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**MINUTES**  
**ROCKWALL CITY COUNCIL**

Monday, January 03, 2011

4:00 p.m. Pre-Council Meeting

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

**I. CALL TO ORDER**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil, Mayor Pro Tem Glen Farris and council members David Sweet, Matt Scott, Margo Nielsen, and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Council member Mark Russo was absent from this portion of the meeting.

**II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

1. Deliberation regarding the purchase, exchange, lease, or value of real property including abandonment of a portion of right-of-way on Hilltop Drive and acquisition of land related to park facilities.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. 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.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council pursuant to the Attorney Client Privilege under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and regarding the Shores Golf Course Concession Agreement.

**III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

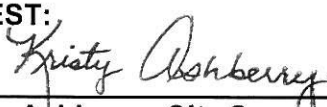
See start of the public meeting below for actions taken as a result of Executive Session.

**IV. ADJOURNMENT**

Executive Session was adjourned at 5:45 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
**this 18<sup>th</sup> day of January, 2011.**

**ATTEST:**

  
\_\_\_\_\_  
Kristy Ashberry, City Secretary

  
\_\_\_\_\_  
William R. Cecil, Mayor



**MINUTES  
ROCKWALL CITY COUNCIL**

Monday, January 03, 2011

6:00 p.m. Regular Meeting

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

**I. CALL TO ORDER**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil, Mayor Pro Tem Glen Farris and council members David Sweet, Matt Scott, Margo Nielsen, and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Council member Mark Russo was absent from this portion of the meeting.

Mayor Pro Tem Farris made a motion to approve a resolution to abandon a portion of the right of way on Hilltop Road and to authorize the mayor to issue a quit claim deed to the abutting property owner. Councilmember Scott seconded the motion, which passed by a vote of 6 ayes with 1 absent (Russo).

**II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM FARRIS**

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

**III. OPEN FORUM**

Mayor Cecil asked if there was anyone wishing to speak during this time. There being no one to come forth and speak, Mayor Cecil then closed the open forum.

**IV. CONSENT AGENDA**

1. Consider approval of the minutes from the December 20, 2010 regular City Council meeting and take any action necessary.
2. Consider approval of a resolution naming FM-3549 from the north side of Interstate 30 right-of-way to FM-552 and take any action necessary.
3. Z2010-022 - Consider approval of an **ordinance** for a request by Randy McCurdy for approval of a Specific Use Permit (SUP) to allow for a "Bail Bond Service" within the (C) Commercial district, specifically within the existing shopping center at 811 Yellow Jacket Lane, being Lot 1, Rockwall Business Park Addition, and take any action necessary. **(2nd Reading)**
4. Z2010-023 - Consider approval of an **ordinance** for a request by Cameron Slown of Adams Engineering for approval of a Specific Use Permit (SUP) to allow for a "Restaurant, 2000-sf or more, w/ Drive-Thru or Drive-in" within (PD-70) Planned Development No. 70 district, specifically for a proposed 4,790-sf McDonalds Restaurant to be located on a 1.05-acre portion of Lot 6, Block A, Stone Creek Retail Addition, situated along the east side of North Goliad (SH 205) north of Bordeaux Drive, and take any action necessary. **(2nd Reading)**

Councilmember Scott made a motion to approve the entire consent agenda (items #1-4). Mayor Pro Tem Farris seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 11-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A "BAIL BOND SERVICE" WITHIN THE (C) COMMERCIAL DISTRICT, SPECIFICALLY WITHIN THE EXISTING SHOPPING CENTER LOCATED AT 811 YELLOWJACKET LN, SUITE 113 AND KNOWN AS LOT 1, ROCKWALL BUSINESS PARK ADDITION; 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. 11-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A "RESTAURANT, 2000-SF OR MORE, W/ DRIVE-THRU OR DRIVE-IN" WITHIN (PD-70) PLANNED DEVELOPMENT NO. 70 DISTRICT, ON A 1.05-ACRE TRACT OF LAND KNOWN AS PART OF LOT 6, BLOCK A, STONE CREEK RETAIL ADDITION, AND MORE SPECIFICALLY SHOWN IN 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 (Russo).

V. APPOINTMENTS

1. Appointment with Omega Hawkins, General Manager of Kaufman Area Rural Transportation, to give an annual report and to request funding for the 2010-2011 budget year, and take any action necessary.

Omega Hawkins came forth and provided comments related to ridership and other statistical information relative to the last budget year. She also indicated that KART is changing its name to STAR transit and will be marking their new electric / gas buses with stars and with the organization's new name. She indicated that the organization's hours have been expanded to 6:00 a.m. thru 6:00 p.m. She indicated that ridership in Rockwall County has generally been increasing.

147 Mayor Pro Tem Farris provided brief comments, thanking Ms. Hawkins for the services  
48 her organization provides to members of the Rockwall community.  
49

150 Councilmember Sweet asked for clarifying comments related to how many actual riders  
151 utilized the bus services last year. Ms. Hawkins said she would get back to the council  
152 with this information. Councilmember Sweet generally indicated concern that the KART  
153 board had recently asked the Rockwall City Council to submit a nomination to be  
154 considered to serve on the organization's board, which was recently expanded from  
155 three board members to five. He expressed that he is generally dissatisfied that the  
156 recommendation submitted by the Rockwall City Council to have one city council  
157 member serve on the board was denied. He indicated that the commissioner that was  
158 chosen instead to serve is no doubt very capable and will surely be a good board  
159 member; however, he wishes there had also been a city representative appointed to  
160 serve on the STAR board. General discussion then took place related to providing rides  
161 to Rockwall residents who would like to visit a municipal facility such as city hall, The  
162 Center, or the police / courts building. Additional discussion then took place related to  
163 scheduling, ridership, the new hybrid buses and funding.  
164

165 Councilmember Nielsen made a motion to authorize the City of Rockwall to contribute  
166 \$20,000 for STAR Transit expenses this budget year. Mayor Pro Tem Farris seconded the  
167 motion. Mayor Cecil then generally expressed that he was very surprised and  
168 dissatisfied with the recent nomination to the board and the subsequent denial of that  
169 nomination when the new board members were ultimately chosen.  
170

171 The motion passed by a vote of 5 ayes, 1 nay (Sweet) and one absent (Russo).  
172

## 173 VI. ACTION ITEMS

- 174  
175 1. Discuss and consider alternatives for solid waste and recyclables  
176 collection programs and take any action necessary.

177 Finance Director Mary Smith who oversees the city's solid waste contract, offered brief  
178 introductory comments related to this item. Reid Donaldson with Republic / Allied Waste  
179 then came forth and provided a presentation to the City Council relative to a proposed  
180 polycart and recycling program within the City of Rockwall, including a transition from  
181 twice per week garbage pick up and once per week recycling pick up to once per week  
182 garbage pick up and every other week recycling pick up services. Mr. Donaldson briefed  
183 the council on the advantages and disadvantages of the proposed program, including  
184 the cost per month to each resident. He indicated that if the council approves moving  
185 forward with this new program and the associated changes, the estimated start date for  
186 the new program would be May 1, 2011. General discussion took place related to the  
187 anticipated increase in recycling within the city under this proposed program.

188 Mayor Pro Tem Farris then made a motion to direct staff to work with Allied Waste to  
189 develop a firm plan of action for moving forward with this new program. Councilmember  
190 Scott asked members of the council's environmental subcommittee to comment on their  
191 thoughts related to this program. Councilmember Sevier offered a second to the motion.  
192 As a member of the subcommittee in question, Sevier then offered comments clarifying  
193 his thoughts associated with this new, proposed recycling program. He generally  
194 indicated that he and other members of the committee view this program as a good way  
195 to encourage residents to recycle and increase recycling overall. City Manager Julie

Couch pointed out to the Council that this program includes a change from twice per week pick up to once per week pick up but it is adds on the recycling polycart.

Councilmember Russo arrived to the meeting at this point during the discussion (7:12 p.m.).

Councilmember Sweet generally indicated that he is not in support of the motion on the floor because he views the program as an increase in cost to the resident yet a decrease in service.

After additional discussion, the motion passed by a vote of 5 ayes with 1 against (Sweet) and 1 abstention (Russo).

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

1. Departmental Reports
  - Building Inspections Monthly Report - November 2010
  - Finance Department Monthly Report - November 2010
  - Fire Department Monthly Reports - November 2010
  - Internal Operations Department Monthly Report - November 2010
  - Police Department Monthly Report - November 2010
  - Recreation Monthly Report - November 2010
  - Harbor PD Monthly Report - November 2010
2. City Manager's Report

The Council had no comments or questions related to these reports.

**VIII. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

1. Deliberation regarding the purchase, exchange, lease, or value of real property including abandonment of a portion of right-of-way on Hilltop Drive and acquisition of land related to park facilities.
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**IX. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

The Council did not reconvene into Executive Session after the public meeting. Therefore, no further actions were taken as a result of Executive Session.

242  
243 X. ADJOURNMENT  
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245 The public meeting was adjourned at 7:18 p.m.  
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247  
248 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
249 this 18<sup>th</sup> day of January, 2011.

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251  
252 ATTEST:

253 *Kristy Ashberry*  
254 \_\_\_\_\_  
255 Kristy Ashberry, City Secretary

*William R. Cecil*  
\_\_\_\_\_  
William R. Cecil, Mayor

