

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, February 01, 2021 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and City Council Members Anna Campbell, Dana Macalik, John Hohenshelt, and Bennie Daniels. Also present were Interim City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza. City Council Member Trace Johannesen attended the meeting, remotely / virtually (via ZOOM).

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

II. 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 Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates' and Rockwall Central Appraisal District Board) pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding sale of city-owned real property off of IH-30 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding zoning and entitlements in the vicinity of the Old Town Rockwall (OTR) Historic District pursuant to §551.071 (Consultation with Attorney).
5. Discussion regarding city's lease of property on Ridge Road pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 6:00 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM FOWLER

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

VI. PROCLAMATIONS

1. Black History Month

Councilmember Campbell introduced Edna and Donna, members of the city's adhoc "Diverse History Committee," and Mayor Pruitt introduced Clarence Jorif, all of whom were present for this proclamation. He then read the proclamation, declaring the month of February as "Black History Month" in the City of Rockwall.

VII. 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.

Mayor Pruitt provided a brief update on COVID-19 vaccines recently received by Helping Hands for Rockwall County residents. He announced that the doses are for those in Categories 1A and 1B, and folks should sign up for the vaccines and associated waiting list by visiting Helping Hands' website. He shared that Rockwall County has requested to be able to establish a "vaccine hub" here in our own county; however, it has not yet been approved by the State of TX. He provided additional suggestions for where Rockwall County residents may visit in Dallas County in order to seek 1A and 1B vaccination opportunities.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler moved to appoint Dan Simmons as an "alternate" to serve on the city's Board of Adjustments. Mayor Pruitt 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 January 19, 2021 regular City Council meeting, and take any action necessary.
2. **Z2020-055** - Consider a request by Caroline Harklau of Southern Roots, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a General Retail Store on a 0.23-acre parcel of land identified as Lot 1, Block A, TCB 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)**.
3. **Z2020-056** - Consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of an **ordinance** for a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary **(2nd Reading)**.
4. **Z2020-058** - Consider a request by David LeCour for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory structure on a 0.50-acre parcel of land identified as Block 107 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 507 S. Clark Street, and take any action necessary **(2nd Reading)**.
5. **Z2020-060** - Consider a request by Matthew Deyermond of TC Planning and Design Group on behalf of the owners Donald Wallace for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District and a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 8.17-acre portion of a larger 123.00-acre tract of land identified as Tract 44-01 and all of Tracts 45-02 & 45-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Single-Family Estate 2.0 (SFE-2.0) District, generally located on the north side of H. Wallace Lane north of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary **(2nd Reading)**.
6. **P2020-052** - Consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of a Replat for Lots 2, 3 & 4, Block A, North Lake Shore Daycare Addition being a replat of a 2.96-acre parcel of land identified as Lot 1, Block A, North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary.

7. **P2021-002** - Consider a request by Anna C. Blackwell of Carrillo Engineering on behalf Harry J. Kuper of SVEA Industrial II, LLC for the approval of a Replat for Lot 7, Block C, Ellis Center, Phase Two Addition being a 1.905-acre tract of land identified as a portion of Lot 3 and all of Lot 3A-R, Block C, Ellis Center, Phase Two Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1203 Sigma Court, and take any action necessary.
8. **P2021-003** - Consider a request by Corby Bell and Mandy Dorman for the approval of a Final Plat for Lot 1, Block A, R. S. Lofland Subdivision being a 0.304-acre tract of land identified as Tract 23 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1006 Ridge Road, and take any action necessary.
9. Consider authorizing the Interim City Manager to renew a concession agreement with Sail with Scott and take any action necessary.
10. Consider authorizing the Interim City Manager to execute an agreement with Rockwall County for Municipal Court Judge services associated with "No Refusal Weekends" for 2021, and take any action necessary.
11. Consider approval of a resolution calling a General Election to be held on May 1, 2021 for the purpose of electing the following Rockwall City Council Member positions: Mayor, Place 1, Place 3, and Place 5 (each for two-year terms) and Place 6 (for a one-year term), and take any action necessary.

Mayor Pruitt removed item #6 for discussion. Hohenshelt then moved to approve the remaining Consent Agenda items (#s 1, 2, 3, 4, 5, 7, 8, 9, 10, and 11). Mayor Pro Tem Fowler seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-08
SPECIFIC USE PERMIT NO. S-242**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GENERAL RETAIL STORE* 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. 21-09**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 90 (PD-90) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED 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.

CITY OF ROCKWALL
ORDINANCE NO. 21-11
SPECIFIC USE PERMIT NO. S-243

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.50-ACRE PARCEL OF LAND, IDENTIFIED AS BLOCK 107, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; 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. 21-12

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, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT AND SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR AN 8.17-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 AND ALL OF TRACTS 45-02 & 45-07 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; 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.

Mayor Pruitt introduced Interim City Manager, Mary Smith, announcing that she has been here working for the City of Rockwall for a long time, and she will serve in this capacity until at least the first city council meeting in June when a new City Council is seated (after the election).

Regarding Consent Agenda Item #6, Mayor Pro Tem Fowler moved to approve P2020-052. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. ACTION ITEMS

1. Z2020-057 - Discuss and consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of an ordinance for a Zoning Change superseding Specific Use

Permit No. 57 (S-57; Ordinance No. 08-39) and changing the zoning from a Single-Family 10 (SF-10) District to Planned Development District 41 (PD-41) for General Retail (GR) District land uses on a 2.96-acre parcel of land identified as Lot 1, Block A North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary (2nd Reading).

Planning Director, Ryan Miller explained that this zoning case came before Council at the last meeting with Mayor Pruitt dissenting upon 1st reading at that time. Councilmember Macalik moved to approve Z2020-057. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-10**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 41 (PD-41) [ORDINANCE NO.'S 94-15 & 01-27] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 41 (PD-41) AND REZONING A 1.46-ACRE TRACT OF LAND FROM SINGLE-FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 41 (PD-41), BEING A ~145.744-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98 AND THE J. G. B. JONES SURVEY, ABSTRACT NO. 124, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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 (unanimously).

Mayor Pruitt addressed Consent Agenda item #6 on the agenda next.

2. Discuss and consider approval of a resolution expressing support for Rockwall County's efforts to designate SH-66 as the "David Magness Highway" throughout the limits of the corridor extending from the Dallas/Rockwall County line to the Rockwall/Hunt County line, including the portion of SH-66 that runs thru the City of Rockwall, and take any action necessary.

Mayor Pruitt explained the background concerning this agenda item and provided some clarification as well. He shared that portions of SH-66 that are already named will not be impacted (i.e. "Rusk" and "Williams St."). There will be a sign naming it the "David Magness Highway" where the Rockwall County line starts in both Rowlett and in Royse City. Mayor Pruitt then moved to approve the resolution expressing the City's support for this naming. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

3. Discuss and consider appointment(s) to the city's Airport Advisory Board, and take any action necessary.

Councilmember Macalik moved to appoint Guy White to serve on the Airport Advisory Board to replace Tom Woodruff (who recently resigned). Councilmember Daniels seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

4. Discuss and consider approval of a resolution to nominate a candidate to fill a vacancy on the Rockwall Central Appraisal District (CAD) Board of Directors, and take any action necessary.

Councilmember Johannesen moved to pass the resolution, submitting Matthew Nielsen as the City's nominee to fill the vacancy on this board. Councilmember Macalik seconded the motion, which passed unanimously of those present (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. Building Inspections Monthly Report - December 2020
2. Fire Department Monthly Report - December 2020
3. Parks & Recreation Department Monthly Report - December 2020
4. Police Department Monthly Report - December 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Interim City Manager, Mary Smith indicated that staff will be happy to answer any questions Council may have concerning the reports. In addition, the Parks & Rec. Department recently held three, separate "Daddy / Daughter Dance" events, and those were very well received by those who attended. Even after COVID, the city may wish to hold multiple events, as attendees appreciated the ability to spread out.

XII. 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 Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates' and Rockwall Central Appraisal District Board) pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding sale of city-owned real property off of IH-30 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding zoning and entitlements in the vicinity of the Old Town Rockwall (OTR) Historic District pursuant to §551.071 (Consultation with Attorney).
5. Discussion regarding city's lease of property on Ridge Road pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)

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

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1st DAY OF MARCH, 2021.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

