



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, October 19, 2020 - 5:00 PM

City Hall Council Chambers - 385 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 John Hohenshelt, Bennie Daniels, Dana Macalik, and Anna Campbell (Macalik and Campbell were present remotely via ZOOM). Also present were Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmember Trace Johannesen and City Manager Rick Crowley were absent from the meeting in its entirety.

### II. WORK SESSION

1. Hold a work session to discuss and consider the permitted height of flag poles as stipulated by Subsection 03.04, *Flag Poles*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

Planning Director, Ryan Miller, briefed Council on this potential amendment to the city's UDC, as was previously requested by City Council. Council took no action as a result of this work session discussion item.

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:13 p.m.

### III. EXECUTIVE SESSION.

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding purchase, sale or lease of real property in the vicinity of FM 552 & John King Blvd and SH 276 and Pinebluff Lane pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

### IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:04 p.m. Councilmember Johannesen was absent from the meeting. Councilmembers Anna Campbell and Dana Macalik were present virtually, via ZOOM. Mayor Pruitt, Mayor Pro Tem Fowler, and Councilmembers John Hohenshelt and Bennie Daniels were present (in person).

### VI. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM FOWLER

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

### VII. PROCLAMATIONS

1. "Happy 100th, Herman" Day

**Mayor Pruitt called forth Mike Donnegan and other members of the local American Legion post. He then read aloud a proclamation declaring October 31, 2020 as "Happy 100<sup>th</sup>, Herman Day" to commemorate Mr. Herman Billnitzer's (local resident) 100<sup>th</sup> birthday.**

2. Hispanic Heritage Month

**Mayor Pruitt read this proclamation aloud.**

3. Domestic Violence Awareness Month

**Mayor Pruitt called forth Connie Pettitt, Executive Director of the local "Women in Need" organization, along with several members of her staff and others in the community who work with the organization (i.e. Rockwall Police Dept. Detective Laurie Burks, Rockwall County Judge David Sweet, and State Representative Justin Holland). He then read and presented this proclamation.**

4. Chamber of Commerce Week

**Mayor Pruitt called forth Darby Burkey from the Rockwall Area Chamber of Commerce, along with several other Chamber-related representatives. He then read and presented them with this proclamation.**

5. Fire Prevention Month

**Mayor Pruitt called forth Fire Chief Kenneth Cullins. He then read and presented him with this proclamation, declaring the month of October as "Fire Prevention Month" in the City.**

6. National Community Planning Month

**Mayor Pruitt called for the city's Planning Director, Ryan Miller. He then read and presented him with this proclamation.**

#### **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. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Mayor Pro Tem Fowler moved to authorize the sale of real property identified as Parcel 16 on SH-276 owned by the City of Rockwall to TXDOT for the amount of \$9,482 and a Possession Use Agreement in the amount of \$3,000, for the purposes of reconstructing the roadway, authorizing the City Attorney to finalize all necessary documents to complete the transaction and authorizing the City Manager to execute all necessary agreements on behalf of the City. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).**

**Mayor Pro Tem Fowler moved to authorize the sale of real property identified as Parcel 23 and 23E on FM-552 owned by the City of Rockwall to TXDOT for the amount of \$7,559 and a Possession Use**

Agreement in the amount of \$3,000, and drainage easement for the purposes of reconstructing the roadway, authorizing the City Attorney to finalize all necessary documents to complete the transaction and authorizing the City Manager to execute all necessary agreements on behalf of the City. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

Mayor Pro Tem Fowler moved to appoint Chris Kosterman to serve on the city's ART Commission (to replace former member, David Sweet, for an initial term to run thru August of 2021). Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

**X. CONSENT AGENDA**

1. Consider approval of the minutes from the October 5, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-036** - Consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.
3. **P2020-037** - Consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.
4. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Caterpillar Mini Excavator in the amount of \$27,760 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
5. Consider awarding a bid to EH Wachs and authorizing the City Manager to execute a Purchase Order for a new Valve Maintenance Trailer in the amount of \$85,625 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

**Councilmember Hohenshelt moved to approve the entire Consent Agenda, as presented (#s 1, 2, 3, 4, and 5). Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (Johannesen – absent).**

**XI. APPOINTMENT ITEMS**

1. Appointment with Planning & Zoning Commission Chairman (or rep.) to discuss and answer any questions regarding planning-related cases on the agenda, and take any action necessary.

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

2. Appointment with the Rockwall County Sheriff's Posse to discuss and consider street closures for the Rockwall County Sheriff's Posse Roundup being held on Saturday, November 7, 2020, and take any action necessary.

**State Representative Justin Holland, member of the Rockwall County Sheriff's Posse, came forth to address the Council concerning this request. He shared that the County Commissioner's Court has already approved use of the county's historic courthouse property. The closures will be needed from in the morning time (about 9 AM) until late afternoon (3:30 p.m. or so).**

Mayor Pruitt moved to allow the requested street closures, as requested. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (Johannesen – absent).

Mayor Pruitt then reordered the meeting agenda to address Action Item #2 next during the meeting.

**XII. PUBLIC HEARING ITEMS**

1. **Z2020-039** - Hold a public hearing to discuss and consider approval of an ordinance for a *Text Amendment* to Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the accessory structure standards, and take any action necessary (1st Reading).

Ryan Miller, Planning Director, provided background information concerning this agenda item. Mayor Pruitt then opened 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.

Mayor Pro Tem Fowler moved to approve Z2020-039. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 07.04, *ACCESSORY STRUCTURE DEVELOPMENT STANDARDS*, OF ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 absence (Johannesen).

2. **Z2020-040** - Hold a public hearing to discuss and consider approval of an ordinance for a *Text Amendment* to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information concerning this agenda item. Mayor Pruitt opened 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.

Councilmember Hohenshelt moved to approve Z2020-040. Councilmember Daniels seconded the motion. The ordinance was read as follows:

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED

**IN THE OURHOMETOWN 2040 COMPREHENSIVE PLAN IN ACCORDANCE  
WITH THE CITY'S HOME RULE CHARTER.**

**The motion passed by a vote of 6 ayes with 1 absence (Johannesen).**

**XIII. ACTION ITEMS**

1. **MIS2020-011** - Discuss and consider a request by J. W. Jones for the approval of a Miscellaneous Case for a special request in accordance with the requirements of Planning Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #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 247 Chris Drive, and take any action necessary.

**Planning Director Ryan Miller provided background information concerning this agenda item.**

**The applicant then came forth to address the Council:**

**J.W. Jones  
555 N. 5<sup>th</sup> Street, No. 113  
Garland, TX 75040**

**Mr. Jones came forth and addressed, providing additional details concerning this request and the reason(s) behind it.**

**Councilmember Hohenshelt moved to approve MIS2020-011. Councilmember Daniels seconded the motion, which passed unanimously of Council (Johannesen – absent).**

2. Discuss and consider a recommendation from the Parks & Recreation Board related to the renaming of the swimming pool at Gloria Williams Park, and take any action necessary.

**Parks Director Travis Sales came forth and provided detailed background information concerning this agenda item.**

**Randall Bryant  
2603 Norwood Drive  
Dallas, TX 75228**

**Mr. Bryant came forth and shared that he graduated from Rockwall High School in the year 2005. He indicated he is speaking on behalf of the Dabney Family; however, he is not actually a member of the Dabney Family. He went on and generally explained that the Ruby Dabney Family has not been able to get in touch with the Gloria Williams Family to discuss the matter together. He would like the Council to consider tabling any action on this topic to allow time for such meeting between the families to be facilitated and take place.**

**Mayor Pruitt moved to table this topic to allow time for the two families to meet and discuss the matter further. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).**

**XIV. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding purchase, sale or lease of real property in the vicinity of FM 552 & John King Blvd and SH 276 and Pinebluff Lane pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

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

Council members did not reconvene in Executive Session following the close of the public meeting agenda. See action taken at the start of the 6:00 p.m. public meeting for action taken as a result of the pre-public meeting Executive Session.


**XVI. ADJOURNMENT**

Mayor Pruitt adjourned the public meeting at 7:05 p.m.

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

  
JIM PRUITT, MAYOR

**ATTEST:**

  
KRISTY COLE, CITY SECRETARY

