

## **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.**

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### **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. **22019-009** - 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. **22019-010** - 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**

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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 17<sup>TH</sup> DAY OF JUNE, 2019.

ATTEST:

  
JIM PRUITT, MAYOR

  
KRISTY COLE, CITY SECRETARY

