

Prior to Judge Brett Hall's arrival to swear in the newly elected Mayor and Councilmembers, Councilmember Billy Morris led the invocation and the Pledge of Allegiance. Ms. Laura B. sang "The Star Spangle Banner" and led everyone in "God Bless America." Tim McCallum thanked the community and his family for electing him to the City Council. McCallum stated that he looks forward to working with his peers and continuing the work being done by the Council. Ken Jones thanked him for his comments and welcomed him to the Council.

Judge Brett Hall arrived and swore in Ken Jones, Mayor, Bob Cotti, Councilmember Place 3; Tim McCallum, Councilmember Place 1; and Larry Dobbs, Councilmember Place 2. Councilmember Raulston was out of town and not available for swearing in on this day.

The meeting was called to order by Mayor Jones with Councilmembers McCallum, Dobbs, Cotti, Morris and King present. Councilmember Raulston was absent.

PROCLAMATIONS

EMERGENCY MEDICAL SERVICES WEEK -- Mayor Ken Jones read the proclamation and presented it to Mitch Ownby, owner of Rockwall EMS.

CONSENT ITEMS

- 4a. PZ-2003-35-RP-SP-BE-LP --** Consider approval of a request from Earl Escobar with Pate Engineers, Inc. for a site plan including building elevations and a landscape plan for a single, 1.1354-acre lot zoned Planned Development No. 9 (PD-9) known as Horizon Ridge Addition; Lot 11; Block A, located at the southeast corner of the intersection of FM 740 and Arista Road and take any action necessary.
- 4b. PZ-2003-40-FP --** Consider approval of a request from Ed Randall for a final plat of a two-lot, 1.882-acre tract of land zoned Planned Development No. 1 (PD-1) known as O'Reilly Addition (a.k.a. Pt. of Eastridge Center) located on the east side of FM 740 (Ridge Road) south of the Rockwall County Government Center site and take any action necessary.
- 4c. PZ-2003-41-FP --** Consider approval of a request by Mary Farrell for a residential final plat of a two-lot, 0.57-acre tract zoned "SF-7" Single-Family Residential and to be known as Lots 1-2, Block A, Hartman Addition, located along the south side of St. Mary Street west of Clark St. and east of Tyler St. and take any action necessary.
- 4d. PZ-2003-42-SP-LP --** Consider approval of a request by Dr. Jack Rambo of R.I.S.D. for a site plan and landscape plan for a proposed elementary school on Lot 18, Block Z, Hickory Ridge Phase 4, being a 12.6-acre tract

located on the east side of SH 205 north of Little Buffalo Creek and take any action necessary.

- 4e.** Consider approval of a bid award to the lowest bidder for the SH-205 Gravity Sewer Line and take any action necessary.

Councilmember Morris made a motion to approve items 4a through 4e and Councilmember King seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Raulston].

APPOINTMENTS

- 5a.** Appointment with Dennis Dayman of the Sesquicentennial Committee to discuss funding and take any action necessary.

Dennis Dayman, Chair of the Finance Committee of the Sesquicentennial Committee, discussed the background of his request for \$1,000 in start up funds for the Sesquicentennial Committee. Dayman stated that he would bring a full budget to the Council in June.

Councilmember King asked if the City's website could be used. Julie Couch, City Manager stated that it could. Councilmember Morris thanked Dennis for volunteering his time to work on this committee and made a motion to approve the request for funding. Councilmember Cotti seconded the motion. Mayor Jones advised Dayman to lean on Bob Wieneke of the Chamber of Commerce for help. Dayman also advised the Council that he had talked with Joey Boyd about the City website. The motion passed by a vote of 6 ayes and 1 absent [Raulston].

- 5b.** Appointment with Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any necessary action.

Ross Ramsay, Chairman of the Planning and Zoning Commission, discussed the recommendations of the Commission for the items on tonight's agenda. Ramsay stated that the Commission denied Caruth Lakes and they came back in last Friday. We need to be firm, but not to the point that Pete Eckert has to deal with it. They had vested rights in 1973 with 438 houses. In 1987 the school was removed. We need to get developer to reserve school sites. The PD was revised again in 1996. There are a lot of PD's out there.

Councilmember Morris stated that this is scary. How do you keep this from happening? Ramsay stated that Staff is encouraging people to do the right thing. We can make some headway, but we can't get rid of it. Morris stated that they are doing the best they can, but the developers don't have to make the changes.

Ramsay stated that Robert LaCroix and his Staff are re-writing ordinances so we don't get trapped like this in the future. Morris thanked Ramsay and the Commission's efforts.

Councilmember Cotti stated three to four years ago we started reviewing PD's and wanted to know if there were any plans to resume the reviews so that we can be forewarned.

Robert LaCroix, Director of Planning and Zoning, stated that we review PD's every three years. We have gone through several. There are some small PD's that we should take a look at. We are near the end of the "vested" zoning.

PUBLIC HEARING ITEMS

- 6a. **PZ-2003-33-Fence** – Hold a public hearing and consider approval of a request from Phil Skrabanek to permit a front yard fence, including a variance to the maximum height requirement of 36-inches (proposed 48-inches), on a single, 0.68-acre lot zoned (SF-7) Single-Family Residential being Lot 10, Block E, Harris Heights Addition and located at 204 Harris Drive and take any action necessary.

Robert LaCroix discussed the background of the request. The fence is actually a buffer and safety action. Staff and the Planning and Zoning Commission recommend approval.

Mayor Jones opened the public hearing and the following persons came forward to address the Council:

Phil Skrabanek, applicant, stated that he moved here about 2 ½ years ago and there have been trash trucks running through there and dogs running wild. When the fence was built, he was unaware of needing a permit or the height requirements. Councilmember Morris asked Skrabanek why Mr. Malaluan was opposed to the fence. Skrabanek stated he felt it was because Malaluan felt it would set precedence.

There being no one else to address the Council, Mayor Jones closed the public hearing.

Councilmember King made a motion recommending that the request be approved as written and Councilmember Dobbs seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Raulston].

- 6b. **PZ-2003-36-CUP** – Hold a public hearing and consider approval of an **Ordinance** for a request by Wesley Baker for a conditional use permit to allow for an accessory building exceeding the maximum permitted height and size requirements, and not meeting the required materials requirements, on a single, 1.0-acre tract being Lot 25, Block A, Saddlebrook Estates #2, located at 2396 Saddlebrook Lane and zoned "SF-16" Single-Family and take any action necessary. **(1st Reading)**

Robert LaCroix discussed the background of the request and noted that Mr. Baker was not present. City Attorney Pete Eckert advised Mayor Jones that he needed to go ahead and open the public hearing so it could be continued. Mayor Jones opened the public hearing and Councilmember Morris made a motion to continue the public hearing to the next meeting. Councilmember Cotti seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Raulston].

SITE PLANS/PLATS

- 7a. **PZ-2003-37-SP** -- Consider approval of a request from David Hairston for an amended site plan for the Horizon Car Wash, located on a 1.74-acre commercially-zoned tract on the northeast side of Horizon Rd south of

Ridge Road and north of Ralph Hall Pkwy. The amended site plan proposes the addition of a canopy structure for automobile detailing and take any action necessary.

Robert LaCroix discussed the background of the request. The canopy would for the area where they detail cars. The Planning and Zoning Commission approved the request. It should be noted that there will never be any signage allowed on the canopy.

David Hairston, owner, came forward to show the Council the sample of the material the canopy will be made out of. Councilmember King asked if there would be any problems with how the material will wear. Hairston advised that there would not be, that this material was strictly for UV ray protection.

Councilmember McCallum stated that this was a quality business and wanted to know if the canopy was to keep the sun off the cars or employees. Hairston stated it would be for both – for the express service.

Councilmember Cotti made a motion to approve with Staff and the Planning and Zoning Commission recommendations and Councilmember Dobbs seconded the motion. Mayor Jones stated, “I wish I could support this and I can!” The motion passed by a vote of 6 ayes and 0 nays.

- 7b. PZ-2003-39-BE** -- Consider approval of a request from Marc Drake for amended building elevations for the RV Park It Place storage facility located at 1570 I-30 (a/k/a Rockwall Mini-Warehouse #3 Addition), being a 5.02-acre tract zoned "LI" Light Industrial and take any action necessary.

Robert LaCroix discussed the background of the request. Marc Drake, 124 Mont Blanc, Heath, came forward and requested approval. The change involves building the project in two phases with more emphasis on the front of the building.

Councilmember Cotti stated he likes what Drake has proposed and offered a motion to approve the request. Councilmember Dobbs seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Raulston].

ACTION ITEMS

- 8a.** Discuss and consider approval of an award of a bid on the AV System for Police/Fire Training Rooms and take any action necessary.

Robert Hargrove, Director of Internal Operations, discussed the background of the award of the bid. Because it pushed the bid over budget, the eye camera will be in next year's budget. Mayor Jones asked Chief Poindexter if having the AV System would improve our ISO rating. Poindexter replied that it would not. Councilmember King asked if the wiring for the eye camera would be done at this time. Hargrove replied that it would. Councilmember Morris made a motion to approve the award of the bid and Councilmember King seconded the motion. The motion passed by a vote of 6 ayes and 0 nays.

- 8b.** Discuss and consider action on realtor request for open house signs and take any action necessary.

197 Jeffery Widmer, Building Official, discussed the background of the request and stated
198 that it is in the Council's discretion whether or not the signs can be used. Widmer stated
199 that if the Council allows realtors to use the signs, then builders and residents could also
200 use them. This would cause an increase in the cost of Code Enforcement to regulate the
201 signs.

202
203 Councilmember Dobbs asked if the signs were permitted, would it slow it down. Widmer
204 stated that it would actually cost the city more to permit them. Dobbs stated that he
205 thought a hefty fine (\$500) would be a deterrent.

206
207 Councilmember McCallum asked if that meant that there could be at anytime over 75
208 signs out. Widmer replied yes, and that is only for realtors.

209
210 Councilmember Morris stated that he would support if we had more control, but we don't.
211 Since we are the fastest growing county in the nation, you (meaning the realtors) can't be
212 hurting that bad.

213
214 Judy Harris stated that there are 10 open houses a week for all the realtors. People
215 follow signs better than directions in a newspaper. If we limit it to a 4-hour window 1 day
216 per week [like Sunday from 1 to 5] this might discourage others. I don't think any of the
217 realtors will abuse it. Councilmember Morris asked her if she thought it would be
218 abused. Judy replied no. If they abuse it, they will be fined. I would rather get
219 something than nothing. Morris stated he wanted to hear Widmer's comments.

220
221 Widmer stated that these signs are going to be a marketing tool for everyone, not just the
222 realtors.

223
224 Councilmember Cotti asked of the 547 homes sold in 2002, how many were sold as a
225 result of an open house. Judy stated she could not answer that question. She just
226 wants a door of opportunity. Cotti stated that whether you open the door just a little bit
227 or wide open, it is open to all elements, including the ones we may not want. He has a
228 great deal of difficulty with this request.

229
230 Councilmember Dobbs asked about a base sign with 10-20 slots.

231
232 Councilmember King stated that every time he gets to the point that he is willing to help,
233 he reads about what could happen. As we open the doors, we are doubling, tripling our
234 code enforcement work. King stated he could see this opening it up to what is going on
235 in Rowlett now.

236
237 Judy Harris asked about a sign that had no advertising only stating "Realtor Open House
238 Today".

239
240 Councilmember McCallum stated that Councilmember King had stated a lot of what he
241 wanted to say. He has been by one those trucks in Rowlett and it is not a pretty sight.
242 His fear is that if we crack the door it is going to open wide.

243
244 Earl Milner (204 Dartbrook) of Coldwell Banker, stated that the builder hires out someone
245 to put out the signs. We don't do that here. We are now creeping up on 8 months of
246 inventory. We did not have very many open houses during the past three years. If we

were allowed to put signs out during a limited time period, he does not think it would be economical for builders to do the same thing.

Councilmember Morris stated that the majority of the Council is uncomfortable with this and made a motion that the request be denied without prejudice. Councilmember Dobbs seconded the motion and stated maybe some other options can be found. Mayor Jones stated that he had received a lot of telephone calls from homeowners concerned about the signage. The motion passed by a vote of 6 ayes and 1 absent [Raulston].

Julie Couch introduced Kristy Ashberry who will be working in Administration and working with the various departments in the City on various projects.

There being no further business to come before the Council in regular session, the meeting was adjourned into Executive Session at 7:30 p.m.

HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074, AND 551.086 OF TEXAS GOVERNMENT CODE TO DISCUSS:

- a. Election of new Mayor Pro Tem.
- b. Land Acquisition for City Facilities and Park Land.
- c. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
- d. Personnel Issues: Evaluation of City Manager.
- e. Deliberate commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.

TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Bob Cotti was appointed as Mayor Pro Tem. Corky Randolph was appointed to the Rockwall Housing Authority and Larry Dobbs was appointed to the Takeline Subcommittee. The REDC Liaison will be John King.

There being no further business to come before the Council, the meeting was adjourned at 10:30 p.m.

Attest:

Ken Jones, Mayor

Dorothy Brooks, City Secretary