

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 20, 2020 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Note: this meeting was held virtually, in its entirety by "Zoom."

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana 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 City attorney Frank Garza.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. EXECUTIVE SESSION. (5:00 P.M.)

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 legal issues pertaining to development in the Harbor District pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors and a (re)appointment to the North TX Municipal Water District Board of Directors, 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 5:28 p.m.

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

Mayor Pruitt reconvened the public meeting (virtually) at 6:00 p.m., and all seven council members were present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.

VI. PROCLAMATIONS

1. "Happy 100th, Harvey!" Day

Mayor Pruitt read the above listed proclamation. Councilmember Fowler provided commentary related to Mr. Harvey Ladd and celebration of his 100th birthday.

VII. OPEN FORUM

Mayor Pruitt read the following comments into the record. They were submitted electronically in advance of the meeting to the publiccomments@rockwall.com email address.

Valerie Fry
Rockwall Resident
1446 Memorial Dr
Rockwall, TX 75087

Hello,
My question as I am sure will be the case of every taxpayer this year?? - Will the city council be helping citizens by at least keeping the tax rate the same as it was last year in light of the COVID-19 stay at home situations??

I know, speaking for myself, I am on the verge of a bankruptcy if this does not end soon! With the new increase with taxes this year (again) and the issues we had with all the raises, I am asking respectfully for the city council to take care of the citizens of Rockwall during our very trying time. And we will take care of you when we are back to our normal success. But this increase this year on top of everything is a huge slap in the face.

Thank you for your consideration.

Justin Cover
9 Norman Trail
Rockwall (County, not "city"), TX

Why no after all this virus mess are you going after more revenue? It's ridiculous that you mail this garbage out at this time. People are out of work paying extra for food to feed the family. The schools are closed they should return some of the savings to the taxpayers. WHY are you asking for more \$\$\$\$?

Mayor Pruitt then read the reply he had emailed Mr. Cover over the weekend, which stated as follows:
I agree with you completely. We asked the Governor to stop the reappraisals for just the reasons you have expressed. Please see the letter sent by Rockwall County Mayors to the Governor. The City of Rockwall has absolutely nothing to do with the appraisals or the sending of these notices.

Thank you,
Donna Fletcher
821 Jackson St.
Rockwall 75087

Mayor Pruitt, city council

I have noted many city and county servants that are getting substantial raises from last year's budget to the proposed 2020 budget. Approximately \$1.8 million dollars more for salaries. With these large raises, it appears their retirement funds increase as well, yet additional benefits.

Can you explain the raises so many in the budget are getting during this critical time for residents?

I would ask that the maximum 3% be applied and review again next year.

Mayor Pruitt then read the following reply he had written over the weekend to Mrs. Fletcher:

Sorry we have not begun the process of a budget for the next year. That will happen in August. We will be looking at all compensation of City employees. Please note neither the City Council nor the Mayor have seen an increase in pay in at least the last 6 years I have been here. Council members make \$250 per month, and the Mayor makes \$375 per month. You are thinking of the County that voted themselves a 20% pay raise. Please contact them at Rockwallcountytexas.com

Don Dyer
1018 Ridge Rd
Rockwall, TX 75087

During the 4/20/2020 agenda item; Discuss and consider COVID-19 and its effect on business and personal health, and take any action necessary; will the City Council of Rockwall consider a Rockwall business stimulus grant to provide financial aid to small businesses that have sustained economic losses due to the COVID-19 pandemic?

The Rowlett City Council has already established their ROBUST grant program that provides a maximum award total of \$10,000 per business for economic losses sustained as a result of the COVID-19 pandemic. Applicants may qualify for grant funds in two categories: Lease/Mortgage Assistance and Payroll Assistance.

See <https://rowlettready.com/robust/> for more information.

Mayor Pruitt asked if staff knows how other cities, such as Rowlett, are funding these types of programs. City Manager Rick Crowley indicated that he is not totally sure but he suspects it may be happening through an 'economic development corporation.'

No further comments were read, and no one was present (virtually) to speak. So, Mayor Pruitt closed Open Forum.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik moved to reappoint Larry Parks to serve an additional two-year term on the North Texas Municipal Water District (NTMWD) Board of Directors. Councilmember Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the April 06, 2020 regular City Council meeting, and take any action necessary.

2. Consider approval of an **ordinance** for the temporary reduction of the current 55 miles per hour speed limit along SH-66 to 45 miles per hour from MP 609.829 to MP 610.796 during construction of FM 3549, and take action as necessary. **(2nd reading)**
3. Consider approval of an **ordinance** for the increase of the current 65 miles per hour speed limit along IH-30 to 70 miles per hour from MP 03.358 to MP 06.145, and take action as necessary. **(2nd reading)**
4. Consider authorizing a mowing contract extension to Grass Kisser in the amount of \$129,000 to be funded from the General Fund, Parks Operations Budget, and take any action necessary.
5. **P2020-012** - Consider a request by Steve Arze of Zaph & Ath Properties for the approval of a Replat for Lots 4 & 5, Block A, Landing Point Addition being a 4.88-acre tract of land identified as Lot 1, Block A, Landing Point Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located north of the intersection of Airport Road and Industrial Boulevard, and take any action necessary.
6. **P2020-013** - Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Tom Kirkland of Lakefront Trail Rockwall Hotel, LP for the approval of a Final Plat for Lots 1 & 2, Block A, Shoreline Marriott Addition being a 3.025-acre tract of land identified as Lot 1, Block A, Marriott Addition and Lot 5, Block A, Shoreline Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2601 Lakefront Trail and 2850 Shoreline Trail, and take any action necessary.
7. **P2020-014** - Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Dan Bobst of 101 Hubbard Dr., LLC for the approval of a Replat for Lot 2, Block B, Harbor District Addition being a 2.893-acre tract of land identified as Lot 1, Block B, Harbor District, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road, and take any action necessary.
8. **P2020-015** - Consider a request by Brian Wade of Raymond L. Goodson Jr., Inc. on behalf of Jason Linscott of Rockwall Regional Hospital, LLC for the approval of a Replat for Lot 24, Block A, Presbyterian Hospital of Rockwall Addition being a 23.0927-acre tract of land identified as Lots 6, 8, 9, 12 & 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR)

District land uses, addressed as 3142-3150 Horizon Road [FM-3097], and take any action necessary.

9. **P2020-016** - Consider a request by Ruben Segovia on behalf of Jose Valerio for the approval of a Replat for Lot 1, Block L, Lake Rockwall Estates East Addition being a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take any action necessary.

10. **P2020-017** - Consider a request by Priya Acharya, PE of Weir & Associates, Inc. on behalf of Worth Williams of Moore Worth Investments, LLC for the approval of a Replat for Lot 9, Block A, Lakeshore Commons Addition, being a 1.401-acre parcel of land currently identified as Lot 8, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1979 N. Goliad Street [SH-205], and take any action necessary.

Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Johannesen seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-12**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 66 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VOILATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 20-13**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON INTERSTATE NO. 30 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

X. ACTION ITEMS

1. **MIS2020-006** - Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf Northgate Rockwall LD LP for the approval of an Exception to the utility placement requirements for overhead utilities in conjunction with a single-family residential subdivision on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.

Planning Director Ryan Miller provided background information regarding this agenda item. He generally explained that there are power lines that need to be moved associated with this case because the applicant will be widening Clem Road to a "minor thoroughfare" width. He explained that City Code requires that anytime power line are moved, they are then required to be put underground. The applicant received an estimate from Farmers Electric Coop on placing the lines underground, and the cost was about \$500,000. So, the applicant is requesting an exception that would allow the power lines to remain above ground. Mr. Miller pointed out that all of the new lines would be placed underground, while all of the existing lines in need of relocation would remain above ground along Clem Road. As a compensatory measure, the applicant has agreed to build half of Clem Road along the entire length. The Planning & Zoning Commission has recommended approval of this request.

The applicant, Ryan Joyce, then spoke, thanking Council for its continued support of this project and the City of Rockwall. He provided brief clarification and reasoning regarding his request to relocate the power lines along Clem Road above ground. Furthermore, he mentioned that the adjacent property is willing to dedicate needed right-of-way to the city for the expansion of Clem Road.

Councilman Johannesen asked what the intent is regarding the requirement to bury power lines underground. Mr. Miller shared that it is because it is aesthetically more pleasing and because there is less of a chance of 'loss of power' during severe weather if the lines are underground. Following comments by Councilman Johannesen, he then moved to approve the exception regarding burying of power lines. Councilmember Fowler seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

2. Discuss and consider directing the City Manager to enter into an Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction (ETJ), and take any action necessary.

Planning Director Ryan Miller provided background information concerning this agenda item. He explained that the City of Rockwall is currently under a moratorium for acceptance of subdivision plats for residential / commercial projects in the city's ETJ. This has been because Rockwall County is currently in the process of revising its subdivision requirements, and the city has been working with the county on updating this interlocal agreement (ILA) for some time now. The ILA that is in the meeting packet

248 this evening is one that the County just adopted this past Friday. With this ILA, the variance process
249 would revert from the County Commissioner's Court to the City of Rockwall City Council, which would
250 help the city meet the "shot clock" requirements established by HB-3167. The city would continue to
251 be the reviewing body for engineering plans, but all inspections would be done through a third party
252 inspector at their own cost. In addition, we have established new subdivision regulations based on the
253 county's previous regulations and Chapter 232 of the Texas Local Government Code. The only other
254 thing this would change is the city would start accepting preliminary plats in the ETJ, which will
255 necessitate a small change in our subdivision requirements, which will be brought back to Council if it
256 moves forward with adoption of this ILA today.

257 Following brief discussion, Councilman Trowbridge moved to approve this item as presented.
258 Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

259 3. Discuss and consider approval of a resolution nominating a candidate to fill a current vacancy
260 on the Rockwall Central Appraisal District's Board of Directors, and take any action necessary.
261 Mayor Pruitt indicated that this item will be 'skipped' this evening and will appear on the next city
262 council meeting agenda, pointing out that the Council has 45 days to take action on this.

263 4. Discuss and consider COVID-19 and its effect on business and personal health, and take any
264 action necessary.

265 Mayor Pruitt began discussion of this item, in part indicating that he has abandoned (revoked) the
266 Declaration that has been in place since the first part of April here locally. He expressed that he has
267 done so because he believes Governor Abbott will be issuing additional Executive Orders regarding how
268 he plans to reopen businesses, and we don't need to be in the way. Pruitt went on to explain that he
269 does not understand why we are continuing with things staying closed and people staying at home if
270 the initial intent of doing so was to avoid overwhelming the hospitals. The hospitals did not get
271 overwhelmed and are not currently overwhelmed, so the mayor expressed that he is not sure why we
272 are now trying to prevent people from getting COVID-19 when likely, inevitably they are going to
273 contract it at some point anyway. Councilman Johannesen went on to express his concerns that
274 'negative cases' and 'recovery numbers' are not really being tracked at all by the County, State or
275 Nation.

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277 Mayor Pruitt went on to explain that the county's 'health authority,' Dr. Bonaquisti, and the city's
278 'health authority,' Dr. Lynsch, are both unpaid, volunteers who have full-time, paid positions elsewhere
279 (i.e. Bonaquisti works for Presbyterian Hospital). So, since neither the city nor Rockwall County has a
280 designated, official health authority in place, it has been difficult to obtain numbers from the State
281 regarding COVID cases. He suggested that the City begin researching the possibility of perhaps pairing
282 up with a neighboring city who already has an official 'health authority' in place. For example, the City
283 of Rowlett has paired up with the City of Garland, which does have a formal 'health authority' in place,
284 so Rowlett has been able to get information on 'the numbers.' Brief discussion took place regarding
285 what sorts of tasks a 'health authority' would perform outside of helping to manage a pandemic. The
286 possibility of tackling this topic as a countywide effort was briefly discussed, with Mayor Pruitt generally
287 indicating that the last two meetings of the County Emergency Services Corporation Board have been
288 cancelled by Judge Sweet, and the City needs answers on this topic soon. Council generally agreed to

ask City Manager Rick Crowley to begin making some phone calls and exploring if the City of Rockwall can possibly team up with a neighboring city that already has a health authority in place.

Councilman Fowler asked Mr. Crowley how cities like Rowlett are funding small business grants pertaining to COVID-19. Mr. Crowley shared that he is not sure how they are funding those efforts, but it is feasible that they may be funding them out of their economic development corporation.

No action took place pertaining to this agenda item.

5. Discuss and consider bulk / brush waste pick-up services, and take any action necessary.

Mrs. Smith, Assistant City Manager, updated council on this agenda item, indicating that Republic Waste has been trying to reshuffle routes and drivers to try and address additional bulk pick ups. A couple of drivers in boom trucks began picking up bulk in one corner of the city on Friday, and they are generally beginning to work through addressing all of it. Councilman Johannesen pointed out that residential trash has increased by 30% ever since everyone is staying home lately, so this surely caught Republic by surprise (it is unprecedented). He went on to generally ask the public to please respect that the city had some 'bigger fish to fry' and to please essentially have some grace for the City's recent communications related to bulk / brush pick ups this month in April.

No action was taken pertaining to this agenda item.

6. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

Councilmember Bennie Daniels and Assistant City Manager Joey Boyd provided verbal updates concerning this agenda item. Daniels explained that U.S. Census 'field workers' were pulled out of the field due to COVID-19, so essentially everything related to the Census is now going to be delayed. Rockwall County continues to lead the state as far as its response rate is concerned (the rate is 57.9% for the County), and the City's self-response rate is at 56.7%. Mr. Boyd shared that contact was recently made with the local apartment complex managers, and all have agreed to send reminders out to their tenants, encouraging them to complete their Census responses. Also, last week all Rockwall residents should have received paper copies of their Census tally, so the hope is that the numbers will improve as those paper responses are received back. Council took no action pertaining to this agenda item.

XI. 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 legal issues pertaining to development in the Harbor District pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors and a (re)appointment to the North TX Municipal Water District Board of Directors, pursuant to Section 551.074 (personnel matters)

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

331 **XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

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

333 **XIII. ADJOURNMENT**

334 **The meeting was adjourned at 6:57 p.m.**

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336 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF MAY,**
337 **2020.**

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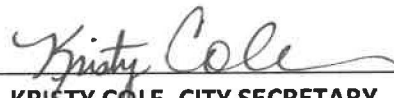


JIM PRUITT, MAYOR

340 **ATTEST:**

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KRISTY COLE, CITY SECRETARY

