

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 06, 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 Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd.

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

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 and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District 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 recessed Executive Session at 5:54 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

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

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

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

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

VII. PROCLAMATIONS

1. Police Memorial Week

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

2. Lyme Disease Awareness Month

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

3. National Safe Boating Week

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

4. Older Americans Month

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

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 April 15, 2019 regular city council meeting, and take any action necessary.
2. **22019-007** - 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 **(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.

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

CITY OF ROCKWALL
ORDINANCE NO. 19-20
SPECIFIC USE PERMIT NO. S-206

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.

CITY OF ROCKWALL
ORDINANCE NO. 19-21

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 of those present (7 ayes to 0 nays).

X. APPOINTMENT ITEMS

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

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

XI. ACTION ITEMS

1. **Z2019-006** - 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 **(2nd Reading)**.

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

**CITY OF ROCKWALL
ORDINANCE NO. 19-19
SPECIFIC USE PERMIT NO. S-207**

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 to 2 nays (Macalik and Trowbridge).

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

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

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

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

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

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 Inspections Monthly Report - March 2019
Fire Department Monthly Report - March 2019
GIS Division Monthly Report - March 2019
Harbor PD Monthly Report - March 2019
Internal Operations Department Monthly Report - March 2019
Meals on Wheels, Senior Services Quarterly Report
Police Department Monthly Activity Report - March 2019
Recreation Monthly Report - March 2019
Rockwall Animal Adoption Center Monthly Report - March 2019
STAR Transit Monthly Report - March 2019

2. City Manager's Report

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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

