

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.

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

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

Rockwall, TX

Mr. Ruess acknowledged that Council needs to have a sidewalks policy in place. He strongly suggested that Council's policy be 'let the people, through democracy, decide' on whether or not they want sidewalks. He believes that someone in the city is 'pushing sidewalks.' He does not understand why they are so important if nobody wants them.

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

X. CONSENT AGENDA

1. Consider approval of the minutes from the August 19, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the August 27, 2019 Special City Council / Budget Work Session meeting, and take any action necessary.
3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(2nd Reading)**
4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. **(2nd Reading)**
5. **2019-015** - Consider a request by Greg Wallis of Mershaw Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(2ndReading)**.
6. **2019-016** - Consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(2nd Reading)**.
7. Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute Purchase Orders in the amount of \$209,300 and \$118,000 respectfully to be funded out of the General Fund Reserves, and take any action necessary.
8. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th 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**

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.

CITY OF ROCKWALL
ORDINANCE NO. 19-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X, *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS*, OF THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; 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 Mike Svetz of Pros Consulting to hear a presentation regarding the athletic field feasibility study, and take any action necessary.

Mr. Svetz came forth and provided a lengthy presentation to Council related to the results of the athletic field feasibility study that his company undertook on behalf of the City of Rockwall. Mr. Svetz indicated that he did present these findings to the city's Park Board as well. Indication was given that further discussions related to this study will be held at some point in the future with both the Park Board and the City Council; however, no action was taken at this time.

2. Appointment with Phil Wagner, President of the Rockwall Economic Development Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology Park to no more than two hours, and take any action necessary.

Mr. Wagner came forth and generally expressed concern about parking shortages that exist in certain areas of the Tech Park. He seemed to indicate that the parking issues make it difficult to attract new businesses to the Park. Following Mr. Wagner's comments, Council asked staff to bring back an ordinance for Council to consider related to limiting parking to two-hours within the Technology Park. Council took no formal action at this juncture.

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall budget and tax rate, and take any action necessary

Mr. Crowley, City Manager, shared that the proposed budget was prepared based on the effective tax rate. This means that the actual proposed rate for fiscal year 2020 will be less than the current fiscal year's budget. Both property values and sales tax have increased, and staff is anticipating continued

economic stability and health in the coming fiscal year. Mayor Pruitt indicated that a day-long budget session was held last week. Mrs. Smith, Assistant City Manager / Finance Director, shared that the proposed budget is available on the city's website on the Finance Department's webpage. She gave a broad overview of the high points of the budget, including a few new positions and capital purchases. She shared that the actual, final vote on the tax rate and budget will take place at the next, regular city council meeting later on in September.

Mayor Pruitt shared that the city will be adding one, additional police officer that will specifically help with mental health issues, including members of the public that the police interact with as well as training for police staff.

Mayor Pruitt opened up 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. No action was taken by Council at this time.

XIII. ACTION ITEMS

1. Discuss and consider citywide sidewalks policy, and take any action necessary.

Mayor Pruitt shared that this is a continuation of the work session item that Council discussed at the 4 o'clock meeting. He went on to generally share that sidewalks address safety concerns, so there are certainly reasons for having sidewalks, especially when thousands of cars are traveling on some of these streets.

Councilmember Hohenshelt assured the public that he has personally spent five to six hours of his own personal time and another twenty hours or so at various public meetings discussing the topic of sidewalks. He and other members of the Council have been dealing with the topic of sidewalks for several years. The Council is trying to balance interconnectivity of the city and certain neighborhoods and not just look at sidewalks in front of certain homes along certain streets. He pointed out that the land in question is a 'dedicated right-of-way' that belongs to the city. So, the city is not 'taking' anyone's land. Anything that the city disturbs has to be put back in place (i.e. mailboxes, sprinkler systems, etc.). Property owners' lawns will be impacted, regardless, even if no sidewalks are installed – even if only the roadway, waterlines and sewer lines are replaced. Trees may very well still be affected. He shared that he has received many emails from residents who do want sidewalks installed. Councilmember Macalik shared that this has been a tough decision and review for her personally. She remembers when this neighborhood (Ridge Road Village) was developed because she has lived in the area since 1961. She knows that many people who originally came to Rockwall and purchased homes in this neighborhood did so for the suburban lifestyle. She, on the other hand, does recognize that sidewalks may contribute positively to bringing a neighborhood closer together (i.e. kids having lemonade stands and kids learning to ride their bicycles on sidewalks). Sidewalks, according to a study she read, had a positive impact on residential home values by at least \$5,000. With that being said, there needs to be some 'give and take' on this topic. She and other members of the Council are diligently trying to figure out a way to create a 'win win' for everyone. She shared that she and other members of the Council have received many, many e-mails from members of the public who have young children – who maybe could not attend the evening meetings because of their kids – and, they are very much in favor of sidewalks.

Councilmember Trowbridge shared that he, personally, has not heard any comments that would lead him to believe that putting cars and people in the same place is a safe, good decision. He went on to generally share that he and other members of Council have absolutely been listening to the citizens,

namely through surveys and various public meetings that have been held. He does not believe that installing sidewalks around 80 year old trees will result in all of them dying – he pointed out that sidewalks were installed about eight years ago on Goliad, and those trees are still living.

Mayor Pruitt summarized that the Council needs to decide how it will choose whether or not sidewalks will be required. So, certain criteria needs to be identified in order to decide on a policy related to sidewalks. Then, in areas where sidewalks will be required, where will they be placed (on the curb or set back from the curb), and how wide they will be if installed.

Councilman Hohenshelt asked staff to pull back up on the overhead screen the following, potential criteria for a sidewalks policy:

1. The street is above a residential/local classification or on the currently adopted Throughfare 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.

He initially stated that his preference is to have one and two above *OR* three. Following some additional dialogue with Councilman Fowler, Hohenshelt went on to share that he believes the policy should be that if one, or two, or three exists, then sidewalks will be installed / required. Councilmember Macalik suggested that the 1,000 vehicles per day (on number two above) be lowered to 500 vehicles per day. Mayor Pruitt asked if traffic counts will be utilized based on today's traffic counts or if updated traffic counts will be used some years from now when actual bond projects are being addressed. Council seemed to generally agree to utilize the traffic counts "as is," as presented and identified today.

Mr. Crowley asked for some clarification from Council on if they'd like to see an updated map when the ordinance is brought back for consideration. Also, does the city's adopted Thoroughfare Plan need to be revisited to reclassify certain streets and the proposed roadway widths.

Councilman Trowbridge expressed a desire to include the sixteen block "Downtown District" in the policy to stipulate that "sidewalks are required." Councilman Johannesen pointed out that those streets are already covered under the provision that the street be within 1,000 feet of a school, city park or church.

Extensive dialogue continued to take place related to this proposed sidewalks policy.

Councilmember Hohenshelt made a motion to move forward with setting the city's sidewalk policy 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); AND
2. The average daily traffic is 750 vehicles per day or more; OR
3. A portion of the block of the street is within 1,000 feet of a school, city park, or church, then the entire block shall have a sidewalk.

Hohenshelt specified that the exact criteria related to how and where traffic counts will take place will be hammered out separately. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Discussion then ensued pertaining to sidewalk width and the placement of the sidewalks (either abutted to the back of the curb or with a strip of grass in between the curb and the sidewalk).

Councilmember Hohenshelt moved to set the policy (for reconstruction projects – NOT for ‘new subdivisions’) at 6’ wide sidewalks and that they be situated right abutted to the back of the curb. Councilmember Trowbridge seconded the motion, which, following brief comments, passed unanimously.

2. **MIS2019-001** - Discuss and consider approval of a resolution establishing a public hearing date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan, and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action necessary.

Planning Director Ryan Miller provided brief comments. Councilman Hohenshelt moved to set the date for Oct. 21, 2019. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider an **ordinance** approving a negotiated settlement between cities in the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take any necessary action.

Assistant City Manager Joey Boyd provided brief background information concerning this agenda item. Following his brief comments, Councilmember Macalik moved to approve the ordinance as presented. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

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:**


JIM PRUITT, MAYOR

553
554 
555 **KRISTY COLE, CITY SECRETARY**



