

# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 18, 2020 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:01 p.m. with the following council members and staff present: Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Trace Johannesen and Bennie Daniels; City Manager Rick Crowley; Assistant City Managers Mary Smith and Joey Boyd; and city legal counsel, Patrick Lindner. Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:03 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 possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
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 5:28 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

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

### VI. PROCLAMATIONS

1. Hometown Hero - Claudette Hatfield

38 Mayor Pruitt called forth Mrs. Claudette Hatfield and honored her with this proclamation and an  
39 associated plaque for the many contributions she has made to the City of Rockwall over the years.

40 **2. Shriners - National Pancake Day Proclamation**

41 Mayor Pruitt called forth members of the Hellah Shriners group and read and presented them with  
42 this proclamation. Indication was given that his fundraising event will be held at the local IHOP  
43 restaurant in Rockwall on Tuesday, February 25, and everyone is invited to participate.

44  
45 Mayor Pruitt then called for a brief break to take photos in the foyer with Mrs. Hatfield and the  
46 Shriners (at 6:15 p.m.). He reconvened the meeting at 6:17 p.m.

47  
48 **VII. OPEN FORUM**

49 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth  
50 and speak at this time.

51  
52 Jim Turner  
53 1691 Old E. Quail Run  
54 Rockwall, TX

55  
56 Mr. Turner shared that he has previously come forth to express concerns about development along  
57 John King Boulevard. He is concerned about a playground that was placed within a few feet of John  
58 King Boulevard along a roadway curve. He does not believe this is of benefit to Rockwall. He urged  
59 the Council to not necessarily approve everything that a developer proposes. He wants Council to be  
60 sure it is doing the right thing for both now and in the future. He shared that just because something  
61 is in the code, does not mean a developer cannot be told 'no.'

62  
63 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

64  
65 He then reordered the agenda to address Action Item #2.

66  
67 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

68 Council took no action as a result of Executive Session.

69 **IX. CONSENT AGENDA**

- 70 **1.** Consider approval of the minutes from the February 3, 2020 regular city council meeting,  
71 and take any action necessary
- 72 **2.** Consider awarding a project to Air Cleaning Technologies, authorizing a budget amendment  
73 and the City Manager to execute a contract for purchase and installation of a Vehicle  
74 Exhaust Ventilation System in all Fire Stations in the amount of \$208,100, with \$183,455 to  
75 be funded by a FEMA Grant with a local Fire Equipment Fund match of \$18,345, and take  
76 any action necessary.

3. Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P. to perform the construction bidding and contract administration service for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed \$38,170.00, to be paid for out of Water and Sewer Fund, and take any action necessary.
4. Consider awarding a bid to SLM Landscape, authorizing the City Manager to execute a Contract for Annual Grounds Maintenance Services in the amount of \$552,214.28 to be funded out of the General Fund Parks Operations Budget, and amending the Parks budget by \$48,750, and take any action necessary.
5. Consider authorizing the City Manager to execute a Facility Use Agreement pertaining to ball fields between the City of Rockwall and Lake Pointe Church, and take any action necessary.
6. Consider approval of the Rockwall Police Department's 2019 Racial Profiling Report, and take any action necessary.
7. **P2020-006** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Jeff Kennemer and Robert Witte of Saddle Star South Holdings, LLC, William Thrailkill of CDT Rockwall/2017 LLC, and Gwendolyn Reed for the approval of a Master Plat/Open Space Plan for the Saddle Star South Subdivision containing 176 single-family residential lots on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

**Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, and 7). Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

#### **X. 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.

**This item was not addressed by Council, as the Chairman was not present.**

2. Appointment with Brad Helmer of Heritage Christian Academy (HCA) to provide an updated on HCA's capital campaign, and take any action necessary.

Brian McKinney with HCA was present on behalf of Mr. Helmer, who he stated was out of town watching his son pitch at Baylor. Mr. McKinney provided an update to Council regarding fundraising efforts associated with raising money to build permanent structures (in place of the temporary, portable buildings). He shared that it is an ongoing effort. Council took no action following Mr. McKinney's comments.

#### **XI. PUBLIC HEARING ITEMS**

- 1. A2019-001** - Hold a public hearing to discuss and consider an **ordinance** regarding a petition from more than 50% of the property owners for the annexation of a 41.39-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. On December 2, 2019, the City Council adopted Resolution No. 19-27 directing staff to proceed with the annexation process for a 41.39-acre tract of land adjacent to Cornelius Road. This direction came in response to a petition submitted on November 19, 2019 by Barbara Lee (a resident in the 41.39-acre tract of land) indicating that a majority of the property owners in the annexation area supported annexation. Based on this direction and in accordance with Subchapter C- 4, Annexation of Areas with Population of Less than 200 by Petition, of Chapter 43, Municipal Annexation, of the Texas Local Government Code, the City Council held a public hearing on December 26, 2019. On January 27, 2020, Barbara Lee filed a subsequent petition indicating that more than 50% of all registered voters in the annexation area were in favor of annexation. A public hearing is scheduled for tonight's meeting, and a subsequent public hearing is slated for the March 2, 2020 council meeting.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Barbara Lee  
668 Cornelius Road  
Rockwall, TX

Mrs. Lee shared that she is very much in favor of this annexation.

F. W. "Woody" Barton Jr.  
1209 Marilyn Jayne  
Rockwall, TX

Mr. Barton shared that they are all in favor of this annexation, and they are looking forward to it.

Steve Curtis  
2130 FM 1141  
Rockwall, TX

Mr. Curtis came forth and shared that he is not directly impacted by this annexation; however, he still has concerns about a fairly large area of land being forced into annexation. He went on to share that he believes this sort of annexation should be tested in court.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed the public hearing.

Following brief questions and answers between Councilman Trowbridge and staff, Mayor Pruitt moved to approve this request. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

**ROCKWALL, TEXAS  
ORDINANCE NO. 20-\_\_**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
GRANTING A PETITION FOR ANNEXATION AND PROVIDING FOR THE  
EXTENSION OF MUNICIPAL BOUNDARY LIMITS TO INCORPORATE SUCH  
PROPERTY INTO THE CITY OF ROCKWALL, TEXAS WITH THE ANNEXATION OF A  
41.39-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1-19, MAYTONA RANCH  
ESTATES ADDITION AND TRACTS 22-01, 22-02, 22-6 & 22-07 OF THE W. M.  
DALTON SURVEY, ABSTRACT NO. 72, ROCKWALL COUNTY, TEXAS, WHICH SAID  
TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS  
OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND  
PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

It was announced that an additional public hearing will be held on March 2, 2020 regarding this same request for voluntary annexation.

**XII. ACTION ITEMS**

1. **MIS2020-001** - Discuss and consider a request by Russell Martin of HFRPI, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for a strip retail center on a 1.1755-acre parcel of land identified as Lot 26 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict of Planned Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item.

**Mr. Russell Martin (applicant)**  
**182 Smallwood Drive**  
**Westwood Village, TX**

193  
194 Mr. Martin came forth and stated that he believes this is a 'win-win' for both the City and The Harbor  
195 District. He generally urged Council to approve the site plan and proposed Alternative Tree Mitigation  
196 Settlement Agreement.

197  
198 Indication was given that the proposed monument feature is not lit. Mayor Pruitt shared that it  
199 would be nice if the City redid the existing "Harbor District" sign(s) to match this one, as they are old  
200 and in disrepair. Brief discussion took place regarding the 18" base being removed from the proposed  
201 sign. Councilmember Fowler thinks the base should be left to make it more elevated; however, he  
202 does not care if the bench aspect is eliminated, and he does not care if the sign is or is not lit.

203  
204 Councilmember Trowbridge moved to approve the alternative tree mitigation agreement as  
205 presented; however, regarding the sign associated with the site plan (the "Harbor District" entry sign),  
206 he would like for the 18" base to remain part of it. Councilmember Johannesen seconded the motion,  
207 which passed by a vote of 7 ayes to 0 nays.

- 208  
209 2. Discuss and consider an update to the Parks & Open Space Master Plan and private  
210 amenities, and take any action necessary.

211 Mayor Pruitt pointed out that the subdivision that Mr. Turner was speaking of during tonight's Open  
212 Forum was approved a long time ago. Sometime thereafter, Council took action to drastically  
213 increase setbacks for developments along John King. He went on to explain that the park in question  
214 is a park owned by the Homeowner's Association (HOA) of that particular subdivision, and the city has  
215 no control over where that park is/was placed. The developer was vested and had rights to do with  
216 his land what he wanted to do with it. Pruitt expressed extreme dissatisfaction with Mr. Turner for a  
217 previously posted Facebook comment he made in which he suggested that the mayor and council  
218 members are crooks. Following Mayor Pruitt's comments, Council addressed the Consent Agenda  
219 items.

220 Concerning this agenda item, Joey Boyd, Assistant City Manager, reminded Council of upcoming public  
221 input meetings that are scheduled in the coming days to solicit input regarding updates to this plan.  
222 Council took no action concerning this agenda item at this time.

223 **XIII. EXECUTIVE SESSION**

224 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE  
225 FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 226 1. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
227 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation  
228 with Attorney).
- 229 2. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown,  
230 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
231 Attorney).

232 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of  
233 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District  
234 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

235 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

236 Council did not reconvene in Executive Session following the close of the public meeting agenda.

237 **XV. ADJOURNMENT**

238 Mayor Pruitt adjourned the meeting at 6:55 p.m.

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240 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2<sup>nd</sup> DAY OF  
241 MARCH, 2020.

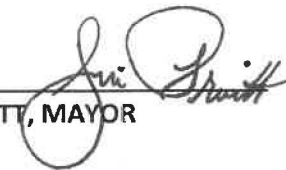
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245 ATTEST:

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JIM PRUITT, MAYOR

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KRISTY COLE, CITY SECRETARY

