1			MINUTES
2			ROCKWALL CITY COUNCIL
3			January 3, 2006
4			4:00 p.m. Pre-Council Meeting
5 6			City Hall, 385 S. Gollad, Rockwall, Texas 75087
7			
9 9	1.	CALI	L TÔ ORDER
10 11 12 13 14	Cour and	ncilmen Matt Sc	I called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and nbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, John King :ott. Also present were City Manager Julie Gouch and City Attorney Pete Eckert. I immediately adjourned the meeting into Executive Session.
15 16	2 .		D EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF AS GOVERNMENT CODE TO DISCUSS:
17 18		a.	Deliberation regarding the purchase, exchange, lease, or value of real property.
19 20		Ь.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
21 22 23 24		c.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwalf and with which the Board is conducting economic development negotiations.
25 26		¢I.	City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.
27 28 29		e.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.
30 31	З.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION
32 33 34	No a	ction w	vas taken as a result of Executive Session.
35 36	App: 2006		by the City Council of the City of Rockwall, Texas, this 17 th day of January,
37			total and the second second
38 39 40	ATT:	est: MUU	William R. Cecil, Mayor
41	Doro	thy Bro	ooks, City Secretary
42			WWW RCCKWA
43			Cr. Concel Marces
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44		MINUTES
45		ROCKWALL CITY COUNCIL
46		January 3, 2006
47		6:00 p.m. Regular Meeting
48		City Hall, 385 S. Goliad, Rockwall, Texas 75087
49		-
50	1.	CALL TO ORDER
51		
52		r Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and
53		cilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, John
54	_	and Matt Scott. Also present were City Manager Julie Couch and City Attorney Pete
55	Ecker	t.
56	~	the second se
57	2.	INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MARGO NIELSEN
58	•	
59 60	3.	PROCLAMATIONS/RECOGNITIONS
60 61		 Recognition of the CIP Committee and Rockwall Yes Committee
62		a. Recognition of the Oile Committee and Rockman residentificee
0 3	Mayo	r Cecil presented proclamations to the following CIP Committee members: Phillip
64		t, Sam Noel, Kirte Kinser, Mark Born, Dennis Dayman and Mike Kitkoski. CIP
65		nitiee Members Barbara Coleson, Darlene Bealmear and Peg Pannell-Smith were
66		e to attend the meeting. Mayor Cecil then presented a proclamation to Pam and
67		el Kitkoski for all their hard work on the recent bond election.
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69	4.	OPEN FORUM
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71	-	r Cecil opened the floor to those citizens who wished to address the Council on any
72		ct not on tonight's agenda as a public hearing item. The following persons came
73	forwa	rd to address the Council:
74 75		Com Maal
75 76		Sam Noel 1395 Champions Brive
76 77		1305 Champions Drive
78		Rockwall, Texas Mr. Noel spoke about the vandalism of holiday decorations and the need to
79		educate people about not destroying other people's property.
80		could people about for deswoying other people's property.
81		Mark Schellhammer
82		2280 Waterway
83		Mr. Schellhammer spoke in favor of IESI.
84		
85		Derrick Elledge
86		663 Turtle Cove
87		Mr. Elledge stated that the Council should re-open the bid on solid waste.
88		
89		Mark Bridges
90		2305 Falls View
91		Mr. Bridges spoke in support of reconsidering the solid waste contract.
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93			
			ames Oblight a baile
94			Club Lake Drive
95			ames spoke about the trash contract and stated we need to save
96		mone	i¥-
97			
98		Brian	Andrews
99			Shorecrest Drive
100		Mr. A	ndrews spoke about the trash contract and stated we need to save
101		mone	ι γ .
102			
103		Art R	uff
104		1175	Ridge Road West
105		Mr. R	uff urged the Council to reconsider the large item pickup. Mr. Ruff
106			d that people abuse the process and that a size should be
107			mented and if a person goes over that size, they should be charged
108		extra.	
109		341141	
110		Noll V	Velborn
111			ake Meadows
112			Velborn spoke in favor of keeping the service we have with regard to
113			lited bulk pickup. This keeps the neighborhoods clean. Ms. Welborn
114			d that we should keep Trinity as our provider.
		219166	a that we should keep trinky as out provider.
115		D :U	Mi-
116			Morris Mall Court
117			Vall Court
118			forris stated that we should keep Trinity as our provider. Business
119			at him to be wary of the low bidder. We should decide based on past
120		perro	rmance.
121			(
122	here		
	1.0010	being	no one further to address the Council, Mayor Cecil closed the Open Forum.
123		•	
124	5.	•	ENT AGENDA
124 125		Cons	ENT AGENDA
124 125 126		•	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article
124 125 126 127		Cons	ENT AGENDA Consider approval of an <i>Ordinance</i> for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall
124 125 126 127 128		Cons	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 64-38), specifically to require a
124 125 126 127 128 129		Cons	ENT AGENDA Consider approval of an <i>Ordinance</i> for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq. ft., w/
124 125 126 127 128		Cons	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 64-38), specifically to require a
124 125 126 127 128 129 130		GONS: a.	ENT AGENDA Consider approval of an <i>Ordinance</i> for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq ft, w/ Drive-Thru or Drive-in," and take any action necessary. [2 nd Reading]
124 125 126 127 128 129 130 131		Cons	ENT AGENDA Consider approval of an <i>Ordinance</i> for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq. ft., w/ Drive-Thru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an <i>Ordinance</i> for a request by Jean Voltz of
124 125 126 127 128 129 130 131 132		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq. ft, w/ Drive-Thru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single-
124 125 126 127 128 129 130 131 132 133		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant. Less than 2000 sq ft, w/ Drive-Tnru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned
124 125 126 127 128 129 130 131 132 133 134		GONS: a.	ENT AGENDA Consider approval of an <i>Ordinance</i> for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant. Less than 2000 sq ff, w/ Drive-Thru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an <i>Ordinance</i> for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of
124 125 126 127 128 129 130 131 132 133 134 135		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq. ft., w/ Drive-Thru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N. Golrad) south of Quart Run Rd and north of the Lakev.ew
124 125 126 127 128 129 130 131 132 133 134 135 136		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant. Less than 2000 sq. ft, w/ Drive-Tnru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N. Golrad) south of Quart Run Rd and north of the Lakev.ew Symmit subdivision, along N. Lakeshore Drive and take any action
124 125 126 127 128 129 130 131 132 133 134 135		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq ft, w/ Drive-Tnru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N. Golrad) south of Quart Run Rd and north of the Lakev.ew Symmit subdivision, along N. Lakeshore Drive and take any action necessary. [2 nd Reading]
124 125 126 127 128 129 130 131 132 133 134 135 136 137 138		GONS: a.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq ft, w/ Drive-Tinu or Drive-in, "and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N. Golrad) south of Quart Run Rd and north of the Lakeview Summit subdivision, along N. Lakeshore Drive and take any action necessary. [2 nd Reading] Consider approval of an Ordinance giving Code Enforcement Officers
124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139		Gons: a. b.	ENT ÁGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant. Less than 2000 sq ft, w/ Drive-Tirru or Drive-in," and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N Golrad) south of Quart Run Rd and north of the Lakeview Summit subdivision, along N. Lakeshore Drive and take any action necessary. [2 nd Reading] Consider approval of an Ordinance giving Code Enforcement Officers the authority to write citations and take any action necessary.
124 125 126 127 128 129 130 131 132 133 134 135 136 137 138		Gons: a. b.	ENT AGENDA Consider approval of an Ordinance for a city-initiated revision to Article IV, Permissible Uses, Table 1, Land Use Tables, of the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically to require a Specific Use Permit (SUP) for "Restaurant, Less than 2000 sq ft, w/ Drive-Tinu or Drive-in, "and take any action necessary. [2 nd Reading] Consider approval of an Ordinance for a request by Jean Voltz of Arkoma Development, LLC, for a change in zoning from (SF-10) Single- family Residential district and (Ag) Agricultural district to (PD) Planned Development district on a 49.35-acre tract situated along the west side of SH 205 (N. Golrad) south of Quart Run Rd and north of the Lakeview Summit subdivision, along N. Lakeshore Drive and take any action necessary. [2 nd Reading] Consider approval of an Ordinance giving Code Enforcement Officers

- 14? d. Consider authorizing the City Manager to sign an agreement with Metro
 142 PCS for lease of space on the City's communication tower located on
 143 Boydston Street and take any action necessary.
- e. Consider approval of a *Resolution* designating the City Secretary as the public information officer for the purpose of receiving faxed and e-mailed public information requests and as the public information officer for the function at the public information officer for the purposes of receiving training on the responsibilities of the City of Rockwall concerning the Public Information Act and take any action necessary.
- 150f.Consider authorizing the City Manager to enter into an agreement with151Hill-Wilkinson for construction management services for the Fire Station152#3 and Fire Station #4 projects and take any action necessary
- 153g.P2005-043 -- Discuss and consider a request by Randeli Curington of154Spring Haven Investments, Inc., for approval of a master plat for Fontana155Ranch, being an 83:30-acre tractizened (PD-64) Planned Development156No. 64 District. The subject property is located along the east side of FM157549 south of SH 276 and take any action necessary.
 - h. P2005-044 -- Discuss and consider a /equest by Randell Curington of Spring Baven Investments. Inc., for approval of a preliminary plat for Fontana Ranch, being an 83.30-acre tract zoned (PD-64) Planned Development No. 64 District. The subject property is /ocated along the east side of FM 549 south of SH 276 and take any action necessary.
- Consider approval of the purchase of 2006 mode! vehicles for various departments and take any action necessary.
- 168 j. Consider approval of the Minutes from the December 5, 2005 City.
 169 Council meeting and take any action necessary.

171 Councilmember Straughan requested that Consent Agenda Item 5j be pulled. 172 Councilmember Scott requested that Consent Agenda Items 5g and 5h be pulled. 173 Councilmember McCallum requested that Consent Agenda Item 5d be pulled and then 174 made a motion to approving the remaining Consent Agenda Items. Councilmember Cotti 175 seconded the motion and the ordinance was read as follows:

ORDINANCE NO. 06-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED. BY AMENDING ARTICLE IV, PERMISSIBLE USES, TABLE 1, LAND USE TABLES, SPECIFICALLY TO REQUIRE A SPECIFIC USE PERMIT (SUP) FOR "RESTAURANT, LESS THAN 2000 SQ. FT., W/ DRIVE-THRU OR DRIVE-IN", MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A": 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: AND PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE NO. 06-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS

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193 194 195 196 197 198 199 200 201 202	PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT AND (AG) AGRICULTURE DISTRICT TO PLANNED DEVELOPMENT NO. 55 DISTRICT FOR A 49.35-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETOFORE AND MADE A PART HEREOF; 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. ORDINANCE NO. 06-03				
203 204 205 206 207 208	THE (EMPL OFFIC	RDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CODE OF ORDINANCES IN CHAPTER 2 ADMINISTRATION, ARTICLE II OFFICERS AND OYEES. DIVISION J. GENERALLY, TO PROVIDE THAT CODE ENFORCEMENT CERS HAVE THE AUTHORITY TO ISSUE CITATIONS: PROVIDING FOR A RABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.			
209 210 211	The motion	passed unanimously by a vote of 7 ayes and 0 nays.			
213 212 213 214 215	Councilmer	I made a motion to table Consent Agenda item 5d to the next meeting and nber Straughan seconded the motion. The motion passed unanimously by a es and 0 nays.			
216 217 218 219	Councilmember Cottl made a motion to approve Consent Agenda Items 5g and 5h and Councilmember Nielsen seconded the motion. The motion passed by a vote of 6 ayes and 1 nay [Scott].				
220 221 222 223		nber Cotti made a motion to approve Consent Agenda Item 5j and nber King seconded the motion. The motion passed by a vote of 6 ayes and 1 aughan].			
22 8	6. APPO	DINTMENTS			
226 227 228	a.	Appointment with Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any necessary action.			
229 230	Phillip Herb on tonight's	est, Planning and Zoning Chairman, discussed the planning and zoning items s agenda.			
231 232	Ь.	Loft blank on purpose.			
233 234 235	c.	Appointment with Mary Smith, Finance Director, regarding the solid waste contract and take any action necessary.			
236 237 238 239 240	pricing. The approve the	discussed the solid waste contract and stated that they had received the final e new rate will be \$12.39 per month. Councilmember Cotti made a motion to e contract and Councilmember King seconded the motion. The motion a vote of 4 ayes and 3 nays [Scott, McCaltum and Cecil].			
240 241 242	7. PUBL	IC HEARING ITEMS			
242 243 244 245	a,	FF2005-003 Hold a public hearing and consider a request from Don and Christine Teague for approval of a front yard fence, including a variance to the maximum height requirement of 36-inches (proposed 60-			

- 246 inches), at their property located at 2460 Rolling Meadows Drive being
 247 Lot 11, Rolling Meadows Estates, zoned (SF-E/4.0) Single Family Estate
 248 district and take any action necessary.
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Robert LaCroix, Director of Planning and Zoning, discussed the background of the request from Don and Christine Teague for approval of a front yard fence, including a variance to the maximum height requirement of 36-inches (proposed 60-inches). LaCroix stated no opposition had been received regarding this request. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

- 255 256 Christine Teague
- 257 2460 Rolling Meadows Drive
- 258 Ms. Teague is the applicant and she asked the Council to approve the 259 request.
- 261 There being no one further to address the Council, Mayor Cecll closed the public 262 hearing. 263

264 Councilmember Straughan made a motion to approve the request and Mayor Cecil. 265 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 267 8. SITE PLANS/PLATS
 - a. SP2005-019 -- Discuss and consider a request by Eric Flag of W D Partners, for approval of site plan for a restaurant (La Madeleine) on Lot 2, Block A Rockwall Crossing Addition, being a 1.42-acre tractizoned (C) Commercial district and along the south service road of 1-30 and immediately east of the TGI Fridays and take any action necessary.

274 Robert LaCroix discussed the background of the request. LaCroix stated that the 275 Architectural Review Board had approved the design and architecture and that the 276 Planning and Zoning Commission has also recommended approval. Councilmember 277 Scott made a molion to approve the request and Councilmember Cotti seconded the 278 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 279

 b. P2005-046 -- Discuss and consider a request by Ross Ramsay for approval of a pretiminary plat of Lots 1 and 2, Block A, Tropical John's Addition, being a 0.66-acre tract zoned (PD-55) Planned Development No. 55 district and (GR) General Retail district, located at the southeast corner of N, Fannin St and Williams St (SH 55), comprised of properties addressed as 308 and 402 N. Fannin St (both demolished) and 302 Williams (existing Tropical John's nursery) and take any action necessary.

Robert LaCroix discussed the background of the request and stated that the Planning
and Zoning recommended approval. Ross Ramsay (representing the owners), 637
Stafford Circle, came forward and addressed the Council regarding this request.
Councilmember Cotti made a motion to approve the request and Councilmember
Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes
and 0 nays.

294c.SP2005-031 -- Discuss and consider a request by Ross Ramsay for295approval of a site plan for Smilly's Roadhouse Grill, located on the296proposed Lot 2, Block A, Tropical John's Addition, being a 0.29-acre tract297zoned (GR) General Retail district and focated at 308 North Fannin Street298and take any action necessary.

Robert LaCroix discussed the background of this request and staled that the Planning and Zoning Commission recommended approval of the request. Councilmember Cotti made a motion to approve the request with the condition that the applicant come back to the Council at final plat with the parking details. Councilmember Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

305 9. ACTION ITEMS

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 Discuss and consider approval of a Resolution adopting garbage rales and take any action necessary.

Councilmember Cotti made a motion to approve the Resolution and Councilmember
 Straughan seconded the motion. The motion passed by a vote of 5 ayes and 2 nays
 [McCallum and Scott].

313b.Discuss and consider approval of an Ordinance amending the Code of314Ordinances in Chapter 5 Animals to provide for failure to appear language315for citations and making registrations valid for one year after cate of316registration and take any action necessary. [1* Reading]

Jeffrey Widmer discussed the background of this request. Councilmember Cotti made a motion to approve the Ordinance and Councilmember Straughan seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 5 ANIMALS, SEC. 5-2 ENFORCEMENT TO PROVIDE FOR THE ISSUANCE OF CITATIONS AND IN SEC. 5-5 DOG/CAT PERMITS AND TAGS – GENERALLY TO PROVIDE FOR ANNUAL REGISTRATIONS: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

- 328 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 330 Ċ. Z2005-025 -- Discuss and consider approval of an Ordinance for a 331 request by Miles Prestomon of Newland Communities for a change in 332 zoning (rom (Ag) Agricultural district to (PD) Planned Development district 333 on approximately 395.075-acres comprised of Tracts 1 and 2, Abstract 334 71, W.T. DeWeese Survey, and Tracts 2, 3 and 4, Abstract 131, S. King, 335 Survey. The subject property is located along the east side of SH 205, 336 south side of FM 552, west side of Hayes Rd and north side of Quail Run. 337 and take any action necessary. [1st Reading]

338 Councilmember Scott made a motion to table this matter to the next meeting and 339 Councilmember Nielsen seconded the motion. The motion passed unanimously by a 340 vote of 7 ayes and 0 nays. 341

342d.Discuss and consider a request by Jerry Sylo of Jones & Boyd, Inc., for343approval of a special exception from the front yard setback requirements

- 393I.Discuss and consider approval of an Ordinance amending the Code of394Ordinances in Chapter 16 Motor Vehicles and Traffic in Division 6 Speed395by providing for a maximum speed in an area south of SH-66 and east of396Goltad and including, but not limited to Lakeshore Orive. Lakedale.397Lakehill, Lake Meadows. Becky Lane and Summit Ridge and take any398action necessary
- 399 Mayor Cecil discussed the background of this item and made a motion to approve the 400 ordinance. Councilmember Cotti seconded the motion and the ordinance was read as 401 follows:
 - AN OROINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 16 MOTOR VEHICLES AND TRAFFIC IN DIVISION 6 SPEED BY ADDITION OF SEC. 16-207 MAXIMUM SPEED LIMITS IN A RESIDENTIAL AREA: PROVIDING FOR THE POSTING OF SIGNS: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200): PROVIDING A SEVERABILITY CLAUSE: PROVIDING AN EFFECTIVE DATE.
- 410 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 412 10. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 413 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 415 a. Departmental Reports
- 416 b. City Manager's Report

Julie Couch stated that fire safety was of high concern with the drought conditions we
 are currently experiencing. We are waiting on direction from the North Texas Municipal
 Water District on water rationing.

420 Councilmember Straughan stated that he was concerned that the fire stations are not 421 manned between 6:00 a.m. – 8:00 a.m. and 5:00 p.m. – 6:00 p.m. We need to address this 422 problem soon, especially with Fire Station #3 and Fire Station #4 coming up in 423 approximately 18 months.

- 424 There being no further business to come before the Council in regular session, Mayor 425 Cecil adjourned the meeting into Executive Session at 8:32 p.m.
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- 427 11. Hold Executive Session Under Sections 551.072, 551.074 and 551.087 OF 428 Texas Government Code to Discuss:
- 429 a. Deliberation regarding the purchase, exchange, lease, or value of real.
 430 property.
- 431 b. Personnel Issues, including Board, Commission, and Committee.
 432 Appointments, and Related Matters.
- 433c.Commercial or Snancial information regarding basiness prospects that the434City seeks to have locate, stay, or expand in or near the territory of the435City of Rockwalt and with which the Board is conducting economic436cevelopment negotiations
- 437 d. City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.

- Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation 439 e. with attorney with regard to a matter that it is the duty of the attorney to 440 441 consult with the Council and falls under the attorney-client privilege.
- 442

443 A Land Use Subcommittee was formed and will consist of Councilmember Nielsen. 444 Councilmember Cotti and Mayor Cecil. 445

There being nothing further to come before the Council, Mayor Cecil adjourned the 446 447 meeting at 9:30 p.m.

448

Approved by the City Council of the City of Rockwall, Texas, this 17th day of January, 449 450 2006.

451

452 ATTES

453 454

Dorothy Brooks, City Secretary 455 456



1			MINUTES
2			ROCKWALL CITY COUNCIL
3	January 17, 2006		
4			4:00 p.m. Pre-Council Meeting
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087
6			
7			
8	1.	CALL	TO ORDER
9 10 11 12 13	Coun	cilmen Aatt So	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and ibers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, John King ott. Also present were City Manager Julie Couch and City Attorney Pete Eckert. immediately adjourned the meeting Into Executive Session.
14 15 16	2 .	HOLD Texa	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF IS GOVERNMENT CODE TO DISCUSS:
17 18		a.	Deliberation regarding the purchase, exchange, lease, or value of real property.
19 20		b.	Personnel Issues, including Board, Commission, and Committee Appointments, Staff and Related Matters.
21 22 23 24		C.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
25 26		d.	City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.
27 28 29		e.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.
30 31 32	3.	Таке	ANY ACTION AS RESULT OF EXECUTIVE SESSION
32 33 34	4.	PRE	
35 36			vas taken as a result of Executive Session.
37 38	Аррі 2006		by the City Council of the City of Rockwall, Texas, this 6 th day of February,
39 40 41 42	ATTA /\\	est: Mult	William R. Cecil, Mayor
43 44 45		othy Br	SEAL S
	Jacua Page		5 City Council Minutes Programmer and provident with

46			MINUTES
47			ROCKWALL CITY COUNCIL
			January 17, 2006
48			6:00 p.m. Regular Meeting
49 50			City Hall, 385 S. Goliad, Rockwall, Texas 75087
50 64			City Hall, See S. Sonad, Hoompan, Toxas Fores
51 52	1.	CAL	TO ORDER
	1.	QALL	TO ORDER
53 54	Maria	r Cari	I called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil
54 55	and	Count	climembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo
55 56	Niale		hn King and Matt Scott. Also present were City Manager Julie Couch
57			torney Pete Eckert.
58			torney i dio conorte
59	2.	INVOC	CATION AND PLEDGE OF ALLEGIANCE MAYOR BILL CECIL
59 60	4 -	INTOC	
61	3.	Peoc	LAMATIONS/RECOGNITIONS
62	J .	1000	
63		a.	None for this meeting.
64		ч.	
65	4.	CONS	ENT ITEMS
66	-	00110	
67		a,	Consider approval of the Minutes from the January 3, 2006 City
6 8			Council meeting and take any action necessary.
		ь.	Consider approval of a Resolution thanking various cities and
69 20		υ.	entities for their support and take any action necessary.
70			
71		c.	Consider approval of an Ordinance amending the Code of
72			Ordinances in Chapter 5 Animals to provide for failure to appear
73			language for citations and making registrations valid for one year
74			after date of registration and take any action necessary. [2 nd
75			Reading]
76		d.	Consider approval of an Ordinance amending the Sign Code
77			regarding signage downtown and take any action necessary.
78			[2 nd Reading]
		_	
79		θ.	Consider approval of an Ordinance amending the Code of Ordinances in Chapter 16 Motor Vehicles and Traffic in Division 6
80			Speed by providing for a maximum speed in an area south of SH-
81 62			66 and east of Goliad and take any action necessary
82			[2 nd Reading]
83			
84		f.	P2005-048 - Consider approval of a request by Jeff Linder of
85			Kimley-Hom and Associates, Inc., for approval of a replat of Lot 4,
86			Block A, Horizon Ridge Addition, being a 0,789-acre tract zoned
87			(PD-9) Planned Development No. 9 district and situated along the
86			southwest side of FM 3097 (Horizon Road) southeast of FM 740
89			(Ridge Road) and take any action necessary.

90 91 92	g.	Consider authorizing the City Manager to sign an agreement with Metro PCS for lease of space on the City's communication tower located on Boydston Street and take any action necessary.
93 94 95	h.	Consider approval of a recommendation from the Parks & Recreation Board naming the neighborhood park in Park District #2 as Shores Park and take any action necessary.
96 97	i.	Consider approval of a Facility Agreement with Park Place West for Washington Street improvements and take any action necessary.
98 99	j.	Consider approval of an Ordinance amonding the Sign Code with regard to political signs and take any action necessary.
100 101 102 103 104 105	pulled. Co pulled and t Scott requ McCallum's	nber Cotti requested that Consent Agenda Items 4e, 4i and 4j be uncilmember McCallum requested that Consent Agenda Item 4g be then made a motion to approve the remaining items. Councilmember ested that Consent Agenda Item 4h be pulled and seconded motion if 4h was not included. McCallum agreed to the amendment inances were read as follows:
106 107		ORDINANCE NO. 06-05
108 109 110 111 112 113 114 115 116	AMEN ENFOI 5 DOC REGIS SUM	RDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DING THE CODE OF ORDINANCES IN CHAPTER 5 ANIMALS, SEC. 5-2 RCEMENT TO PROVIDE FOR THE ISSUANCE OF CITATIONS AND IN SEC. 5- WCAT PERMITS AND TAGS - GENERALLY TO PROVIDE FOR ANNUAL TRATIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE OF FIVE MUNDRED DOLLARS (\$\$00.00); PROVIDING A SEVERABILITY SE; PROVIDING AN EFFECTIVE DATE.
117		ORDINANCE NO. 06-04
118 119 120 121 122 123 124 125	AMEN STAN(FINE	ROINANCE OF THE CITY COUNCIL OF THE GITY OF ROCKWALL, TEXAS, DING THE SIGN CODE, AS PREVIOUSLY AMENDED, IN SECTION III SIGN DARDS, B. FUNCTIONAL STANDARDS; PROVIDING FOR A PENALTY OF A NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000); DING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE
126	The motion	passed unanimously by a vote of 7 ayes and 0 nays.
127 128 129 130 131 132 133 134 135	which is the Vehicles and area southe approving t	nber Cotti requested clarification regarding Consent Agenda item 4e, a Ordinance amending the Code of Ordinances in Chapter 16 Motor d Traffic in Division 6 Speed by providing for a maximum speed in an of SH-66 and east of Goliad. After discussion, Cotti made a motion he ordinance on the condition that it will be in the form as presented ing. Mayor Cecil seconded the motion and the ordinance was read as

136 137	ORDINANCE NO. 06-06
138	AN ORDINANCE OF THE CITY COUNCIL OF THE GITY OF ROCKWALL, TEXAS,
139	AMENDING THE CODE OF ORDINANCES IN CHAPTER 16 MOTOR VEHICLES AND
140	TRAFFIC IN DIVISION 6 SPEED BY ADDITION OF SEC. 16-207 MAXIMUM SPEED
141	LIMITS IN A RESIDENTIAL AREA; PROVIDING FOR THE POSTING OF SIGNS;
142	PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO
143 144	HUNDRED DOLLARS (\$200); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.
145	
146	The motion passed unanimously by a vote of 7 ayes and 0 nays.
147	The motion passed unaninously by a vole of 1 ayes and a hugs.
148	Councilmember Cotti asked for clarification on Consent Agenda item 4i regarding
149	which bonds the funds would come from to fund the project. City Manager Julie
150	Couch stated that the funding would come from the 2002 Bonds. Cotti then made
151	a motion to approve Consent Agenda item 4i and Councilmember Straughan
152	seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0
152	nays.
153	nays.
155	With regard to Consent Agenda Item 4j, Councilmember Cotti asked for
156	clarification from City Attorney Pete regarding the language in the proposed
157	ordinance and if it followed state law. Eckert stated that the ordinance was in
158	accordance with HB212. Cotti then made a motion to approve the ordinance and
159	Councilmember McCallum seconded the motion. The ordinance was read as
160	follows:
161	
162	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
163	AMENDING THE SIGN ORDINANCE IN SECTION III, B. FUNCTIONAL STANDARDS.
164	13. POLITICAL SIGNS AND TABLE II FUNCTIONAL STANDARDS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
165 166	(\$2,000.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE;
157	PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [1" Reading]
168	
169	The motion passed unanimously by a vote of 7 ayes and 0 nays.
170	
171	Councilmember McCallum stated that due to business relations, he would be
172	abstaining from participating or taking in action on Consent Agenda item 4g.
173	Councilmember Scott asked for confirmation that the Metro PCS service was just
174	for cell phones and then made a motion to approve the contract. Councilmember
175	Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1
176	abstain [McCallum].
177	
178	With regard to Consent Agenda item 4h, Councilmember Scott questioned the
179	naming of the neighborhood park in The Shores, Shores Park and suggested
180	naming the park after either Margo Nielsen or Julie Couch. After lengthy
181	discussion culminating in an agreement to reactivate the Council Subcommittee
182	on Facilities Naming, Councilmember Scott made a motion to remand the matter
183	back to the Park Board and ask them to consider alternative names and

184 Councilmember Straughan seconded the motion. The motion passed 185 unanimously by a vote of 7 ayes and 0 nays.

186

187 5. APPOINTMENTS

188
 189 a. Appointment with Planning and Zoning Chairman to discuss and
 190 answer any questions regarding cases on the agenda and related
 191 issues and take any necessary action.

Planning and Zoning Chairman Phillip Herbst discussed the planning and zoning items on tonight's agenda.

- 194 195 **6. Pu**e
 - PUBLIC HEARING
- 196 Z2005-041 -- Hold a public hearing and consider a request by Scott 197 a. and Andrea Gunderson for approval of a Specific Use Permit (SUP) 198 allowing for an accessory building/detached garage exceeding the 199 maximum size requirement of 1250-sf at their property at 241 200 Willowcrest Lane, located on Lot 26, Block A, Willowcrest Estates 201 and zoned (SF-E/1.5) Single Family Estate district and take any 202 action necessary. 203
- 204

Robert LaCroix, Director of Planning, discussed the background of this item. LaCroix stated there was no opposition to the request and that the Planning and Zoning Commission had recommended approval. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

- 209
- 210 Scott Gunderson (Applicant)
- 211 241 Willowcrest
- 212 Mr. Gunderson asked for approval of his request.
- 213
 214 There being no one further to address the Council, Mayor Cecil closed the public
 215 hearing.
- 216

217 Councilmember Straughan made a motion to approve the request and 218 Councilmember McCallum seconded the motion. The ordinance was read as 219 follows:

220 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 221 AMENDING THE UNIFIED DEVELOPMENT CODE O THE CITY O ROCKWALL, 222 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT 223 WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT ALLOWING FOR A 224 DETACHED GARAGE EXCEEDING THE MAXIMUM SIZE REQUIREMENT, ON A Z25 TRACT LOCATED AT 241 WILLOWCREST LANE, BEING LOT 26, BLOCK A, 226 WILLOWCREST ESTATES ADDITION; PROVIDING FOR SPECIAL CONDITIONS; 227 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO 228 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A 229 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING 230 FOR AN EFFECTIVE DATE. (1" Reading) 231

232	
233	The motion passed unanimously by a vote of 7 ayes and 0 nays.
234	
235	b. P2005-049 Hold a public hearing and consider a request by Dan
	Ramsey of Jones & Boyd, Inc. for approval of a residential replat of
236	Kanisey of Jones & Boyu, no. for approval of a realistication of
237	Lots 8-11, Promenade Harbor II, specifically to provide a 20-ft front
238	yard setback on the subject lots. The subject property is zoned (SF-
239	10) Single Family Residential district and take any action
240	necessary.
241	
242	Robert LaCroix discussed the background of this request and stated that the
243	Planning and Zoning Commission had recommended approval. Mayor Cecil
244	opened the public hearing and the following persons came forward to address
245	the Council:
246	
247	Jeff Miles of Jones & Boyd (Applicant)
248	Mr. Miles asked that the Council approve the request.
249	
250	There being no one further to address the Council, Mayor Cecil closed the public
251	hearing.
252	•
253	Councilmember Cotti made a motion to approve the request and Councilmember
254	McCallum seconded the motion. The motion passed unanimously by a vote of 7
255	ayes and 0 nays.
255	
257	c. AM2006-001 Hold a public hearing and consider approval of an
258	ordinance for a city initiated amendment to the City of Rockwall
259	Code of Ordinances - Subdivision Regulations - Chapter 24 -
260	Amending Section 24-10 Miscellaneous Requirements, specifically
261	to add a new Subsection (p), Review of Homeowners Association
262	(HOA) documents and take any action necessary.
263	(nong abbannano and tare any concernent
264	Robert LaCroix discussed the background of this item. Mayor Cecil opened the
265	public hearing and the following persons came forward to address the Council:
266	hanne useruili ene me reneratuli hereene erne in anne te generee an eenten.
267	James Pulatie
268	1554 Champions Court
269	Mr. Pulatie stated that he is in favor of The Shore's HOA regulations.
	mr. Fulatie stated that he is in layor of this onore 5 how regulations.
270	Deb Amiak
271	Bob Amick 1431 Strawberry Lane
272	Mr. Amick stated that most people never see the restrictive
273	
274	covenants before they close on a home. There is no communication between the HOA and residents or builders and buyers and urged
275	between the HOA and residents or builders and buyers and urged the Council to be graptific an they peoplicly can be with regard to
276	the Council to be specific as they possibly can be with regard to
277	HOA's.

- 278 279 There being no one further to address the Council, Mayor Cecil closed the public 280 hearing.
 - 280 281

Councilmember Scott made a motion to approve the ordinance, with the addition 282 of the two requirements he had proposed (See Action Item 6)). After lengthy 283 discussion, Councilmember Cotti seconded the motion, with the change in the 284 language regarding political signs. City Attorney Eckert had advised that the 285 language regarding "time before and after" an election must be removed. 286 Councilmember Scott stated that he would amend his motion. Mayor Cecil 287 requested that the motion be amended to also include the formation of a 288 Subcommittee to explore the aspect of ensuring that potential citizens know what 289 they are getting into before the sales closing. Councilmember Scott so amended 293 his motion and Councilmember Cotti amended his second. The ordinance was 291 read as follows: 292

293

303

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. 294 AMENDING THE SUBDIVISION REGULATIONS, CHAPTER 24 OF THE CITY OF 295 ROCKWALL CODE OF ORDINANCES, SECTION 24-10 MISCELLANEOUS 295 REQUIREMENTS, SPECIFICALLY TO ADD A NEW SUBSECTION (p) REVIEW OF 297 HOMEOWNERS ASSOCIATION (HOA) DOCUMENTS: PROVIDING FOR SPECIAL 295 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM 299 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR 300 A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING 301 302 FOR AN EFFECTIVE DATE. [1st Reading]

- 304 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 305 306 7, Site Plans / Plats
- 307
- 308 a. No items. 309
- 310 8. ACTION ITEMS

311 Z2005-025 – Take public input and discuss and consider approval. 312 a. of an Ordinance for a request by Miles Prestemon of Newland 313 Communities for a change in zoning from (Ag) Agricultural district to 314 (PD) Planned Development district on approximately 395.075-acres. 315 comprised of Tracts 1 and 2, Abstract 71, W.T. DeWeese Survey, 315 and Tracts 2, 3 and 4, Abstract 131, S. King Survey. The subject 317 property is located along the east side of SH 205, south side of FM. 318 552, west side of Hayes Rd and north side of Quail Run and take 319 any action necessary. 320

Robert LaCroix discussed the background of this request. Terry Morgan, attorney for the City on this project, also addressed the Council. Mayor Cecil announced that although this is not a public hearing, he would allow input from the applicant and interested citizens. The following persons came forward to address the Council:

325	
327	Miles Prestemon (Applicant)
328	Mr. Prestemon gave a power point presentation and discussed their
329	changes to the plan.
330	
331	Mark Hazel
332	3059 N. Goliad
333	Mr. Hazel spoke against the project.
334	Devid Steen
335	David Stone 3053 N. Goliad
336	
337	Mr. Stone spoke against the project.
338	Carely Mason
339	Carey Mason 3069 N. Goliad
340 341	Mr. Mason spoke against the project.
342	mr. mason spoke against me project.
342 343	Don French
343 344	3079 N. Goliad
344 345	Mr. French spoke against the project.
345 346	Mit Prench spoke against the project.
340 347	Rick Dirkse
347 348	3077 N. Goliad
349	Spoke against the project.
350	opere againer ma project.
351	Ross Ramsay
352	637 Stafford Circle
353	Spoke against the project.
354	
355	There being no one further to address the Council, Mayor Cecil opened the floor
355	to Council discussion. After lengthy discussion, Mayor Cecil made a motion to
357	deny the rezoning from AG to PD and Councilmember McCallum seconded the
358	motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
359	
360	b. Discuss and consider approval of a Development Agreement
361	proposed by Miles Prestemon of Newland Communities
362	incorporating a development plan, specifying development
363	regulations and making provision for public facilities and services
364	for approximately 405 acres of land lying and being situated in parts
365	of the J. Strickland Survey, Abstract Number 187, T.R. Bailey
366	Survey, Abstract Number 30 and the J. Simmons Survey, Abstract
367	Number 190 of Rockwall County, Texas, located within the City's
368	extraterritorial jurisdiction. The area generally is focated north of FM
369	552 and east of SH 205. Take any action necessary.
	-

370 Councilmember Scott made a motion to deny approval of the Development 371 Agreement and Councilmember Cotti seconded the motion. The motion passed 372 unanimously by a vote of 7 ayes and 0 nays.

- 373
- 374 c. Discuss and consider approval of an amendment to the Interlocal
 375 Agreement with Rockwall County regarding the housing of
 376 prisoners and take any action necessary.

Police Chief Mark Moeller discussed the background of this item.
Councilmember Cottl made a motion to approve the amendment to the Interlocal
Agreement and Councilmember McCallum seconded the motion. The motion
passed unanimously by a vote of 7 ayes and 0 nays.

- 381
- 382d.Discuss and consider approval of a design concept and383construction budget for the SH-205 and I-30 bridges and take any384action necessary.

Julie Couch discussed the background of this item. The Subcommittee worked 385 with Parsons Brinkerhoff to come up with a design to enhance the entryways at 386 SH205 and I-30 and the SH-205 Rallroad Bridge. The Parsons Brinkerhoff 387 representative gave a power point presentation showing the recommended 388 designs. Couch advised that the total cost of the project would be \$315,000 and 389 recommended paying it out of the 2005 bond funds. Councilmember Scott made 390 a motion to approve the designs and authorize the City Manager to sign the 391 contract for the construction design. Mayor Cecil seconded the motion. The 392 motion passed unanimously by a vote of 7 ayes and 0 nays. 393 394

By Discuss and consider approval of the 205 Bypass Design and Construction Manager contract and take any action necessary.

Julie Couch discussed the background of this item. Couch introduced Bob Reach of Tumer Collie and Braden [TCB]. Couch advised that TCB would prepare the balance of the engineering plans and perform construction management services. After a short discussion, Councilmember Cotti made a motion to approve the contract and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

404f.Discuss and consider approval of an agreement with the North405Texas Municipal Water District for funding of the Eastside Pump406Station and take any action necessary.

Julie Couch discussed the background of this item. Councilmember Scott made
 a motion to approve the agreement and Councilmember Straughan seconded the
 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

410

- g. Presentation of the Engineering Department Business Plan and take any action necessary.
- 413 Chuck Todd presented the Engineering Department's Business Plan.

- 414 415
- h. Discuss and consider Animal Adoption Center and Shelter planning
- 416 and take any action necessary.

Julie Couch discussed the background of this item and stated that there would be 417 a cost of approximately \$15,000 - \$21,000 for redesigning the proposed animal 418 adoption center. Couch also stated that the Emergency Services Corporation Is 419 looking at joint projects and has determined that this might be a project they 420 would like to review. After langthy discussion, Councilmember Straughan made 421 a motion directing Staff to work with Quorum Architects for a schematic for a \$1.3 422 million animal adoption center, not to exceed \$21,000. Councilmember Scott 423 seconded the motion and the motion passed unanimously by a vote of 7 ayes and 424 425 0 navs.

426

427 Councilmember Scott than made a motion authorizing the City's Emergency 428 Services Corporation liaisons to work with the Emergency Services Corporation 429 in its research/discovery stage regarding a joint partnership in an animal 430 adoption center, but that City will not spend more than \$1.3 million. Mayor Cecil 431 requested that the motion include that the city will not provide a design. 432 Councilmember Straughan seconded the motion. The motion passed by a vote of 433 6 ayes and 1 nay [Cotti].

- 434
- 435i.Discuss and consider a proposed ordinance regarding homeowner436association rules and regulations and take any action necessary.
- 437 See discussion under Public Rearing Item 6a.
- 438

There being no further business to come before Council in regular session, 440 Mayor Cecil adjourned the meeting into Executive Session at 11:10 p.m.

- 441 442 9. Hold Executive Session under Sections 551.071, 551.072, 551.074 AND 443 551.087 of Texas Government Code to Discuss:
- 444 a. Deliberation regarding the purchase, exchange, lease, or value of
 445 real property.
- 446 b. Personnel Issues, including Board, Commission, and Committee
 447 Appointments, Staff and Related Matters.
- c. Commercial or financial information regarding business prospects
 that the City seeks to have locate, stay, or expand in or near the
 territory of the City of Rockwall and with which the Board is
 conducting economic development negotiations.
- d. City of Rockwall vs. Vester T Hughes, Jr. as sole independent.
 Executor of the Estate of W.W. Caruth, Jr., deceased.
- 454 e. Pursuant to Section 551.071(2) of the Open Meetings Act:
 455 Consultation with attorney with regard to a matter that it is the duty.

- of the attorney to consult with the Council and falls under the 456 attorney-client privilege. 457
- ACTION AS RESULT OF EXECUTIVE SESSION 458
- 459

Councilmember McCallum made a motion to amend the budget to add an 460 Assistant Police Chief position and Councilmember Straughan seconded the 461 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 46Z

- 463 Councilmember Scott made a motion appointing Councilmember Straughan to 464
- the Fire Pension Board and Councilmember King seconded the motion. The 465 motion passed unanimously by a vote of 7 ayes and 0 nays. 466
- 467 There being no further business to come before the Council, Mayor Cecil 468 adjourned the meeting at 11:45 p.m. 469
- 470
- Approved by the City Council of the City of Rockwall, Texas, this 6th day of 471 472 February, 2006.

473

ATTEST: 474 475 476 Secretary 477 Dorothy Brooks, City

ill R. C. William R. Cecil, Mavo



1			MINUTES
2			ROCKWALL CITY COUNCIL
3			February 6, 2006 4:00 p.m. Pre-Council Meeting
4 5			City Hall, 385 S. Goliad, Rockwall, Texas 75087
6			
7 8	1.	CALL	TO ORDER
9 10 11 12 13 14	Cound Also imme	cilmemi present diately :	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecli and bers Bob Cotti, Stephen Straughan, Margo Nielsen, John King and Matt Scott, t were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil adjourned the meeting into Executive Session. Councilmember McCallum joined at approximatoly 5:00 p.m.
15 16 17	2.	HOLO Texas	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF s Government Code to Discuss:
18 19		ā.	Deliberation regarding the purchase, exchange lease, or value of real property.
20 21		Ь.	Personnel Issues, including Board, Commission, and Committee Appointments, Staff and Related Matters.
22 23 24 25		c.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
26 27		d.	City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.
28 29 30		e.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.
31		f.	605 Stonebridge Circle.
32 33 34	3.	Таке	ANY ACTION AS RESULT OF EXECUTIVE SESSION
35	No ac	tion w	as taken as a result of Executive Session.
36 37 38 39 40	TEXA		SED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, 20 th day of February, 2006.
41			William R. Cecil, Mayor
42 43	ATA	ST: GL ALI	O Re La
44	AU	<u>91.00</u>	UL JORD MANNA
45 46 47	Doro	thy Bro	SEAL
	Ferria. Page t	nya 2006	City Courts Minutes

48		MINUTES		
49		ROCKWALL CITY COUNCIL		
49 50		February 6, 2006		
50 51		6:00 p.m. Regular Meeting		
52		City Hall, 385 S. Goliad, Rockwall, Texas 75087		
		City Hail, 565 C. Collec, Kockwail, 18x88 19901		
53 54 55	1.	CALL TO ORDER		
56 57 58 59 60	Coun	r Cocil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and climembers Bob Corti, Stephan Straughan, Margo Nielsen, John King and Matt Scott. climember Tim McCallum was absent. Also present were City Manager Julie Couch and ttorney Pete Eckert.		
60 61 62	2.	INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCIL MEMBER STEPHEN STRAUGHAN		
63 64	З.	PROCLAMATIONS/RECOGNITIONS		
65 66 67		a. Mayor Cecil read the Black History Month proclamation that he will present at the Rosa Parks event later in the month.		
68 69	4.	OPEN FORUM		
70	Mayo	r Cecil opened the floor to the public and the following persons came forward to		
71 72		ss the Council:		
73		Thomas Conley		
74		806 E. Healh		
75		Spoke about the construction and problem with traffic on Clark Street at		
76 77		Dobbs Elementary and requested that the police be there to direct traffic and ease the congestion caused by the construction.		
78				
79		Rick Crowley and Julie Couch discussed the actions being taken to help		
80		the traffic at Dobbs.		
81				
82		Terry Raulston		
83		141 Summerhill		
84 ⇔=		Spoke regarding political signs. Raulston stated that the candidates need to the follow the rules and that the City needs to maintain the rules – not		
85 80		-		
86		change them.		
87 88		Thom Bouis		
89		P. O. Box 1614		
90		Stated that there are too many political signs and that the City looks trashy.		
91 91				
92	There	being no one further to address the Council, Mayor Cecil closed the Open Forum		

93 portion of the meeting.

95 5. CONSENT AGENDA

<u>64</u>

96

97

88

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- a. Consider approval of the Minutes from the January 17, 2006 City Council Meeting and take any action necessary.
- b. Consider approval of an Ordinance amending the Sign Code with regard to political signs and take any action necessary. [2rd Reading]
- c. Z2005-041 Consider approval of an Ordinance for a request by Scott
 and Andrea Gunderson for approval of a Specific Use Permit (SUP)
 allowing for an accessory building/detached garage exceeding The
 maximum size requirement of 1250-st at their property at 241 Willowcrest
 Lane, 'ocated on 1,ot 26, Block A. Willowcrest Estates and zoned (SF E(1.5) Single Family Estate district and take any action necessary.
 107 [2rd Reading]
- 108109d.AM2006-001 -- Consider approval of an Ordinance for a city initiated110amendment to the City of Rockwall Code of Ordinances Subdivision111Regulations Chapter 24 Amending Section 24-10 Miscellaneous112Requirements, specifically to add a new Subsection (p), Review of113Homeowners Association (HOA) documents and take any action114necessary, [2nd Reading]
 - e. Consider approval of a **Resolution** further abating the show cause action and ratifying the settlement agreement between the Steering Committee of Citles Served by TXU and TXU Electric Delivery and take any action necessary.
 - f. Consider approval of a **Resolution** calling a General Election to be held on Saturday, May 13, 2006, for the purpose of electing three (3) Councilmembers, one (1) each for Places 2, 4, and 6 and take any action necessary.
 - g. Consider approval of the purchase of Sky Watch and Truck and take any action necessary.
- 128129h.P2006-001 -- Consider a request by Scan Flaherty of The Waltace Group,130Inc., for approval of a replat of Lots 1 and 4, Block A. Rockwall Crossing131Addition, being a 23.454-acre tract zoned (C) Commercial and located132along the south side of Interstate 30, and take any action necessary.
- i. P2006-004 -- Consider a request by Stacy Standridge of Quail Run
 Partners, Ltd. for approval of a final plat of Lots 1 and 2, Block 1, Snops
 at Ridge Creck Addition, being 3 141-acres zoned (PD-3) Planned
 Development No 3 District and designated for General Retail uses, and
 situated at the northwest corner of Ridge Road West and SR 205 (N.
 Goliad), and take any action necessary.
- 14"j.Consider approval of a Resolution authorizing the Mayor to execute the142North Texas Municipal Water District Water Facilities Installment Sale

143		Contract (City of Rockwall Pump Station Project) and take any action
144		necessary.
145		
145	k .	Consider approval of the award of the bid for Worte Hills Drive
147		Reconstruction and take any action necessary.
148		Consider energy of the work of the big for Summer Lop Extension East
149	l.	Consider approval of the award of the bid for Summer Lee Extension East
150		and take any action necessary.
151 152	m .	Consider approval of the award of the bid for the FM-3097 Sanitary
153	L11.	Sewer Improvements and take any action necessary.
154		Souther and the state and the state of a state of the souther of the state of the s
155	n.	Consider approval of the award of the bio for reconstruction of Townsend
156		Drive Phase 1 from IR-30 service road to Justin and Yellow Jacket from
157		SH205 to Townsond Drive and take any action necessary.
158		
159	Councilmem	ber Scott requested that Consent Agenda Items 5d and 5e be pulled.
160	Councilmem	ber Straughan made a motion to approve the remaining items and
161	Councilmem	ber Nielsen seconded the motion. The ordinances were read as follows:
162		
163		ORDINANCE NO. <u>06-08</u>
164 165 166	AN ORI	DIMANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE SIGN
165 167	ORDINA	ANCE IN SECTION UI, B. FUNCTIONAL STANDARDS, 13. POLITICAL SIGNS AND TABLE II ONAL STANDARDS, PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF
168	TWO TH	IOUSAND COLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE:
169	PROVID	ING A REPEALER CLAUSE, PROVIDING AN EFFECTIVE DATE (2" Reading)
169 170 171		ORDINANCE NO. 06-07
172 1 <u>7</u> 3	ML 00	DINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, YEXAS, AMENDING THE
174	UNIFIED	DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SD
175 176	AS TO	GRANT & SPECIFIC USE PERMIT WITHIN THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT ING FOR A DETACHED GARAGE EXCEEDING THE MAXIMUM SIZE REQUIREMENT. ON A
177	TRACT	LOCATED AT 241 WILLOWCREST LANE, BEING LOT 25, BLOCK A, WILLOWCREST ESTATES
178 179		DN, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO D THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, PROVIDING FOR
180	A SEVE	RABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE
181	DATE.	(2" Reading)
182		
183	i he m ot ion j	passed by a vote of 6 ayes and 1 absent [McCallum].
184 185	Councilmon	ber Scott stated that he pulled Consent Agenda item 5d so that the
185	ordinance er	ould be amended to provide that citizens are made aware of an HOA before
187	the close on	the property. Councilmember Niclsen seconded the motion. City Attorney
188	Eckert reque	ested that they just table the matter for two weeks so that the change could
189	be made. It	would not be considered a substantial change, so the second reading of the
190	ordinance ca	an take place at the next meeting. Councilmember Scott amended his motion
191	to table the r	matter to the next meeting and Councilmember Nielsen amended her second.
		passed by a vote of 6 ayes and 1 absent [McCallum]
192	The motion [hassed by a vole of playes and it assert [movement]
193	-	
193 194	Çouncilmem	ber Scott asked for more information with regard to Consent Agenda item
193 194 195	Councilmem Se. Joey Bo	ber Scott asked for more information with regard to Consent Agenda item yd, Assistant to the City Manager, discussed the background. City Attorney
193 194	Councilmem Se. Joey Bo Pete Eckeri	ber Scott asked for more information with regard to Consent Agenda item

198 199 200	Cotti seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [McCailum].			
201	6. APPOINTMENTS			
202 203 204 205	 Appointment with Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any necessary action. 			
206 207 208 209 210 211	Greg Burgamy of the Planning and Zoning Commission discussed the planning and zoning items on tonight's agenda.			
	b. Consider a request from Michael Baldwin with TXU Electric Delivery for a request for the extension of overnead distribution lines in certain areas of the City of Rockwall and take any action necessary.			
212 213 214 215 216 217	Michael Baldwin, Area Manager with TXU, discussed the variances he was requesting. After discussion, Counclimember Scott made a motion to table the matter to the next meeting to allow Baldwin more time to bring the back the figures on how much it would cost to place the utilities underground. Councilmember Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [McCallum].			
218 219	 Appointment with Omega Hawkins of Kaufman Area Rural Transil and take any action necessary. 			
220 221 222 223 224	Omega Hawkins addressed the Council and requested funding. After discussion, Councilmember Cotti made a motion that the City enter into a contract with KART not to exceed the sum of \$20,000 per year. Councilmember Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [McCallum].			
225 226	d. Appointment with Kevin Allen of Charter regarding status of HDTV and DVR services.			
227 228	Diane Montgomery and Kevin Allen of Charter addressed the Council regarding HDTV and DVR services that will be available to Rockwall customers beginning March 27, 2008.			
229 230 231	 Appointment with Margie Hooper of The Champer regarding hotel/motel tax. 			
232 233 234 235 236	Margie Hooper of The Chamber gave a status report on the hotel/motel funds the Chamber received.			
	f. Consider a request from Care. Crow for approval of a waiver of sidewalk requirements for 506 Kernocle Street and take any action necessary.			
237 238 239 240 241 242 243 244 245	James Crow addressed the Council and requested a waiver of the sidewalk requirement and escrow of funds. Robert LaCroix discussed the background of the request and stated that Staff recommended that the escrow funds be paid. After short discussion, Councilmember Cotti made a motion to waive the sidewalk requirements and the escrow of funds. Councilmember Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [McCallum]. 7. SITE PLANS/PLATS			

- P2005-011 -- Discuss and consider a request from Jason Pargle of 246 а. Kimley-Horn & Associates for approval of a preliminary plat of Nelson 247 Lake Addition, a 121.2-acre tract comprised of 106 single-family 248 residential tots (104.8-acres) and one lot designated for "NS" 249 Neighborhood Services uses (16.4-acres). The subject property is localed 250 at the southeast comer of FM 1141 and FM 552, and currently described 251as Tract 2, Abstract 88, J.M. Gass Survey, and take any action 252 necessary. 253
- 254

Robert LaCrolx discussed the background of this item. The owner of the property, Rob Whittle, addressed the Council and requested that the Council approve the preliminary plat. Councilmember Straughan made a motion to approve the request and instructed Staff to work with Whittle and enter into a facilities contract. Councilmember Cotti seconded the motion and the motion passed by a vote of 6 ayes and 1 absent (McCallum).

262 8, ACTION ITEMS

a.

263

261

264 265 Discuss and consider proposed public information program and take any action necessary.

Rick Crowley, Assistant City Manager, discussed the program to improve communication with the citizens and talked about what the City has done in the past. Judy Evans gave a brief report on the public information plan and stated that it needed to be consistent. Mary Smith gave a report on the website. Shari Callahan discussed the newsletter/brochure. Julie Couch talked about the logo and the updating of the logo. Councilmember Cotti made a motion to move forward with this project and Mayor Cecil seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [McCallum].

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b. Discuss and consider approval of a resolution amending the City's Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code and take any action necessary.

Julie Couch discussed the background of Lake Rockwall estates. Robert LaCroix laiked 277 about the plan and schedule. Mary Smith talked about the costs involved. Jeffrey 278Widmer talked about Code Enforcement oversight of the area. Councilmember Tim 279 McCallum joined the meeting. After lengthy discussion, Councilmember Nielsen made a 280 motion to accept the annexation plan for both pieces of Lake Rockwall Estates and that a 281 Subcommittee be formed to work with other organizations to address the problems in the 282 area. Nielsen stated that this is truly a "neighborhood revitalization" in the grandest 283sense and we should find funding to mitigate the \$16 million+ It is going to take to bring. 284 the area up to City standards. Councilmember Cotti seconded the motion and the motion 295 passed unanimously by a vote of 7 ayes and 0 nays. 286

- 287
- 288c.Discuss and consider adopting an ordinance that (a) provides the289Rockwal: Police Department the authority, and/or (b) expresses the policy290of the City of Rockwal to tow any automobile driven by an individual who291is unable to provide proof of insurance according to state law and take292any action necessary

293 Councilmember Scott stated that he had placed this item on the agenda and had spoken 294 to Police Chief Mark Moeller about it. Chief Moeller talked about the need for officer discretion and that in order for this type of policy to work, officer discretion is absolutely necessary. After discussion, Councilmember Scott made a motion that a resolution be brought back to the Council at the next meeting to approve a policy that will be prepared by Chief Moeller on the towing of vehicles if the owners do not have insurance. The policy will provide that the officer will have final discretion without review. Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 30Z
- 303 d. Hear Council Subcommittee report on agenda management and take any 304 action necessary.

Each member of the Subcommittee spoke regarding the management of the agenda. After discussion, Councilmember Cotti made a motion to accept the Subcommittee's recommendations and Councilmember Nielsen seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Bypass overpass and take any action necessary

Julie Couch discussed the various funding options and stated that the County needed to act next week. After discussion, Mayor Cecil made a motion to ask the County to reallocate funds from FM\$49 to this project and Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

316 317 f. Discuss status of the 1-30 overpass design and lake any action 318 necessary.

Julie Couch discussed the design and the molds. Councilmember Cotti stated that we should have a consistent theme and made a motion to accept the design so that the molds could be ordered now. Councilmember Nielsen seconded the motion. The motion passed by a vote of 5 ayes and 2 nays (Straughan and Scott).

323 324

325

g. Discuss and Consider the Purchase of Centralized Impation Management System and take any action necessary.

Brad Griggs, Parks Director, discussed the irrigation system and stated that it would save 35% of the water we currently use. This is a water conservation effort and payment for it would come from the water fund. Councilmember Cotti made a motion to approve the preparation of the bid documents. Councilmember Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

- 331
- h. Discuss and consider adopting an ordinance or resolution, whichever is appropriate, that sets forth the policy that the City of Rockwall's code enforcement officers will not remove political yard signs from an individual's yard if the sign is in the City's right-of-way and take any action necessary

Councilmember Scott stated that he had placed this item on the agenda. After discussion, Councilmember Cottl made a motion to direct staff to implement a departmental policy to place door hangers on residential properties notifying them of the City's requirements with respect to the placement of signs (this is not limited to political signs). The sign will not be removed so long as it is not creating a public hazard. 342 Gouncilmember Scott seconded the motion and the motion passed unanimously by a 343 vote of 7 ayes and 0 nays.

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345 9. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 346 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

- 348 a. Departmental Reports
- 349 b. City Manager's Report
- 350 (1) Police Chief Mark Moeller will report on:
- 351

- The Holiday Crime Initiative
- The 3-year Index Onme Comparison

Police Chief Mark Moeller gave his reports on the Holiday Grime Initiative and the 3-year Index Crime Comparison. Fire Chief Mark Poindexter gave an update on recruitment. Councilmember Straughan requested that Fire Department Volunteers and Staffing be placed on the next executive session meeting.

357
 358 There being no further business to come before the Council, Mayor Cecil adjourned the
 359 meeting at 11:21 p.m.

360 361 APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 362 20th day of February, 2006.

William R. Cecil, Mayor

 365

 366
 ATTEST:

 367
 Withy Brooks

 368
 Outhy Brooks

 269
 Dorothy Brooks

269 370



-			MINUTES			
2	ROCKWALL CITY COUNCIL					
3		February 20, 2006				
4			4:00 p.m. Pre-Gouncil Meeting			
5 6			City Hall, 385 S. Goliad, Rockwall, Texas 75087			
7						
8 9	1.	CALL	TO ÖRDER			
10 11 12 13 14 15	Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cacil and Councilmembers Margo Nielsen, John King and Matt Scott. Councilmembers Bob Cotti, Stephen Straughan and Tim McCallum were absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cacil immediately adjourned the meeting into Executive Session.					
16 17	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF IS GOVERNMENT CODE TO DISCUSS.			
18 19		ą .	Deliberation regarding the purchase, exchange, lease, or value of real property.			
20 21		þ.	Personnel: Issues, including Board, Commission, and Committee Appointments, and Related Matters			
22 23 24 25		C.	Commercial or financial efformation regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.			
26 27 28		d,	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and fails under the attorney-divid privilege.			
29		e.	605 Stonebridge Circle			
30 31	3.	Таке	ANY ACTION AS RESULT OF EXECUTIVE SESSION			
32 33	No action was taken as result of Executive Session.					
34 35 36	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this day of day of, 2006.					
37 38 39			William R. Cecil, Mayor			
40 41 42 43 44 45		ST: DU thy Bro	Doks City Secretary			
	Ferrus	v: ,	SEAL SEAL			

46			MINUTES	
47	ROCKWALL CITY COUNCIL			
48			February 20, 2006	
49			6:00 p.m. Regular Meeting	
50 51			City Hall, 365 S. Goliad, Rockwall, Texas 75087	
51 52	1.	CALL T	O ORDER	
53 54 55 56 57 58	Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cocil and Councilmembers Margo Nielsen, John King and Matt Scott. Councilmembers Bob Cotti, Stephen Straughan and Tim McCallum were absent. Also present were City Manager Julie Couch and City Altomey Pate Eckert.			
59 60 6 1	2.	INVOCA	TION AND PLEDGE OF ALLEGIANCE - MAYOR BILL CECIL	
51 62 63	3.	PROCL	AMATIONS/RECOGNITIONS	
64		a.	Youth Council Week	
The following Youth Advisory Council Members were present to receive the proclamation: Sabrina Rasor, Tommy Griswold, Kachi Amajor, Elten Morgan, Courtney Powell, Annmarle Olind, Austin Staubus, and Justin Corneau. Sean Mehl was unable to attend tonight's meeting.				
70		b .	Presentation by Laura Lantrip of TML Risk Pool	
71 72	Laura Lantrip of the Texas Municipal League Risk Pool presented the City with a check for over \$12,000 as a refund of contributions.			
73 74	4.	CONSE	ITEMS	
75 76 77		а.	Consider approval of the <i>Minutes</i> from the February 6, 2006 City Council Mooting and take any action necessary	
78 79 80 81 82 33		b.	AM2006-001 - Consider approval of an Ordinance for a city initiated amendment to the City of Rockwall Code of Ordinances - Subdivision Regulations - Chapter 24 - Amending Section 24-10 Miscellaneous Requirements, specifically to add a new Subsection (p), Review of Homeowners Association (HOA) documents and take any action necessary. [2 rd Reading]	
34 85 8 6 87		c.	Consider adopting a Resolution approving a policy by the Rockwall Police Department to fow any automobile driven by an individual who is unable to provide proof of insurance according to state, aw and take any action necessary	
88 89 90 91		d.	Consider approval of a <i>Resolution</i> supporting public transponation in the City of Rockwall, requesting the release of funds appropriated for transportation services in the City of Rockwall and take any action necessary	

- Consider approval of the recommendation from the Park Board to 92 **e**. authorize the City Manager to enter into an agreement with the Dailas. 93 Off-Read Bike Association (DOBRA) and take any action necessary. 94 Consider approval of the recommondation from the Park Board to 95 f. authorize the City Manager to entor into an agreement with Youth Sport. 96 Organizations and take any action necessary. 97 Consider approval of the recommendation from the Park Board regarding. 98 g. eligibility criteria for participation in Youth Sports programs and take any 99 action necessary. 100 Consider authorizing the City Manager to execute a contract for lighting. 101 h. on North Lakeshore and take any action necessary. 102 Consider approval of the contract for the 2006 Hazardous Waste Day and 103 ī. take any action necessary. 104 Consider authorizing the City to join the Public Employee Benefit Asiance. 105 j. and take any action necessary. 108 Consider approval of a Resolution approving the Local Transportation. 107 k. Project Advance Funding Agreement and take any action necessary. 108 Consider approval of the purchase of the centralized integation equipment. 109 ١. through the buy board and take any action necessary. 110 Consider approval of the renewal of the contract with TIBH for littler ortk. 111 m. up in the right of way and take any action necessary. 112 Consider approval of the renewal of the contract with Three D Mowing for 113 п. right of way moving services and take any action necessary. 114 Consider approval of the renewal of the grounds maintenance contract. 115 ο, with Lakeshore Lawn and take any action necessary. 116 Councilmember Nielsen requested that Consent Agenda item 4b be pulled. 117 Councilmember Scott requested that Consent Agenda item 4c be pulled and Mayor Cecil 118 requested that Consent Agenda item 4m be pulled. Councilmember King made a motion 119 to approve the romaining items (a, d, e, f, g, h, i, j, k, l, n, and o) and Councilmember Scott °20 seconded the motion. The motion passed by a vote of 4 ayes and 3 absent [Cotti, 121 122 Straughan and McCallum]. :23 Councilmember Nielsen stated that she pulled Consent Agenda item 4b because she :24 wants more language regarding the posting of signs for all subdivisions with regard to **^**25 HOA's. Councilmember King made a motion to table the item to the next meeting and 126Councilmember Scott seconded the motion. The motion passed by a vote of 4 ayes and :27 3 absent (Cotti, Straughan and McCallum). 128 129Councilmember Scott stated that he pulled Consent Agenda item 4c to request that Chief 130 Moeller make some minor revisions to the policy and so that Chief Moeller could discuss 131
- for public edification what the policy entails. Chief Moeller discussed the details of the new policy for towing if insurance coverage could not be proved. Councilmember Scott then made a motion to approve the Resolution and Councilmember Nielsen seconded the motion. The motion passed by a vote of 4 ayes and 3 absent [Cotti, Straughan and
- '36 McCallum].

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Mayor Cecil stated that he was in favor of the contract the contract with TIBH for litter 129 pick up in the right of way, but wanted to know if it included the entire downtown area. 139 Assistant City Manager Rick Crowley stated that the contract did not include the entire 140 downtown area, but that he would work with the contractor to on a price for this service. :41 Mayor Cecil then made a motion to approve the contract with the understanding that the 142 Council will review later the cost to include the entire downtown area. Councilmember 143 Scott seconded the motion and the motion passed by a vote of 4 ayes and 3 absent 144 (Cotti, Straughan and McCallum]-145

146 147 5. APPOINTMENTS

 149
 a.
 Appointment with Planning and Zoning Chairman to discuss and answer

 150
 any questions regarding cases on the agenda and related issues and

 151
 take any necessary action.

152 Greg Burgamy of the Planning and Zoning Commission came forward to address the 153 Council. Burgamy stated that he had no remarks on tonight's planning and zoning items.

154
155 b. Appointment with Mark Spencer of MHS Planning and Cesign to discuss
156 and consider neighborhood park designs for the neighborhood park
157 located in Park District #2 and the park at Fox Chase and take any action
158 necessary.

Mark Spencer of MHS Planning and Design gave a power point presentation on the plans for the neighborhood park located in Park District #2 and the park at Fox Chase. Councilmember Stephen Straughan joined the meeting during the presentation. After a short discussion, Councilmember Scott made a motion to proceed with the design and construction of both parks and Councilmember King seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Cotti and McCallum].

165
 166
 appointment with representatives from the North Texas Municipa: Water 167
 District to discuss water conservation measures and with Tony Santoro to discuss the City's drought management/water conservation plan and take 169
 any action necessary.

170 Mike Brickman of the North Texas Municipal Water District gave a power point 171 presentation on Drought Contingency and Water Supply. Councilmember Scott 172 requested that once the NTMDW completes its model on worse case scenarios, that they 173 come back and give a presentation to the Council on those scenarios. Tony Santoro of 174 the Rockwall Fire Department then gave an update on the local efforts toward water 175 conservation.

176
 177 d. Appointment with Police Chief Mark Moeller to discuss racial prefiling report and take any action necessary.

179 Chief Moeller presented his racial profiling report and stated that there had been no 180 complaints received regarding racial profiling.

- 181
- e. Appointment with Mary Smith regarding an additional funding request by Margie Hopper of The Chamber and take any action necessary.

184 Mary Smith discussed the request by The Chamber for additional funds and stated that 185 the hotel/motel fund subcommittee had reviewed the requested and makes a positive recommendation to approve the funding. Councilmember Nielsen made a motion to
 approve the funding of \$10,508 and Councilmember Straughan seconded the motion.
 The motion passed by a vote of 5 ayes and 2 absent [Cotti and McCallum].

190 6. PUBLIC HEARING

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191192a.P2006-002 -- Hold a public hearing and consider a request by John193Burpee for approval of a residential replat of Lots 3 and 4. Block A. The194Oaks of Buffalo Way Phase II, being 3.62-acres zoned (PD-51) Planned195Development No. 51 Distoct and located at 1865 Broken Lance Lane, and196Take any action necessary.

197 Robert LaCroix, Planning Director, discussed the background of this item and stated that 198 the Planning and Zoning Commission had recommended approval. Mayor Cecil opened 199 the public hearing and the following persons came forward to address the Council: 200

201 John Burpee, Applicant

Mr. Burpee requested that the Council approve his request.

There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember Scott made a motion to approve the request and Mayor Cecil seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Cotti and McCallum].

- 209 7. SITE PLANS / PLATS
- a. P2006-003 Discuss a request by Normal Morris of Country Day
 Montessori School for approval of a preliminary plat of Lot 1 Block 1,
 Country Day School Addition, being 1.10-acres zoned (PO-60) Planned
 Development No. 60 District and located along the northeast side of Mims
 Rd southeast of Ralph Hall Parkway and take any action necessary.

Robert LaCroix discussed the request by Norma Morris for approval of a preliminary plat and advised that the Planning and Zoning Commission had recommended approval with the condition that the dumpster be moved to the back. Councilmember King made a motion to approve the request with Staff conditions and Councilmember Straughan seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Cotti and McGallum].

- 223 8. ACTION ITEMS 224
- 225
 a.
 Discuss and consider a request from Michael Baldwin with TXU Electric

 226
 Delivery for a request for the extension of overhead distribution lines in certain areas of the City of Rockwall and lake any action necessary

Couch met with the TXU Julie Couch discussed the background of this item. 228 representative and identified what they think is a better solution to the I-30 location. The 229 City owns property that extends from Lakefront Trail to the public street that provides. 230 access to the Cedar Grove church off of Horizon Road. If the lines are run overhead 231along this road and through the City's property, the lines could be placed underground at 232 the time the City or others develop the property. Because of casement issues, it is not 233 recommended that the lines along White Road be placed underground. Councilmember 234Straughan made a motion to approve the plan as presented and Councilmember Nielsen 235

236 seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Cotti and 237 McCallum].

- 238
- b. Consider a request from Tony Sisk to discuss and present the Evergreen at Rockwall project and discuss the City resolution regarding the project timanoing, and for approval of a *Resolution* for Rockwall Senior Community, LP to act on behalf of the City of Rockwall in applying for 243 TDHCA HOME funds for Evergreen at Rockwall Senior Apartment Community and take any action necessary.

Tony Sisk of Churchill Residential located in Las Colinas gave a power point 245 presentation on the proposed Evergreen project. This request is strictly to allow them to 246 apply for financing; it is not a development request. Sisk advised that it will not be 247 subsidized housing. City Attorney Eckert suggested that language be added to the 248 Resolution stating that adoption of this resolution is not to be considered or construed 249 as a waiver of the requirements of the Unified Development Code for any purpose. 250 Councilmember Scott requested that the Council break for a short Executive Session 251 discussion. After clarifying with the City Attorney that said discussion was authorized, 252 Mayor Cecil adjourned the meeting into Executive Session at 8:19 p.m. 253

- 254
 255 Mayor Cecil adjourned the meeting back into regular session at approximately 8:23 p.m.
 256 Councilmember Nielsen made a motion to approve the Resolution with the recommended
 257 revision and Councilmember King seconded the motion. The motion failed by a vote of 2
 258 aves (King and Nielsen) and 3 nays (Scott, Cecil and Straughan).
- 259
 c.
 Discuss and consider the Park Board recommendation regarding the last maning the park within Park District #2 and take any action necessary

Brad Griggs, Parks Director, discussed the background of this item. Councilmember Scott made a motion to table the Item until the Councilmember Facilities Naming Subcommittee could be formed and meet to make recommendations. Mayor Cecil seconded the motion and the motion passed by a vote of 5 ayes and 2 absent [Cottl and McCallum].

268 d. Status update regarding the animal adoption center redesign and take.
 269 any action necessary.

Jeffrey Widmer, Director of Animal Services, discussed the status of the redesign and
 status of the ECS subcommittee of which we are a member. No Council discussion
 ensued.

273
 274 e. Discuss and consider authorizing the City Manager to enter into a contract with Atmos Gas for the reposition of a gas pipeline for the 205 276
 Bypass and take any action necessary.

Julie Couch discussed the background of this item. The relocation will be paid for as follows: 1/3 by the City: 1/3 by Cambridge Properties; and 1/3 by Atmos. Atmos does not want a three-party agreement, so the City will obtain the funds from Cambridge and then enter into an agreement with Atmos. Councilmember King made a motion authorizing the City Manager to enter into an agreement with Atmos Gas and Councilmember Nielsen seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [Cotti and McCallum].

284

There being no further business to come before the Council in regular session, Mayor 285Cecil adjourned the meeting into Executive Session at 8:41 p.m. 285 287

- HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF **g**. 285 TEXAS GOVERNMENT CODE TO DISCUSS: 289
- Deliberation regarding the purchase, exchange, lease, or value of reat-290 а. 291 property.
- Personnel Issues, including Board, Commission, and Committee 292 b. Appointments, and Related Mallers. 293
- Commercial or financial information regarding business prospects that the 294 Ç., City seeks to have locate, stay, or expand in or near the territory of the 295 City of Rockwail and with which the Board is conducting economic 296 development regotiations 297
- Pursuant to Section 551.071(2) of the Open Meelings Act: Consultation 298 **d**. with attorney with regard to a matter that it is the duty of the attorney to 299 consult with the Council and falls under the attorney-client privilege. 300
- 605 Stonebridge Circle. 301 ė.

302 303 10. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION.

304 A Facilities Naming Subcommittee was formed and will consist of John King, Bill Cecil 30**5** and Matt Scott. 306

307 There being no further business to come before the Council, Mayor Cecil adjourned the 308 meeting at approximately 11:00 p.m. 309

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ______ day of ______, 2006.

Carl

William R. Cecil, Mayor

316 317 ATTEST 315 319 320

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Brook≰ City Secretary



1			AGENDA			
2	ROCKWALL CITY COUNCIL					
3		March 6, 2006				
4			4:00 p.m. Pre-Council Meeting			
5			City Hall, 385 S. Gollad, Rockwall, Texas 75087			
5 6 7						
8 9	1.	GALL	TO ORDER			
10 11 12 13 14	Cour Scott Cour	Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Margo Nielsen, John King and Matt Scott. Councilmember Tim McCallum was absent. Also present were City Manager Julic Couch and City Altorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.				
15 16 17	2.		D EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF AS GOVERNMENT CODE TO DISCUSS			
18 19		a.	Deliberation regarding the purchase, exchange, lease, or value of real property.			
20 21		b .	Personnel Issues, including Board, Commission, and Committee Appointments, and Rolated Matters.			
22 23 24 25		с.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.			
26 27 28		d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege			
29 30 31	3.	ΤΑΚΕ	ANY ACTION AS RESULT OF EXECUTIVE SESSION			
32 33 34 35	Attor	ney to	il unanimously approved a resolution authorizing the City Manager and City initiate the process to acquire the right of way for essential road construction fownsend Drive and Justin Road.			
36 37 38	TEXA	PAS: ∖S, thi≤	SED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,			
39 40			William R. Cecil, Mayor			
41 42 43		ST: O'LO	they Grooks			
44 45 46	Doro	thy Bro	Course Monages			
	March / Page 1	2 2080-r Q	Ty Course Months and Annual Statements			
144 P2006-005 -- Consider a request by George Schuler of Schuler g. Development for approval of an amonded pretiminary plat of Horizon. 145 Ridge Center-North, being a 38,16-acre tract zoned (PD-9) Planned 146 147 Development No. 9 District and located along Horizon Rd (FM 3397). 148 south of Rockwail Parkway and east of Summer Lee Drive, and take any 149 action necessary. 150 h. P2006-006 -- Consider a request by George Schuler of Schuler Development for approval of a preliminary plat of Honzon Ridge Center-151 152 South, being a 35,86-acre tract zoned (PD-9) Planned Development No. 153 9 District and located along the southwest side of Horizon Rd (FM 3097). south of Tubbs Rd, and take any action necessary. 154 155 i Discuss and consider approval of an Ordinance amending the Code of Ordinance regarding display of house numbers on residential property. 156 and take any action necessary. [1" Reading] 157 158 Consider approval of a Resolution requiring the use of al least one ĥ. 159 accessible voting system in each politing place and take any action 160 necessary. 161 k. Consider approval of the purchase of a Motor Grade: and take any action 162 necessary. 163 164 Councilmember Cotti requested that Consent Agenda Items 5a and 5i be pulled. 165 Councilmember Nielsen requested that Consent Agenda Item 5d be pulled. Councilmember Scott requested that Consent Agenda items 5g and 5h be pulled. 166 167 Councilmember Cotti then made a motion to approve the remaining Consent Agenda 168 Items (b, c, e, f, j and k) and Councilmember King seconded the motion. The ordinance 169 was read as follows: 170 171 ORDINANCE NO. 06-09 172 173 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 174 AMENDING THE SUBDIVISION REGULATIONS, CHAPTER 24 OF THE CITY OF 175 ROCKWALL CODE OF ORDINANCES, SECTION MISCELLANEOUS 24-1D 176 REQUIREMENTS, SPECIFICALLY TO ADD A NEW SUBSECTION (p) REVIEW OF 177 HOMEOWNERS ASSOCIATION (ROA) DOCUMENTS AND SUBSECTION tal. 178 REQUIREMENT FOR DEVELOPMENT SIGN DISPLAYING AVAILABLITY OF 179 HOMEOWNER'S ASSOCIATION DOCUMENTS: PROVIDING FOR SPECIAL CONDITIONS; 180 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FWO THOUSAND 181 182 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN EFFECTIVE 183 DATE: (21 Reading) 184 185 The motion passed by a vote of 6 ayes and 1 absent [McCallum]. 186 187 Mayor Cecil made a motion to approve Consent Agenda Item 5a and Councilmember 188 Straughan seconded the motion. The motion passed by a vote of 5 ayes, 1 abstain 189 [Cotti], and 1 absent [McCallum]. 190 191 Councilmember Cotti stated that he pulled Consent Agenda Item 5i because he could not 192 support it. Jeffrey Widmer, Building Official, discussed the background of the request. 193 After a short discussion, Councilmember Scott made a motion to deny the request and

194 Councilmember Straughan seconded the motion. The motion to deny passed by a vote 195 of 6 ayes and 1 absent [McCallum].

196

197 Councilmember Nielsen asked for clarification with regard to Consent Agenda Item 5d.
 198 Jeffrey Widmer discussed the background of the request. Councilmember Nielsen then
 199 made a motion to approve the ordinance and Councilmember Cotti seconded the motion.
 203 The ordinance was read as follows:

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS: ARTICLE IX. FENCES; PROVIDING FOR A PENALTY OF A FINE OF TWO THOUSAND DOLLARS (\$2,000,00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1] Reading]

The motion passed by a vote of 6 ayes and 1 absent [McCallum].

With regard to Consent Agenda items 5g and 5h, Councilmember Scott stated that he pulled those items so he could let the public know that the Council has been working on the project for some time, but certain restrictions were in place where it could not be announced to the public. Scott stated that he wanted the public to know that the Council is not rushing this project through. Councilmember Scott then made a motion to approve Consent Agenda Items 5g and 5h and Councilmember Cotti seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [McCallum].

221 6. APPOINTMENTS

223a.Appointment with Planning and Zoning Chairman to discuss and answer224any questions regarding cases on the agonda and related issues and225take any necessary action.

Phillip Herbst, Planning and Zoning Chairman, addressed the Council on the planning
 and zoning items on lonight's agenda.

 b. Appointment with Raymond Turce & Associates for final report on orizon's survey.

Ray Turco gave a short power point presentation on the 2005 Citizen's Survey. 232

- 233 7. SITE PLANS/PLATS 234
- 235a.SP2006-001-- Discuss and consider a request by Elizabeth Holser of F &236S. Partners Architects for approval of building elevations for Phase 2 of237The First United Methodist Church, including a request for special238exceptions to the Unit ed Development Code's requirements for building239articulation (Article V, Section 4.1 C) and mechanical equipment240screening (Article V, Section 1.5), and take any action necessary.

Robert LaCroix, Planning Director, discussed the background of this item.
 Councilmember Cotti made a motion to approve the request and Councilmember Scott
 seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [McCallum].

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- 5 8. ACTION ITEMS
- 247 a. Nostems.
- 249 9. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 250 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 252 a. Departmental Reports
- 253 b. City Manager's Roport
- 254 Julie Couch gave a short status report on the radio system.

There being no further action to come before the Council, Mayor Cecil adjourned the
 meeting at 7:12 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2011 day of 2010 day of 2010 day. 2006.

idin R. Curil

William R. Cecil, Mayor

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ATTES

Dorothy

Dorothy Brooks, City Secretary



:		MINUTES			
2		ROCKWALL CITY COUNCIL			
3		March 20, 2006			
4		3:00 p.m. Work Session			
5		City Hall, 385 S. Gollad, Rockwall, Texas 75087			
Б 7					
ני 8 5	1. ÇA	LL TO ORDER			
10	Mayor Ce	cil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and			
11	Councilm	embers Bob Cotti, Stephen Straughan, Margo Nielsen, and Matt Scott.			
12 13		embers John King and Tim McCallum were absent. Also present were City Julie Couch and City Attorney Pete Eckert.			
14	•				
15	2. Họi	LD WORK SESSION TO DISCUSS:			
16 17	А.	STORM WATER DETENTION POLICIES			
18					
19 20	₿.	ARCHITECTURAL STANDARDS			
21 22 23		was taken by the Council during this work session. The work session at 4:00 p.m.			
24 24 25		SSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.			
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27 28		Willio R. Cuil			
29		William R. Cecil, Mayor			
30	AT TEST:	2			
31	AL AL	M Kenter			
32	1000	sthut tooks			
33	Dorothy B	rooks, pity Secretary			
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Succession in the state of the

37			MINUTES		
38	ROCKWALL CITY COUNCIL				
39	March 20, 2006				
40			4:00 p.m. Pre-Council Meeting		
41			City Hall, 385 S. Goliad, Rockwall, Texas 75087		
42					
43					
44	1.	CALL	YOORDER		
45					
46	Mayo	r Cecil	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and		
47	Count	cilmem	bers Bob Cotti, Stephen Straughan, Margo Nielsen, and Matt Scott. bers John King and Tim McCallum were absent. Also present were City		
48 49	Mana	cernem cer lui	ie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned		
49 50			Into Executive Session.		
51		9			
52 53	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF		
54 55		а.	Deliberation regarding the purchase, exchange, lease, or value of real property.		
56 57		Ь.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.		
58		c.	Commercial or financial information regarding business prospects that the		
56			City seeks to have locate, stay, or expand in or near the territory of the		
60			City of Rockwall and with which the Board is conducting economic		
61			development negotiations.		
62 63		q′	City of Rockwall vs. Vester T Hughes. Jr. as sole independent Executor of the Estate of W.W. Caruth. Jr., deceased.		
64		ę.	Pursuant to Section 551 071(2) of the Open Meetings Act: Consultation		
65			with attorney with regard to a matter that it is the duty of the attorney to		
66			consult with the Council and falls under the attorney-client privilege.		
67 68 69	3.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION		
70 71			as taken as a result of Executive Session. Mayor Cecil adjourned the Executive 55 pm.		
72 73 74 75	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this <u>3hd</u> day of <u>uppli</u> , 2006.				
76	LADA'A				
77	Willie R. Curk				
7B			William R. Cecll, Mayor		
79 86	-A¦₩	SI: J i	α , D , I = $\sum_{i=1}^{m} \alpha C K W_{i} M_{i}$		
80 81	ลง	MAG	hu Dudla is the		
82	Doret	hv Bro	pks City Secretary		
			SEAL B		
			ty Council Unrules		
		c 2005 G	ty Council Minutes		
	Page 1		Toma when the		
			and the first second		

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83			MINUTES		
84	ROCKWALL CITY COUNCIL				
85	March 20, 2006				
86		6:00 p.m. Regular Meeting			
87			City Hall, 385 S. Goliad, Rockwall, Texas 75087		
88					
89 90	1.	CALL	TO ORDER		
91	Mayo	r Cecli	called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and		
92			bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, and Matt		
93	Scott	. Cou	ncilmember John King was absent. Also present were City Manager Julie		
94	Couc	h and (City Attorney Pete Eckert.		
95					
96 97	2.	INVOC	CATION AND PLEOGE OF ALLEGIANCE - MAYOR PRO TEM BOB COTTI		
98	З.	PROC	LAMATIONS/RECOGNITIONS		
99			I seed a sector stick desired the weak of March 40.05, 2005 as Deisen		
100	-		I read a proclamation declaring the week of March 19-25, 2006 as Poison.		
101	FIGAG	ention 1	Week.		
102 103	4.	Cour	ENTITEMS		
103	4-	CUNS	ENLITERS		
105		a.	Consider approval of the Minutes from the March 6, 2006 City Council		
105		·	meeting and take any action necessary.		
107		b.	P2006-008 - Discuss and consider approval of a Facility Agreement for		
108		2.	future paying requirements for access purposes and a request by Michael		
109			Goodman for approval of a final plat for a 0.331-acre tract located at 1008		
110			Ridge Road, currently described as Tract 20, Abstract 255, BJT Lewis		
111			Survey, which is zoned (PD-53) Planned Development No. 53 District and		
12			designated for (RO) Residential-Office district uses, and take any action		
\$13			necessary.		
: 14		C.	P2006-009 - Discuss and consider a request by Richard Hovas of Tiptor:		
†15			Engineering, Inc., for approval of a final plat for Casile Ridge Estates		
116			Phase 1, being 53 lots on 23.957-acros, zoned (SF-10) Single Family		
117			district and situated west of SH 205 and north of Dalton Road (FM 552).		
118			and take any action necessary.		
119		d.	Consider approval of the proposed cost for construction of the railroad		
120			crossing and railroad signals at Industrial Boulevard and authorize the		
121			City Manager to execute a contract with DGNO Ralroad for the		
122			construction of same and take any action necessary.		
123		e.	Consider approval of a Resolution authorizing the City Manager to		
124			execute the Crossing Agreement with Union Pacific Railroad and take		
125			any action necessary.		
126		t.	Consider approval of an Ordinance amonding the Code of Ordinances		
127			regarding fences and take any action necessary [2 nd Reading]		
128		g.	Consider approval of the bids for the renovation of the Myers Park		
129		2.	Pavilion and lake any action necessary.		

Councilmember McCaitum requested that Consent Agenda Item 4a be pulled and then 130 made a motion to approve the remaining items (b, c, d, e, f and g). Councilmember Scott 131 seconded the motion and the ordinance was read as follows: 132 133 134 ORDINANCE NO. 06-10 135 136 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. 137 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER. 138 6 BUILDINGS AND BUILDING REGULATIONS: ARTICLE IX. FENCES; PROVIDING FOR A PENALTY OF A FINE OF TWO THOUSAND DOLLARS (\$2,000.00) AND A 139 140 SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR 141 ON WHICH A VIOLATION OCCURS: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. 142 143 (Z¹⁴Headleg) 144 The motion passed by a vote of 6 ayes and 1 absent [King]. 145 146 Councilmember Straughan made a motion to approve Consent Agenda Item 4a and 147 Councilmember Nielsen seconded the motion. The motion passed by a vote of 5 aves, 1 148 149 abstain [McCallum] and 1 absent [King]. 150 151 5. APPOINTMENTS. 152 153 Appointment with Planning and Zoning Chairman to discuss and answer a. any questions regarding cases on the agenda and related issues and :54 155 take any necessary action. Phillip Herbst, Planning and Zoning Chairman, discussed the planning and zoning items. 156 157 on tonight's agenda. 158 Appointment with Terry Bornar of Hair Motion regarding a sign setback. 159 b. . 160 variance request and take any action necessary. Jeffrey Widmer, Building Official, discussed the background of the setback variance :61 request. Councilmember Cotti made a motion to approve the setback variance and 162 Councilmember Nielsen seconded the motion. The motion passed by a vote of 6 ayes 163 164 and 1 absent [King]. 165 166 Appointment with Shari Callahan to discuss and consider updated city. c. loop and tag line options and take any action necessary. 167 Sharl Callahan discussed refining the City's logo and tag line options. After a lengthy 168 discussion, the Council chose the round logo and instructed Callahan to revise it to 169 make it appear more hill-like and to add a flag to the sailboat. The Council then 170 discussed the tag line options. Mayor Cecil made a motion that the revised logo be put 171 on the website along with the tagline options: Proud Past / Bright Future, The New 172 Horizon and Hometown by the Lake for the citizens to choose which tagline they prefer. 173 Councilmember Scott seconded the motion and the motion passed by a vote of 6 ayes 174 and 1 absent [King]. 175 176 Shari Callahan then asked the Council reconsider putting the logo on the website so that 177 an unveiling could take place later. Mayor Cecil then made a motion to amend the 178 previously approved motion to not include the new logo on the website with the tagline 179

March 20, 2006 Ony Council Minutes Page 2

options and Councilmember Scott seconded the motion. The motion passed by a vote of 180 :81 6 ayes and 1 absent [King].

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d. Appointment with Airport Subcommittee for update on municipal airport. planning activities.

Joey Boyd discussed the background of the Subcommittee's report. Councilmember 185 Cottl stated that although John King will be leaving the Council in May due to term limits. 186 he would like for him to remain on the Subcommittee as a citizen liaison. After lengthy 187 discussion. Councilmember Nielsen made a motion to approve the report and 188 189 Councilmember Straughan seconded the motion. The motion passed by a vote of 5 ayes, 190 1 nay [McCallum] and 1 absent [King].

- 192 6. PUBLIC HEARING
- 194 Z2006-002 -- Hold a public hearing and consider approval of an a. 195 Ordinance for a request from Billy and Glenda Bradshaw for a Specific 196 Use Permit (SUP) to allow for a temporary portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract 197 located at the northeast corner of SH 205 and Emma Jane (907 S. :98 Goliad), and take any action necessary. [1* Reading] 199
- 200 Robert LaCroix discussed the background of this request. Mayor Cecil opened the 201 public hearing and the following persons came forward to address the Council: 202
- 203 Bill Bradshaw
- 204 149 Skyview
- 205 Point, Texas
- 206 Mr. Bradshaw asked for the Council's approval of his request.
- 207 208 Tom Bouls
- P.O. 1614 209
- 210 Rockwall, Texas
- 211 Mr. Bouis spoke in favor of the SUP.
- 213 There being no one further to address the Council, Mayor Cecil closed the public Councilmember Scott made a motion to approve the request and 214 hearing. 215 Councilmember McCallum seconded the motion. The ordinance was read as follows: 216 217 218 219 220 221 222 222
 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS LOTS 4 AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. 11" Rearing.
- 226 The motion passed by a vote of 6 ayes and 1 absent [King]. 227
- 228 b. Z2006-003 -- Hold a public hearing and consider approval of an 229 Ordinance for a request by Mike and Paige Brown for approval of a 230 Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray

- 231Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to232their property at 1160 Crestcove Drive, being Lot 21. Block B. Billcrest233Shores Phase 3 Addition, and take any action necessary. [1* Reading]
- 234 Robert LaCroix discussed the background of the request. Mayor Cecil opened the public 235 hearing and the following persons came forward to address the Council:
- 236 237 Mike Brown
- 238 1160 Crestcove Drive
- 239 Rockwall, Texas
- 240 Mr. Brown asked the Council to approve his request.

241
242 There being no one further to address the Council, Mayor Cecil closed the public
243 hearing. Councilmember Cotti made a motion to approve the request and
244 Councilmember Straughan seconded the motion. The ordinance was read as follows:
245

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. AMENOING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR DECK/PATION OF LESS THAN 1,000 SQUARE FEET WITHIN THE TAKELINE OVERLAY, ON A TRACT OF LAND ADJACENT TO LOT 21, BLOCK B, HILLCREST SHORES PHASE THREE AND LOCATED AT 1160 CRESTCOVE DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A:" PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE, PROVIDING FOR AN EFFECTIVE DATE. [1" BROOMS!

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The motion passed by a vote of 6 ayes and 1 absent [King].

- 259 7. Action Items
- 261a.Hear recommendations from the Compensation Subcommittee and262discuss and consider approval of an Ordinance establishing263compensation for Mayor and Councilmembers and take any action264necessary

265 Councilmember Cottl discussed the background of the recommendations. 266 Councilmember Nielsen made a motion to approve the recommendations and 267 Councilmember Straughan seconded the motion. The ordinance was read as follows: 268

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. ESTABLISHING AN ANNUAL COMPENSATION PACKAGE FOR THE MAYOR AND EACH CITY COUNCILMEMBER IN OFFICE AS OF JUNE 5, 2006, AND UNTIL SUCH TIME AS THE MAJORITY OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, SHALL AMEND OR RESCIND THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE. [1th Resding]

275 The motion passed by a vote of 5 ayes, 1 nay [McCallum], and 1 absent [King].

276
 277 There being no further business to come before the Council in regular session, Mayor
 278 Cecil adjourned the meeting in to Executive Session at 7:39 p.m.

279	8.	HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF
280		TEXAS GOVERNMENT CODE TO DISCUSS:

- Deliberation recarding the purchase, exchange, lease, or value of real-281 **a**. property. 282
- Personnel Issues, inclucing Board, Commission, and Committee 283 ь. Appointments, and Related Malters. 284
- Commercial or financial information regarding business prospects that the 285 с. City seeks to have locate, stay, or expand in or near the territory of the 286 City of Rockwall and with which the Board is conducting economic 287 development negotiations. 288
 - Pursuant to Section 551,071(2) of the Open Meetings Act. Consultation. d. with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney client privilege.
- TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION 292 9.

293 The following actions were taken as a result of Executive Session: 294

295 Mayor Cecil made a motion to appoint Councilmember Cotti to serve on the Finance 296 Subcommittee and Councilmember McCallum seconded the motion. The motion passed 297 by a vote of 6 ayes and 1 absent [King]. Z98.

299 300 Councilmember Cotti made a motion to approve the settlement proposal for the Carson Anderson tract on Summer Lee Drive at \$3.65 per square foot and Councilmember 301 Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [King].

304 There being no further business to come before the Council, Mayor Cecil adjourned the 305 366 meeting at 8:30 p.m.

307 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL. 368 2006. 309 TEXAS this 34 day of 310 Puel. 311 312 William R. Cecil, Mayor 313 314 315 NUMBER OF 316

OCKW SE.

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	MINUTES
2	ROCKWALL CITY COUNCIL
3	April 3, 2006
4	3:00 p.m. Work Session
5	City Hall, 385 S. Goliad, Rockwall, Texas 75087
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7	
8	1. CALL TO ORDER
9	
10	Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and
11	Counclimembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and John
12	King. Councilmember Matt Scott was absent. Also present were City Manager Julie
13	Couch and City Attorney Pete Eckert.
14	
15	2. HOLD WORK SESSION TO DISCUSS:
16 17	A. ARCHITECTURAL STANDARDS
18	A. ARCHITECTURAL STANDARDS
19	No action was taken by the Council during this work session. The work session
20	adjourned at 4:00 p.m.
21	
22	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
23	TEXAS, this _// *** day of, 2006.
24	
25 26	Willia R. Curl
27	William R. Cecil, Mayor
28	ATTEST:
29	different cho la l
30	NO WHILL TOOKS
31	Dorothy Brooks City Secretary
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34	SEAL SEAL
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The superior and the superior of the superior

35			MINUTES
36			ROCKWALL CITY COUNCIL
37	April 3, 2006		
38			4:00 p.m. Pre-Council Meeting
39			City Hall, 385 S. Goliad, Rockwall, Texas 75087
40			
-41		-	-
42	1.	CALL	TO ORDER
43 44 45 46 47 48	Coun King.	cilmen Coun	called the meeting to order at 4:00 p.m. Present were Mayor 8ill Cecil and ibers Bob Cotti, Stephen Straughan, Tim McCatlum, Margo Nielsen and John icilmember Matt Scott joined the meeting at approximately 5:48 p.m. Also e City Manager Julie Couch and City Attorney Pete Eckert.
49 50	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 87 OF TEXAS GOVERNMENT CODE TO DISCUSS:
51 52		а.	Deliberation regarding the purchase, exchange, lease, or value of real property.
53 54		b.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
55 56 57 58		C .	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations
59 60 61		d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-dient privilege.
62 63 64	3.	Таке	ANY ACTION AS RESULT OF EXECUTIVE SESSION
65 66 67			as taken as a result of Executive Session. Mayor Cecil adjourned the Executive 58 p.m.
68 69 70	TEXA		SED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
71 72			Willin R. Cuil
73			William R. Cecil, Mayor
74 75	ATTE	54: 1 -	(A, L)
75 76	avi	rite	WASTROPS WINNING
77	Dorot	hy Bro	oks, City Secretary



78			MINUTES	
79	ROCKWALL CITY COUNCIL			
80	April 3, 2006			
81	6:00 p.m. Regular Meeting			
82 83			City Hall, 385 S. Goliad, Rockwall, Texas 75087	
84 85	t.	Çal	L TO ORDER	
86 97 88 89 90	Coun	cilme and M	il called the meeting to order at 6:06 p.m. Present were Mayor Bill Cecil and mbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, John latt Scott. Also present were City Manager Julio Couch and City Attorney Pete	
91 92	2.	INVÓ	ICATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHN KING	
93 94	3.	Pro	CLAMATIONS/RECOGNITIONS	
95		a.	Prom Promise Month	
96		Ь.	Rockwall Community Playhouse Week	
97		c.	Lady Jackets Basketball Team	
98		d.	Regional Young Talent Art Competition Winners	
99		e.	Texas Visual Arts Competition Winners	
100		f.	Rockwall High School Academic Decathion Team	
101		g.	Happy Birthday Rockwall Month	
102		h.	Alcohol Abuse Awareness Month	
103 184 -	4.	ÓPE	N FORUM	
106 107 108 109	Coun	cil on	i) opened the floor to anyone in the audionce who wished to address the any subject not schedule for a public hearing on tonight's agenda. The ersons came forward to address the Council:	
110			or Joe Robbins	
11 [.] 112			Peter's Colony Invall Texas	
112	Rockwall, Texas Pastor Robbins invited the Council to a dedication ceremony for the			
114			ses recently constructed on Peter's Colony.	
115			· · · · · ·	
116			yn Roberts	
117			Julian Drive	
18			kwall, Texas Roberts discussed some problems he is having with his development	
119 120		mr. and	stated that he needed some walvers. Mr. Roberts was advised that he	
12:		neer	to work through the appropriate channels and if he was not satisfied	
-22			ould make an appointment with the City Secretary to be on the next	
12 3			nda as an appointment item.	
124				
125	There	e being	a no one further to address the Council, Mayor Cecil closed the open forum.	

April 3, 2008 City Councy Minutes Page 1

127 5. CONSENT AGENDA

126

128 129

130

- Consider approval of the Minutes from the March 20, 2006 City Council meeting and take any action necessary.
- b. Z2006-002 -- Consider approval of an Ordinance for a request from Billy
 and Glenda Bradshaw for a Specific Use Permit (SUP) to allow for a
 temporary pertable beverage service facility within the (C) Commercial
 zoning district, on a 0.25-acre tract located at the northeast corner of SH
 205 and Emma Jane (907 S. Goliad), and take any action necessary.
 [2nd Reading]
- c. Z2006-003 -- Consider approval of an Ordinance for a request by Mike
 and Parge Brown for approval of a Specific Use Permit (SUP) allowing for
 a deck/patio within the Lake Ray Hubbard Takefine Overlay (TL OV)
 District, in the take area adjacent to their property at 1160 Crestcove
 Drive, being Lot 21, Block 6, Hillcrest Shores Phase 3 Addition, and take
 any action necessary [2rd Reading]
- *43d.**P2006-012** -- Consider a request by Terri Webb for approval of a replat of*44Lot 5, Block A. Rockwall Market Center East, being a 0.554-acre tract*45zoned (C) Commercial district and located at the southwest corner of*46IH-30 and Mims Road, and take any action necessary.
- 147
 e.
 Consider approval of an Ordinance establishing compensation for Mayor

 148
 and Councilmentities and take any action necessary. [2rd Reading]
- 149f.Consider approval of a Resolution authorizing the City Manager to sign150agreements with City's depository. American National Bank, for wire151services and take any action necessary.
- 152g.Consider authorizing the City Manager to execute an agreement with the153Central Appraisal District for the assessment and collection of ad valorem154taxes and take any action necessary.
- h. Consider approval of the purchase of the Reverse 911 System and take
 any action recessary.
- 157 i. Consider approval of the repairs to the Fire Department Ladder Truck and 158 take any action necessary.
- 159). Consider approval of the participation in the creation of a Gas Standing
 160 Steering Committee for Cities Served by Atmos Energy and take any
 161 action necessary.
- 162

163 Councilmember King requested that Consent Agenda item 5a be pulled. Councilmember 164 McCallum requested that Consent Agenda items 5e and 5j be pulled. Mayor Cecil 165 requested that Consent Agenda item 5h be pulled. Councilmember McCallum made a 166 motion to approve the remaining Consent Agenda items (b, c, d, f, g, and i) and 167 Councilmember Cotti seconded the motion. The ordinances were read as follows:

400	
168 169	ORDINANCE NO. 06-11
176	ORDITANCE NO. VO-T
171	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
172	THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY
173	AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY
174	PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS LOTS 4
175	AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD: PROVIDING FOR SPECIAL
176	CONDITIONS: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO
177	THOUSAND DOLLARS (\$2,000); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
178	FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (21 Research)
179	
180	ORDINANCE NO 06-12
181	
182	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
183	THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY
184 185	AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR DECK/PATION OF LESS THAN 1,000 SQUARE FEET WITHIN THE TAKELINE OVERLAY, ON A TRACT OF LAND
186	ADJACENT TO LOT 21, BLOCK B, HILLCREST SHORES PHASE THREE AND LOCATED AT
187	1160 CRESTCOVE DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A:"
188	PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO
189	EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE;
190	PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
191	PROVIDING FOR AN EFFECTIVE DATE: (2" Reasong)
192	
193	The motion passed unanimously by a vote of 7 ayes and 0 nays.
194	
195	Councilmember Scott made a motion to approve Consent Agenda item 5a and
196	Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes
197	and 1 abstain [King].
195	ana i abstant (ving).
199	Councilmember Straughan made a motion to approve Consent Agenda item 5e and
200	Councilmember Scott seconded the motion. The ordinance was read as follows:
201 202	ORDINANCE NO. 06-13
	ORDINANCE NO. 00-15
203 204	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
205	ESTABLISHING AN ANNUAL COMPENSATION PACKAGE FOR THE MAYOR AND EACH
206	CITY COUNCILMEMBER IN OFFICE AS OF JUNE 5, 2006, AND UNTIL SUCH TIME AS THE
207	MAJORITY OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, SHALL AMEND
208	OR RESCIND THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE. (C" Second)
209	
2:0	The motion passed by a vote of 6 ayes and 1 nay [McCallum].
211	the mental began what are a substants that furstants with
	With second to Concept Agends Item 5h Mayor Codil converted come editional
212	With regard to Consent Agenda Item 5h, Mayor Cecil requested some additional
213	information about the Reverse 911 System. Julie Couch and Fire Chief Mark Poindexter
214	discussed the background of the request. Mayor Cecil then made a motion to approve
215	Consent Agenda Item 5h and Councilmember Nielsen seconded the motion. The motion
216	passed unanimously by a vote of 7 ayes and 0 nays.
217	
218	6. APPOINTMENTS
219	
220	a. Appointment with Planning and Zoning Chairman to discuss and answer
221	any questions regarcing cases on the agenda and related issues and
222	take any necessary action.
222	take any necessary action.

223 Phillip Herbst, Chairman of the Planning and Zoning Commission talked about the 224 amendments to the Unified Development Code and advised that the Commission had 225 approved the changes.

226
 227 b. Appointment with Fox, Byrd & Company to present the City's Comprehensive Annual Financial Report and take any action necessary.

Jeff Wyatt of Fox, Byrd discussed the audit report. Councilmember Cotti made a motion
 to accept the report and Councilmember McCallum seconded the motion. The motion
 passed unanimously by a vote of 7 ayes and 0 nays.

232 233

243

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250

c. Appointment with Judge Kortemento give annual report.

Judge Kortemier, assisted by Deborah Waters, gave his 20th annual report to the Council.
 Councilmember McCallum asked about the feasibility of a Teen Court. City Attorney Pete
 Eckert stated that he would bring back in about 30 days a summary of what can be done.

237
 238 d. Appointment with James K. Alves regarding free use of City conference.
 239 rooms by a Homeowner's Association.

240 Mr. Alves appeared before the Council and stated that free use of Community Center was 241 not an answer to his request because it only holds 99 people. After discussion, the 242 Council stated that they would not change the policy at this time.

 Appointment with Hotel/Motel Subcommittee to receive supplemental funding recommendation for Cystic Fibrosis Walk-A-Thon and take any action necessary.

Julie Couch discussed the background of this request. Councilmember Cotti made a
 motion to approve the request and Councilmember Straughan seconded the motion. The
 motion passed unanimously by a vote of 7 ayes and 0 nays.

251 7. PUBLIC HEARING ITEMS

- 252 253 Z2006-001 -- Hold a Public Hearing and consider an Ordinance for a à. city-initiated request to amend the Unified Development Code (Ord, No. 25404-38), specifically Article II. Administrative Procedures: Article III. Zoning. 265 District and Maps; Article IV. Permissible Uses, Article V. District 256 Development Standards; Article VI. Parking and Loading; Article VII. 257 Environmental Performance; Article VIII, Landscape Standards; Article X. 258 Development Regulations; Article XJ. Zoning-Related 259Planned Applications; and Article XIII. Definitions; and take any action necessary. 260 261 [1" Reading]
- 262

263 Robert LaCroix discussed the background of the request and stated that this was mainly 264 just a clean-up of the ordinance. Mayor Cecil opened the public hearing but no one came 265 forward to address the Council, so the public hearing was closed. Councilmember 266 Straughan made a motion to approve the ordinance and Councilmember Cotti seconded 267 the motion. The ordinance was read as follows:

268 269

270 273 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE II. ADMINISTRATIVE PROCEDURES;

ARTICLE III. ZONING DISTRICT AND MAPS; ARTICLE IV. PERMISSIBLE USES; ARTICLE V. 272 273 DISTRICT DEVELOPMENT STANDARDS; ARTICLE VI. PARKING AND LOADING; ARTICLE 274 275 276 277 278 VII. ENVIRONMENTAL PERFORMANCE; ARTICLE VIII LANDSCAPE STANDARDS; ARTICLE X. PLANNED DEVELOPMENT REGULATIONS; ARTICLE XI. ZONING-RELATED APPLICATIONS; AND ARTICLE XIII. DEFINITIONS, 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 279 CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. [1" Reading] 280 281 The motion passed unanimously by a vote of 7 ayes and 0 nays. 282 283 284 8. ACTION ITEMS 285

 a. Discuss and consider the concept of a joint animal adoption center from the Emergency Services Corporation and take any action necessary

287 Julie Couch talked about this item. After a short discussion by the Council, 288 Councilmember Cotti made a motion to move forward with this proposal, but that the 289 decision needs to be brought back to the Council at the May 1, 2006 meeting. 290 Councilmember Straughan seconded the motion and the motion passed unanimously by 29° a vote of 7 ayes and 0 nays.

292
 293 b. Discuss and consider the concept of joint emergency management
 294 coordination functioning from the Emergency Services Corporation and
 295 take any action necessary.

Julie Couch discussed the proposal by the ESC. Councilmember Nielson made a motion
 to proceed with the proposal by the ESC and Councilmember Cotti seconded the motion.
 The motion passed unanimously by a vote of 7 ayes and 0 nays.

300c.Discuss and consider a rate resolution increasing water and sever rates301and take any action necessary.

302 Assistant City Manager Rick Crowley discussed the proposed rate increase. 303 Councilmember Cottl made a motion to approve the Resolution and Councilmember 304 Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 nay 305 [McCallum]. 306

307 d. Discuss and consider cancelling the July 3, 2006, City Council meeting,
 308 and take any action necessary.

Councilmember Cotti stated that he brought this forward for Council discussion. After a short discussion, Councilmember Cotti made a motion to amend the Council's Policies and Procedures to note that the Council will not meet on the first Monday in July and the second Monday in December, starting in July 2006. Councilmember Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1 nay [Cecil].

314

286

315e.Discuss and consider authonizing the City Manager to expend funds for316the Design of the Joint Law Enforcement Gun Range and take any action317necessary.

318 Julie Couch discussed the background of this item. After a short discussion, 319 Councilmember Straughan made a motion to approve authorizing the City Manager to 320 expend funds for the Design of the Joint Law Enforcement Gun Range and

- 32: Councilmember Cotti seconded the motion. The motion passed unanimously by a vote 322 of 7 ayes and 0 nays.
- 323

326

- 324 9. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING 325 MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 327 a. Departmental Reports
- 328 b. City Manager's Report
- Joey Boyd gave a report on the problems with the radio system and Councilmember
 Cotti requested that the Council be updated frequently in this regard.
 331
- Julie Couch advised the Council that we would be starting the C3 process by meeting with the person responsible for the C3 process, Robert Lawton on April 17 and 18, 2006.
- 335 There being no further business to come before the Council in regular session, Mayor 336 Cecil adjourned the meeting into Executive Session at 8:51 p.m. 337
- 33810.Hold Executive Session under Sections 551.071, 551.072, 551.074 and339551.087 of Texas Government Code to Discuss:
- 340 a. Deliceration regarding the purchase, exchange, lease, or value of real property.
- 342 b. Personnel Issues, including Board, Commission, and Committee.
 343 Appointments, and Related Matters.
- 344c.Commercial or financial information regarding business prospects that the345City seeks to have locate, stay, or expand in or near the territory of the346City of Rockwall and with which the Board is conducting economic347development negotiations.
- 348d.Pursuant to Section 651,071(2) of the Open Meetings Act: Consultation349with attorney with regard to a matter that it is the duty of the attorney to350consult with the Council and falls under the attorney-client privilege.
- 351 352 1

353

- 11. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION
- Mayor Cecil made a motion to reappoint Larry Parks to the North Texas Municipal Water District Board and Councilmember King seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 357
 - 358 Councilmember King made a motion to appoint Joe Witcraft to the Parks and Recreation
 359 Board and Councilmember Nielsen seconded the motion. The motion passed
 360 unanimously by a vote of 7 ayes and 0 nays.
 361
 - Councilmember Straughan made a motion to appoint Bill Wilson as an alternate member of the Board of Adjustments and Councilmember Nielsen seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
 - 365

366 Councilmember Straughan made a motion to appoint the following persons to the Animal 367 Adoption Center/Sholter Advisory Board and Councilmember Nielsen seconded the 368 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 369

370	<u>Member #1 [Rockwall Citizen]</u>	<u>Member #4 [Rockwall Citizen]</u>
371	Mike Kitkoski	Judy Schoeneman
372	Term Expires: 8/2008	Term Expires: 8/2008
373		
374	Member #2 [Licensed Local Vet]	<u>Member # 5 (Animal Welfare Organization)</u>
375	David Loftis	Sandra Solomon
376	Term Expires: 8/2007	Term Expires: 8/2007
377		
378	Member #3 [Rockwall Citizen]	
37 9	Mike Sealock	
380	Term Expires: 8/2007	
381		
382		
383	There being no further business to cou	me before the Council, Mayor Cecil adjourned the
384	meeting at 10:30 p.m.	
385	-	
386	PASSED AND APPROVED BY T	HE CITY COUNCIL OF THE CITY OF ROCKWALL,
387	TEXAS, this 17th day of Uni	L , 2006.
388		
389		Willin R. Curl
390		William R. Creen
391		William R. Cecil, Mayor
392	ATTEST:	
393	A Beth Kusala	
394	O Warmy - runes	- Water CCK Barrier
395	Dorothy Brooks, City Secretary	NE ROUNALING
396	U I I	
		P SEAL 6
		5 SEAL G
		· · · · · · · · · · · · · · · · · · ·

April 3, 2006 Gity Council Agenda Page 7

1			MINUTES		
2	ROCKWALL CITY COUNCIL				
з	April 17, 2006				
4 5			4:00 p.m. Pre-Council Meeting		
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087		
6 7 8	1.	CALL	IO ORDER		
9 10 11 12 13 14	Count Count City	cilmem cilmem Attorne Itive Se	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Margo Nielsen and Matl Scott, ber John King was absent. Also present were City Manager Julie Couch and by Pete Eckert. Mayor Cecil immediately adjourned the meeting into ession. Councilmember Tim McCallum Joined the meeting at approximately		
15 16 17	2 .		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF GOVERNMENT CODE TO DISCUSS:		
18 :9		a.	Deliberation regarding the purchase, exchange, lease, or value of real property.		
20 21		۵.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.		
22 23 24 25		с.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.		
26 27 28 29		d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls uncer the attorney-client privilege		
30 31	3.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION		
32 33 34 35	Water	5 as a	ber Cotti made a motion to approve the Resolution appointing Deborah ssociate judge and Councilmember Straughan seconded the motion. The ad by a vote of 6 ayes and 1 absent [King].		
35 36 37 38			no further business to come before the Council in Executive Session, Mayor red the meeting at 6:00 p.m.		
39 40	TEXA	PASS S, this	ED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,		
41 42 43			William R. Cecil, Mayor		
44 45 46		st: 64.A.1	his Bisaba SCRWALTER		
46 47		hy Bro	SEAL ST		
	Aprili 7. Page 1	2006 Gily	Council Minutes		

48			MINUTES	
49			ROCKWALL CITY COUNCIL	
50			April 17, 2006	
51	6:00 p.m. Regular Meeting			
52		City Hall, 385 S. Goliad, Rockwall, Texas 75087		
53			-	
54 55	1.		TO ORDER	
56 57 58	Counc Scott.	ilmem Coun	called the meeting to order at 6:03 p.m. Present were Mayor Bill Cecli and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Matt cilmember John King was absent. Also present were City Manager Julie	
58 6D	Couch	and C	ity Attorney Pete Eckert.	
61 62	2.	INVOC/	ATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MARGO NIELSEN	
63 64	3.	PROCL	AMATIONS/RECOGNITIONS	
65		a.	Rockwall Children's Choir	
66		Ь.	Rockwall Environmental Action Day 2006	
67		c.	National Red Hat Society Day	
68 69 70	Mayor workir	Cecil Ig on ti	also recognized Troop 989 who were in attendance at tonight's meeting heir "Citizenship in the Community Badge."	
71 72	4.	CONSE	INT ITEMS	
73 74 75 76 77 78 79 80 81		a.	Z2006-001 – Consider an Ordinance for a city-initiated request to amend the Unified Development Code (Ord. No. 04-38), specifically Article II, Administrative Procedures; Article III, Zoning District and Maps; Article IV, Permissible Uses; Article V, District Development Standards; Article VI, Parking and Loading; Article VII, Environmental Performance; Article VIII, Landscape Standards; Article X, Planned Development Regulations; Article XI, Zoning-Related Applications; and Article XIII, Definitions; and take any action necessary. [2 nd Reading]	
82 83 84 85 86 87 88		b.	P2006-011 – Discuss and consider a request by Randall Pogue of Pogue Engineering & Development Co. for approval of a final plat of Lot 2. Block A. Burks Addition, being a 1.07-acre tractizoned (PD-56) Planned Development No. 56 district and situated along the west side of SH 205 (N. Goliad) south of Los Altos Drive and north of the future extension of N. Alamo Rd, and take any action necessary.	
89 90 91 92 93 94 95		с.	P2006-013 Discuss and consider a request from Heritage Christian Academy for approval of a final plat of Heritage Christian Academy Phase Two Addition, being a 11.44-acre tractizoned (MF-14) Multi-family District. (C) Commercial district and (PD-27) Planned Development No. 27 District, and located southwest of S. Goliad St (SH 205) along Damascus Ro, and take any action necessary.	

gg and take any action necessary. 100 Consider approval of a Resolution amending Resolution No. C6-04 which 101 **e**. called the General Election for May 13, 2008, in order to provide for a 102 new Saturday early voting location and take any action necessary. 103 Consider approval of the Minutes from the April 3, 2006 City Council 104 f. 105 meeting and take any action necessary. Councilmember Straughan requested that Consent Agenda Item 4c be pulled. 105 107 Councilmember Cottl made a motion to approve the remaining Consent Agenda items (a, b, d, e, and f) and Councilmember Scott seconded the motion. The ordinance was read 108 109 as follows: 110 111 ORDINANCE NO. 06-14 112 113 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, YEXAS, AMENDING 114 THE UNIFIED DEVELOPMENT CODE (ORD, NO, 04-36) OF THE CITY OF ROCKWALL AS 115 PREVIOUSLY AMENDED, BY AMENDING ARTICLE II. ADMINISTRATIVE PROCEDURES; 116 ARTICLE III. ZONING DISTRICT AND MAPS; ARTICLE IV. PERMISSIBLE USES, ARTICLE V. 117 DISTRICT DEVELOPMENT STANDARDS; ARTICLE VI. PARKING AND LOADING; ARTICLE 118 VII. ENVIRONMENTAL PERFORMANCE; ARTICLE VIII. LANDSCAPE STANDARDS; ARTICLE 119 X. PLANNED DEVELOPMENT REGULATIONS; ARTICLE XI. ZONING-RELATED 120 APPLICATIONS: AND ARTICLE XIII, DEFINITIONS; PROVIDING FOR A PENALTY OF FINE 121 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH 122 OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER 123 CLAUSE: AND PROVIDING FOR AN EFFECTIVE DATE: (2" Heading! 124 125 The motion passed by a vote of 6 ayes and 1 absent [King]. 126 127 With regard to Consent Agenda item 4c, Councilmember Straughan requested additional 128 Information. Robert LaCroix, Planning Director, discussed the background and status of the emergency exit that Councilmember Straughan had inquired about. Councilmember 129 130 Straughan then made a motion to approve Consent Agenda item 4c and Mayor Cecil 131 seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [King]. 132 133 5. **APPOINTMENTS** 134 135 Appointment with Planning and Zoning Chairman to discuss and answerа. 136 any questions regarding cases on the agenda and related issues and 137 take any necessary action. 138 Phillip Herbst appeared before the Council and discussed the planning and zoning items on tonight's agenda. 139 140 141 Appointment with Shan Callanan regarding approval of new logo and Ь. 142 slogan and take any action necessary. Shari Callahan appeared before the Council and showed the renderings of the new logo. 143 144 and slogans. After discussion, Councilmember Cotti made a motion to approve the proposed logo and the slogan - City of Rockwall "The New Horizon." Councilmember 145 Scott seconded the motion and the motion passed by a vote of 6 ayes and 1 absent 146 April 17, 2008 City Openiol Ministers

Consider approval of a **Resolution** suspending the May 30, 2006,

effective date of the proposal by Atmos Energy Corp , Mid-Tex Division to

implement interim grip rate adjustment for gas utility investment in 2005

96

97

98

d.

147 [King]. Ms. Callahan will be preparing a guideline book for the use of the logo and 148 slogan. City Attorney Eckert will work with the City Secretary on obtaining the 149 information and application on obtaining a trademark for the logo.

150

161

167

c. Appointment with Roger Nielsen regarding participation on a housing
 rehabilitation grant through TDHCA and take any action necessary.

Councilmember Margo Nielsen recused herself from hearing or taking any action on this 153 item. Roger Nielsen appeared before the Council and discussed the request for the City 154 to participate on a housing rehabilitation grant through TDHCA. After discussion and 155 clarification from Jeffrey Widmer on the source of funding. Councilmomber Cotti made a 156 motion to approve expending up to \$7,000 for the demolition and the waiver of permit 157 fees in the amount of approximately \$780 per house and Councilmember Scott seconded 158 the motion. The motion passed by a vote of 5 ayes, 1 abstain [Nielsen] and 1 absent 159 160 [Xing].

- 162 6. PUBLIC HEARING
- a. Z2006-005 -- Hold a public hearing and consider approval of an
 Ordinance for a request by Brent Lemmond of Datlas Towboys for
 approval of a Specific Use Permit (SUP) to allow for a "Towing and
 Impound Yard" within the (HC) Heavy Commercial district, on property
 described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded)
 and located at 291 National Drive, and take any action necessary. [1st
 Reading]

172
173 Robert LaCroix discussed the background of this request and stated that the Planning
174 and Zoning Commission had recommended approval. Mayor Cecil opened the public
175 hearing and the following persons came forward to address the Council:
176

- 177 Barold Fetty (Representing Brent Lemmond)
- 178 Mr. Fetty requested the Council's approval of this project.
- 179

After discussion, Councilmember McCallum made a motion to continue the public hearing to the next meeting (May 1, 2006) and requested that Mr. Lemmond be available to answer questions that the Council has with regard to this project. Councilmember Scott seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [King].

b. P2006-010 – Hold a public hearing and consider approval for a request
 by Teresa Dabney for approval of the Dabney Addition, being a
 residential replat of a part of Lot 1. Block G, Sanger Brothers Addition, a
 0.22-acre tract located at 801 and 803 Peters Colony, which is zoned SF 7 District and located within the (SO) Southside Residential
 Neighborhood Overlay District, and take any action necessary.

Robert LaCroix discussed the background of this request for a replat plus walvers for
 street and sidewalk improvements and the setback on the garage. Mayor Cecil opened
 the public hearing and the following persons came forward to address the Council:

196 197

- 198 Harold Fetty (Representing Ms. Teresa Dabney)
- 199 Mr. Fetty requested the Council's approval of this project.
- There being no one else to appear before the Council on this matter, Mayor Cecil closed.
 the public hearing.
- 203

Councilmember Cottl made a motion to approve the replat and garage setback, but retain the requirements for the collection of the pro rate cost for curbs and gutters and the sidewalk escrow. Councilmember McCallum seconded the motion. Councilmember Nielsen requested that Ms. Dabney come forward to address the Council on her ability to pay the cost for curb and gutter (approximately \$3,500). Ms. Dabney stated that it would be tough, but they could pay the escrow.

210

Councilmember Scott then made a motion to amend Councilmember Cotti's motion to include the waiver of the curb and gutter fees. Councilmember Straughan seconded the motion. After very lengthy discussion, the motion failed by a vote of 3 ayes [Scott, Nielsen and Straughan], 3 nays [Cecil, McCallum and Cottl] and 1 absent [King].

216 Mayor Cecil requested that Councilmember Cotti restate his motion. Councilmember 217 Cotti stated his motion is to approve the replat and garage setback, but retain the 218 requirements for the collection of the cost for curbs and gutters and the sidewalk 219 escrow. Councilmember McCallum once again seconded the motion. The motion 220 passed by a vote of 6 ayes and 1 absent [King]. 221

- 222 7. SITE PLANS / PLATS
- 223 SP2006-007 - Discuss and consider a request by Ross Morris of Country 224 a, Day Montessor: School for approval of a variance for building materials. 225 being less than 90% masonry in conjunction with a site plan on Lot 1. 226Block 1, Country Day School Addition, being 1.08-acres zoned (PD-60) 227 Planned Development No. 60 District and located along the northeast 228 side of Mims Rd southeast of Ralph Hail Pkwy, and take any action Z29 230 necessary.

Robert LaCroix discussed the background of the request. This request was approved by
 the Planning and Zoning Commission and the Architectural Review Board.
 Councilmember Scott made a motion to approve the variance and Councilmember
 McCallum seconded the motion. The motion passed by a vote of 6 ayes and 1 absent
 [King].

237 238 8. Action Items

239

240

241 242 a. Discuss and consider the need for ways to attract, and possible location, of attordable senior housing in the City of Rockwall and take any action necessary.

243 Councilmember Scott discussed the background of his request to have this item on 244 tonight's agenda. After considerable discussion, Councilmember Cottl made a motion to 245 authorize the Land Use Subcommittee to undertake the objective of identifying areas that 246 would support senior housing and Councilmember Scott seconded the motion. The 247 motion passed by a vote of 6 ayes and 1 absent [King]. 249b.Discuss and consider setting a date for a work session to discuss review250of the Comprehensive Plan and Subcommittee Roport and take any251action necessary

Julie Couch discussed the reason for setting a date for a ½ day work session. The Council appeared to agree that Friday, May 26, 2006, would be the best day, but the City Secretary will send out dates in late May to the Council In order to determine a date that will work best for such a work session.

256

277 278

248

257 c. Discuss and consider the City's policy on construction of structures in utility easements and take any necessary action.

259 Councilmember Straughan discussed his objectives on bringing this matter before the 269 Council. Julie Couch discussed some of the background of the construction in utility 261 easements. After discussion, Councilmember Cotti made a motion to retain the City's 262 policy regarding building in easements and Mayor Cecil seconded the motion. The 263 motion passed by a vote of 5 ayes, 1 abstain (Scott) and 1 absent [King]. 264

 265
 d.
 Discuss and consider approval of various activities related to the 266

 266
 implementation of the Downtown Plan and take any action necessary.

Julie Couch opened the discussion with a few comments. Rick Crowley, Assistant City
 Manager, then discussed with the Council the implementation of the Downtown Plan. No
 action by the Council was required.

There being no further business to come before the Council, Mayor Cecil adjourned the
meeting at 8:55 p.m.
273

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this <u>IAT</u> day of <u>IAU</u>, 2006.

nuc.

279 28C 281 282

283 Dorothy Brooks, Gity Secretary 284

AND DESCRIPTION OF A DE SEA OCKW

William R. Cecil, Mayor

			MINUTES	
2		ROCKWALL CITY COUNCIL		
3		May 1, 2006		
4			4:00 p.m. Pre-Council Meeting	
5 6			City Hall, 385 S. Gollad, Rockwall, Texas 75087	
7 8	1.	1. CALL TO ORDER		
9 10 11 12 13 14	Coun McCa Couci into E	Mayor Cecil called the meeting to order at 4:20 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Margo Nielsen and Matt Scott. Councilmembers Tim McCallum and Stephen Straughan were absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session. Councilmember John King joined the meeting at approximately 4:50 p.m.		
15 16 17	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 87 OF TEXAS GOVERNMENT CODE TO DISCUSS:	
18 19		a.	Deliberation regarding the purchase, exchange, lease, or value of real property.	
20 21		ь.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters; City Manager Evaluation.	
22 23 24 25		с.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.	
26 27 28		d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and fails under the attorney-client privilege.	
29 30 31		¢.	Vester T. Hughes, Jr., as sole Independent Executor of the Estate of W.W. Caruth, Jr., Deceased vs. City of Rockwall, Cause No. 1-06-350, in the 382 ¹⁹ District Court of Rockwall County, Texas.	
32 33 34	3.	TAKE	Any Action as Result of Executive Session	
35 36	No action was taken by the Council during Executive Session. Mayor Cecil adjourned the Executive Session at 5:58 p.m.			
37 38 39 40	TEXA		ED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, 15 [™] day of May, 2006.	
41 42 43	1770	CT.	William R. Cecil, Mayor	
44 45 46 47		hy Bro	UL LOOK WALL	
	htay 1 2 Page 1	006 C ty C	Counce Agenda	

48		MINUTES						
49	ROCKWALL CITY COUNCIL							
50	May 1, 2006							
51		6:00 p.m. Regular Meeting						
52		City Hall, 385 S. Goliad, Rockwall, Texas 75087						
53								
54	1.	CALL TO ORDER						
55		-						
56	Mayo	r Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and						
57	Councilmembers Bob Cotti, Margo Nielsen, John King and Matt Scott. Councilmember							
58	Stephen Straughan was absent. Also present were City Manager Julie Couch and City							
59		ney Pete Eckert. Councilmember Tim McCallum Joined the meeting at						
60	appro	eximately 6:10 p.m.						
61	_							
62 63	2 .	INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR BILL CECIL						
	3.	PROCLAMATIONS/RECOGNITIONS						
64 65								
66		a. Cinco de Mayo						
67 68		b. Older Americans Month						
69	4.	OPEN FORUM						
70								
71		r Cecil opened the floor to those persons who wished to address the Council during						
72 73	the O	pen Forum Session. The following persons came forward to address the Council:						
73 74		Ruth Peck						
75		Ms. Peck thanked the Council for their support of Music Fest and invested						
76		them to attend Music Fest on Sunday, May 14, 2006. Ms. Peck advised the						
77		Council that Robert LaCrolx (Planning Director) and Friends would be						
78		playing during the Fest.						
79								
80		Debbie Henderson						
81		2060 Aberdeen Lane						
82		Rockwall, Texas						
83		Ms. Henderson thanked Julie Couch, Pete Eckert, Bob Cotti and Robert						
84		LaCroix for their help in her class project on the Caruth annexation.						
85								
86		Pastor Joe Robbins						
87 88		805 Peter's Colony Pastor Robbins expressed his thanks to the Council for the upcoming						
60 89		improvements to Ross Street.						
90		niprovementa ta Noaa Street.						
91		Albert Bennett						
92		Stated that he had signage issues for his new business and that he needed						
93	a waiver. Mr. Bennett was asked to come in during working hours and that							
94	the Planning and Zoning Department and Code Enforcement Department							
95		would assist him in preparing a request to be on the agenda to ask the						
96		Council for a waiver.						

97 98 99 100 101		Thani whic)	l Amajor ked the Council and the public for their generosity on Founder's Day, h holped her to raise funds for the Boys & Girls Club.			
102 103 104 105 106 107	Nancy Peterson 1841 Isle Royale Ms. Peterson told the Council that they needed to be sure that they were looking in the right place when observing the condition of the drainage area behind her house and others on her street.					
108 109 110	There being no one further to address the Council, Mayor Cecil closed the Open Forum Session.					
111 112	5.	CONS	ENT AGENDA			
113 114		а.	Consider approval of the Minutes from the April 17, 2006 City Council meeting and take any action necessary.			
115 116		b.	Consider approval of the renewal of the water meter supply contract and lake any action necessary.			
117 118		C .	Consider approval of the award of an Engineering Contract for the Nelson Lake Lift Station and take any action necessary.			
119 120		d.	Consider approval of the award of the contract for Ross Street Improvements and take any action necessary.			
121 122 123 124 125	Scott Coun	made cilm e m	ber King requested that Consent Agenda Item 5a be pulled. Councilmember a motion to approve the remaining Consent Agenda Items (b, c, and d) and aber Cottl seconded the motion. The motion passed by a vote of 6 ayes and 1 ughan].			
126 127 128 129	Counclimember Nielsen made a motion to approve Consent Agenda Item 5a and Councilmember Cotti seconded the motion. The motion passed by a vote of 5 ayes, 1 abstain [King], and 1 absent [Straughan].					
130 131	6.	A PPO	INTMENTS			
132 133		а.	Appointment with the Youth Advisory Council regarding recommendations on revisions to the Teen Curfew Ordinance.			
134 135 136 137 138 139 140	Justin Corneau of the Youth Advisory Council gave a power point presentation on the Youth Advisory Council's recommendations for changes to the Teen Curfew Ordinance. After discussion, Councilmember Scott made a motion to approve the recommended changes and bring back an ordinance at the next meeting. Councilmember McCallum seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Straughan].					
141		Ь.	Appointment with Glen Smith of Smithy's Grill regarding approval of a			

141b.Appointment with Glen Smith of Smithy's Gnill regarding approval of a142waiver request to allow for an overhead utility line at 308 N. Fannin and143take any action necessary.

Glen Smith appeared before the Council to request a waiver for an overhead utility line at 308 N. Fannin. Councilmember Cotti made a motion to approve the request and Councilmember King seconded the motion. The motion passed by a vote of 5 ayas, 1 abstain [Scott], and 1 absent [Straughan].

 148
 c.
 Appointment with Hotel/Motel Subcommittee to near recommendation for additional funding request for Breakfast Rotary and take any action necessary.

152 Mary Smlth, Finance Director, discussed the Hotel/Motel Subcommittee's 153 recommendation of providing \$5,000 to the Breakfast Rotary, pursuant to Breakfast 154 Rotary's request for funding for Dallas Race Week. Councilmember Nielsen made a 155 motion to approve the funding request and Councilmember Scott seconded the motion. 156 The motion passed by a vote of 6 ayes and 1 absent [Straughan].

- 158 7. PUBLIC HEARING ITEMS 159
- 160a.Z2006-005 Continuation of a public hearing and consider approval of161an Ordinance for a request by Brent Lemmond of Datlas Towboys for162approval of a Specific Use Permit (SUP) to allow for a "Towing and163Impound Yard" within the (HC) Heavy Commercial district, on property164described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded)165and located at 291 National Drive, and take any action necessary166[1ª Reading]

167 Mayor Cecil advised that this was a continuation of the public hearing regarding the 168 request by Brent Lemmond of Dallas Towboys for a Specific Use Permit. The Council 169 had continued the public hearing at the previous meeting so that Mr. Lommond could be 170 available to answer questions. Mr. Lemmond was not present at tonight's meeting. \$75 There being no one further to address the Council, Mayor Cecil closed the public 172 hearing. Councilmember Scott made a motion to deny the request without prejudice and 173 Councilmember Cotti seconded the motion. The motion passed by a vote of 6 ayes and 1 174 175 absent [Straughan].

- 177 8. ACTION ITEMS 178
- 179a.Discuss and consider City policy of imposing fees on residential180homeowners for reconstructing City sidewalks, curbs, and gullers and181take any action necessary.

182 Councilmember Scott discussed the background of this item. Scott then made a motion 183 that the City will not seek reimbursement for curb, gutter, street or sidewalk 184 improvements for residential property only. After lengthy discussion, Councilmember 185 Nielsen seconded the motion. The motion failed by a vote of 2 ayes [Scott and Nielsen], 186 4 nays [Cecil, Cottl, McCallum and King], and 1 absent [Straughan].

187

176

157

 188 b. Discuss and consider approval to purchase court software and 189 electronic ticket writing system and take any action necessary.

190 Mary Smith discussed the background of this request. After short discussion, 191 Councilmember Cotti made a motion to approve purchasing both the court software and 192 the electronic ticket writing system and Councilmember King seconded the motion. The 193 motion passed by a vote of 6 ayes and 1 absent [Straughan].

194 195

Discuss and consider a Teen Court and take any action necessary.

Mary Smith discussed the background of this item and the information that had been 196 gathered in this regard. After lengthy discussion, Councilmember McCallum made a 197 198 motion to instruct Staff to spend 60 days to conduct a full review to determine how to implement a Teen Court, which would include assessing community services, costs. 199 interviewing teens already in juvenile court, and having the City Attorney look at other 200 2**0**1 Teen Courts around the state. Councilmember Scott seconded the motion. The motion failed by a vote of 3 ayes [McCallum, Scott and King], 3 nays [Nielsen, Cecil and Cotti] 202 203 and 1 absent [Straughan].

204 205

206

 d. Discuss and consider water meter deposits and take any action necessary.

Mary Smith discussed the background of this item. After discussion, Councilmember McCallum made a motion to direct Staff to come back with a resolution setting out a policy for the refund of water deposits after 36 months for residential customers only, so long as they have had no late payments and no insufficient check payments. If no deposit is on hand and they have a disconnect, a deposit will be required in addition to the reconnection fee. Councilmember Cotti seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Straughan].

214 215

224

e. Status update on the Roadway and Drainage Capital Improvement Plan.

Julle Couch discussed the background of this item and a lengthy discussion ensued. No
 action was required or taken by the Council on this item.

 219
 f.
 Status update on Park upgrades funded by the Recreation Development.

 220
 Fund and take any action necessary.

Brad Griggs, Parks Director, gave a power point presentation on the Park upgrades
 funded by the Recreation Development Fund. No action was required or taken by the
 Council.

225g.Discuss and consider the process by which the City Council will select the226final route for SH66 and take any action necessary.

Rick Crowley discussed the background of this item. After discussion, Councilmember
 Scott made a motion to put this matter on the next agenda as an action item for final
 approval by the Council. Councilmember McCallum seconded the motion. The motion
 passed by a vote of 5 ayes, 1 nay (Cotti), and 1 absent [Straughan].

h. Discuss and consider approval of a Change Order for The Harbor Project
 and take any action necessary.

Julie Couch discussed the background of this item. Councilmember Cotti made a motion to approve the Change Order and Councilmember Scott seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Straughan].

- 238 9. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING 239 MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 240 241

Departmental Reports

242 b. City Manager's Report

Julle Couch advised the Council that the Coffer Dam at The Harbor Project will be
 removed on June 1 and that there will be a celebratory function for that event. She will
 provide the information regarding the event to the Council at a later date.

246

Councilmember Cotti requested that a report be available at the June 5, 2006, meeting
 that details the corrective actions taken with regard to false alarms.

249

Rick Crowley discussed the Stage 3 Drought notification we received from North Texas
 Municipal Water District and stated that he will bring an ordinance forward at the next
 meeting revising the existing plan for severe drought conditions.

- 253
 254 There being no further business to come before the Council in regular session, Mayor
 255 Cecil adjourned the meeting into Executive Session at 10:01 p.m.
 256
- 25710.Hold Executive Session under Sections 551.071, 551.072, 551.074 and258551.087 of Texas Government Code to Discuss:
- a. Deliberation regarding the purchase, exchange, lease, or value of real property.
- 261 b. Personnel Issues, including Board, Commission, and Committee
 262 Appointments, and Related Matters: City Manager Evaluation.
- 263c.Commercial or financial information regarding business prospects that the264City seeks to have locate, stay, or expand in or near the territory of the265City of Rockwall and with which the Board is conducting economic266development regotiations.
- 267d.Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation268with attorney with regard to a matter that it is the duty of the attorney to269consult with the Council and falls under the attorney-client privilego.
- e. Vester T. Hughes, Jr., as sole independent Executor of the Estate of
 W.W. Caruth, Jr., Deceased vs. City of Rockwalf, Cause No. 1-06-350, in
 the 382rd District Court of Rockwall County, Texas.
- 273 11. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Upon motion duly made and seconded, the Council authorized the City Attorney to file
sult to obtain right-of-way along the SH-205 Bypass Route. The motion passed by a vote
of 6 ayes and 1 absent (Straughan).

278

274

279 There being no further business to come before the Council, Mayor Cecil adjourned the 280 meeting at 11:45 p.m.

281	
282	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
283	TEXAS, this 15 th day of May, 2006.
284	
285	Con 10 co
286	Willing R. Court
287	William R. Cecil, Mayor
263	ATTEST:
289	A Abeth Maler la l
290	Company north
291	Dorothy Brooks, City Secretary
292	
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5			MINUTES					
2	ROCKWALL CITY COUNCIL							
3			May 15, 2006					
4			4:00 p.m. Pre-Council Meeting					
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087					
6								
7 8 9	1.	CALL	TO ORDER					
10 11 12 13 14 15 16	Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Counclimembers Bob Colti, Stephen Straughan, Margo Nielsen and Matt Scott. Councilmembe John King joined the meeting al approximately 4:30 p.m. and Councilmember Tim McCallun Johned the meeting at approximately 5:00 p.m. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.							
17 18	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF GOVERNMENT CODE TO DISCUSS:					
19		a.	Deliberation regarding the purchase, exchange, lease, or value of real property					
20 21		b .	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters; City Manager Evaluation.					
22 23 24 25		ς.	Commercial or financial bformation regarcing business prospects that the City seeks to have locate, stay or excapd in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.					
26 27 28		d.	Pursuant to Section 551-071(2) of the Open Meetings Adii Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Cound Land fails under the attorney-client privilege.					
29 30 31		8 .	Vester T. Hughes, Jr., as sole independent Executor of the Estate of W.W. Caruth, Jr. Deceased vs. City of Rockwall, Cause No. 1-06-350, in the 382 ¹⁴ District Court of Rockwall County, Texas					
32 33	3. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION							
34 35	4. PRE-COUNCIL DINNER							
36 37 38 40 41 42 43 44 45 46 47	No action was taken by the Council during Executive Session. Mayor Cecil adjourned the Executive Session at 5:58 p.m.							
	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this day of, 2006.							
	ATTES	ι τ.	William R. Cecil, Mayor					
	Doroth	Wate Brook	Cance Mades					
	May 15. Page 1	2016 Cily	Council Micules					

49			MINUTES				
50		ROCKWALL CITY COUNCIL					
51		May 15, 2006					
52			6:00 p.m. Regular Meeting				
53 54			City Hall, 385 S. Goliad, Rockwall, Texas 75087				
55 56	1.	GALL	TO ORDER				
57 58 59 60	Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil a Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Jo King and Matt Scott. Also present were City Manager Julie Couch and City Attor Pete Eckert.						
62 63	2.	INVOC	ATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER TIM MCCALLUM				
64 65 66 67 58 69	At this time, Mayor Cecil advised the audience that this was the last meeting for John King. Each Councilmember spoke about John and his service to the community. Everyone agreed that John would be greatly missed. John thanked the Council for their kind words and introduced newly elected Councilmember Cliff Sevier. Mr. Sevier will be sworn-in during the June 5, 2006 meeting.						
70 71	3.	PROC	LAMATIONS				
72 73		а.	Motorcycle Safety and Awareness Month				
74 75 76	Several members of the Wolverine Motorcycle Club were present to receive proclamation.						
77 77 78	4.	CONS	ENT AGENDA				
79 80		a.	Consider approval of the Minutes from the May 1, 2006, City Council Meeting and take any action necessary.				
81 82 83		Ь.	Consider approval of a Resolution requesting Non-primary Entitlement Grant Funds from TXDOT Aviation and authorizing the City Manager to execute contracts in connection therewith and take any action necessary				
84 85 86		c.	Consider approval of a contract with Jamail Construction for repairs and painting to facilities at Ralph M. Hall Municipal airport as part of the Routine Airport Maintenance Program and take any action necessary.				
87 88 89		d.	Consider approval of a Resolution amending the Water Rate Resolution by setting policy for the refunding of certain meter deposits and take any action necessary.				
90 91 92 93 94		ę.	Consider approval of an Ordinance amending the Code of Ordinances in Article 18-7 Teen Curfew, Section 18-7-2 Offenses to prohibit minors under seventeen years of age from being in any public place between the hours of 12.01 a.m. and 6:00 a.m. from June 1 through August 15 and take any action necessary [1st Reading]				
95 96		f.	P2006-015 – Discuss and consider a request by Norma Morris of Country Day Montessori School for approval of a final plat of Lot 1, Block 1,				

- 97Country Day School Addition, being 1.08-acres zoned (PD-60) Planned98Development No. 60 district and located along the nontheast side of Mims99Rd southeast of Ralph Hall Pkwy, and take any action necessary.
- 100g.P2006-014 Discuss and consider a request by Amy Miller of Douphrate101& Associates, Inc., for approval of a final plat of Lakeview Summit Phase102IV Addition, being a 38.056-acre traditioned (PD-29) Planned103Development No. 29 district and situated along the north side of North104Lakeshore Drive, and take any action necessary.
- 105
 h.
 Consider approval of the contract for the Squabible Creek Sewer Line.

 106
 Emergency Repairs and take any action necessary.
- 107
 I.
 Consider approval of an Engineering Services Agreement for the 108
 Southern Area Waterline Improvements and take any action necessary.
- j. P2006-016 Discuss and consider a request by Glen and Peg Smith for approval of a final plat of Lots 1 and 2. Block A, Tropical John's Addition, being a 0.66-acre tract zoned (PD-55) Planned Development No. 55 district and (GR) General Retail district, located at the southeast corner of N. Fannin St and Williams St (SH 66), and take any action necessary.

114 Councilmember McCallum requested that Consent Agenda Items 4a, 4d, 4e and 4f be 115 pulled. McCallum then made a motion approving the remaining Consent Agenda Items 116 (b, c, h, i, and j). Councilmember Straughan seconded the motion and the motion passed 117 unanimously by a vote of 7 ayes and 0 nays.

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Councilmember McCallum made a motion to approve Consent Agenda Item 4a and
 Councilmember King seconded the motion. The motion passed by a vote of 6 ayes, 1
 abstain [Straughan] and 0 nays.

Councilmember McCallum made a motion to approve Consent Agenda item 4d and
 Councilmember Straughan seconded the motion. The motion passed unanimously by a
 vote of 7 ayes and 0 nays.

127 Councilmember McCallum made a motion to approve Consent Agenda Item 4e and
 128 Councilmember Scott seconded the motion. The ordinance was read as follows.
 129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, AMENOING THE CODE OF ORDINANCES IN ARTICLE 18-7 TEEN CURFEW, SECTION 18-7-2 OFFENSES TO PROHIBIT MINORS UNDER SEVENTEEN YEARS OF AGE FROM BEING IN ANY PUBLIC PLACE BETWEEN THE HOURS OF 12:01 A.M. AND 6:00 A.M. FROM JUNE 1 THROUGH AUGUST 15; PROVIDING FOR AN ENFORCEMENT PROVISION; ESTABLISHING A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE 1" Reading

- 138 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 139

140 Councilmember Nielsen made a motion to approve Consent Agenda Item 4g and 141 Councilmember Cotti seconded the motion. The motion passed by a vote of 6 ayes and 1 142 nay [McCallum].

143

144 5. APPOINTMENTS

145

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146a.Appointment with Planning and Zorung Chairman to discuss and answer147any questions regarding cases on the agenda and related issues and148lake any necessary action.

149 Planning and Zoning Chairman Phillip Herbst addressed the Council regarding the 150 planning and zoning items on tonight's agenda. 151

b. Appointment with Rachel Bryson regarding People to People Student
 Ambassador Program and upcoming trip to Japan and lake any action
 becessary.

Councilmember Cotti introduced Rachel Bryson. Ms. Bryson addressed the Council and
 advised that the People to People Student Ambassador Program had been formed by
 President Elsenhower and talked about the illnerary for her upcoming trip to Japan.

159c.Appointment with Hotel/Motel Subcommittee to hear recommendations160and consider a request for additional from Musicfest and take any action161necessary.

162 Mary Smith discussed the Hotel/Motel Subcommittee's recommendations and stated that 163 the funds would come from the Cultural Arts funds. Councilmember Cotti made a motion 164 to approve the request and Councilmember Straughan seconded the motion. The motion 165 passed unanimously by a vote of 7 ayes and 0 nays. 166

 Appointment with Mary Hanrahan regarding the SH66 preferred route and take any action necessary.

Mary Hanrahan talked about the SH66 preferred route and stated that property owners were not notified individually regarding the route. Ms. Hanrahan preferred the northern route.

- 173 6. PUBLIC HEARING ITEMS
 - a. Hold a public hearing and consider approval of an Ordinance finding that the existing natural gas distribution rates of Atmos Energy Corp., Mid-Tex Division should be reduced and take any action necessary

178 City Attorney Pete Eckert discussed the background of this matter. Mayor Cecil opened
 179 the public hearing and the following persons came forward to address the Council:

- 180 181 Jeanne Hooker
- 182 14032 Distribution Way
- 183 Farmers Branch, Texas
- 184 Ms. Hooker is the Atmos Energy representative. She requested that the 185 Council deny approval of the proposed ordinance.
- 185 186

187 There being no one further to address the Council, Mayor Cecil closed the public 188 hearing. Councilmember Cotti made a motion to approve the Ordinance and 189 Councilmember McCallum seconded the motion. The ordinance was read as follows: 190
19 1 192	ORDINANČE NO. 05-15
193 194 195 196 197 198 199 200 201 202 203 204 205 206	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, FINDING THAT THE EXISTING NATURAL GAS DISTRIBUTION RATES OF ATMOS MID-TEX SHOULD BE REDUCED; ORDERING ATMOS ÉNERGY CORP., MID-TEX DIVISION, TO REDUCE ITS EXISTING RATES WITHIN THE CITY; ADOPTING SPECIFIC NEW RATES R, T & C AND ORDERING ALL RATES. SERVICE CHARGES AND TARIFF LANGUAGE NOT INCONSISTENT WITH ATTACHMENT 1 TO REMAIN OPERATIVE EXCEPT THAT ALL GRIP SURCHARGES SHALL IMMEDIATELY CEASE; ORDERING ATMOS MID-TEX TO REIMBURSE THE CITY FOR ITS REASONABLE COSTS INCURRED IN THIS SHOW CAUSE AND ANY RELATED RATEMAKING PROCEEDINGS OR APPEALS OF SAID PROCEEDINGS; AUTHORIZING THE ATMOS CITIES STEERING COMMITTEE TO ACT ON BEHALF OF CITY AND INTERVENE IN ANY PROCEEDINGS BEFORE ADMINISTRATIVE OR JUDICIAL BODIES; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.
207 208	The motion passed unanimously by a vote of 7 ayes and 0 nays.
209 210 211	Councilmember Scott left the meeting and the Mayor advised that he would be returning later.
212 213 214 215 216 217	b. Z2006-006 Hold a public hearing and consider approval of an Ordinance for a request by Heath Middleton of Enterprise Rent-A-Car for approval of a Specific Use Permit (SUP) to allow for "Automobile Rental" within the (C) Commercial distriction Lot 13B1, Block A. Rockwall Yowne Centre Addition, located at 700 E IH-30, and take any action necessary. [1 st Reading]
218 219 220 221 222	Robert LaCroix discussed the background of the proposed ordinance and advised that the Planning and Zoning Commission had recommended approval by a vote of 7-0. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:
223 224 225	Heath Middleton (Applicant) Mr. Middleton requested approval of the SUP.
226 227 228 229	There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember Cotti made a motion to approve the ordinance and Councilmember Nielsen seconded the motion. The ordinance was read as follows:
230 231 232 233 234 235 236 237 238	AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOBILE RENTAL FACILITY ON LOT 13B1, BLOCK A, ROCKWALL TOWNE CENTRE ADDITION, LOCATED AT 700 EAST INTERSTATE 30: 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. <i>1" Roading</i>
239 240	The motion passed by a vole of 6 ayes and 1 absent [Scott].
240 241 242 243 244	c. Z2006-007 – Hold a public hearing and consider approval of an Ordinance for a request by Salehoun Family Etd. Ptnr. For approval of a change in zoning from (Ag) Agricultural district to (EI) Light Industrial district, on a 6.0-acre tract currently known as Tract 8. Abstract 134, J.

245 246	Lockhart Survey, located at 1790 Interstate 30, and take any action necessary. [1* Reading]
247 248 249 250 251	Robert LaCroix discussed the background of the proposed change in zoning for a Kia dealership and stated that the Planning and Zoning by a vote of 6-1. LaCroix advised that this property is in the I-30 Overlay District. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:
252 253 254 255 256	Bill Dickason – Owner Mr. Dickason currently owns a Kla dealership in south Dallas and stated that they will comply with all the regulations and will do what it takes to run a business here.
257 258 259 260	There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember Cotti made a motion to approve the ordinance and Councilmember McCallum seconded the motion. The ordinance was read as follows:
261 262 263 264 265 266 267 268 269 270 271	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (LI) LIGHT INDUSTRIAL DISTRICT, ON A TRACT OF LAND CONTAINING 6.0 ACRES AND KNOWN AS TRACT 6, ABSTRACT 134, J. LOCKHART SURVEY, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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. 1 ³⁷ Reading
272 273	The motion passed by a vote of 6 ayes and 1 absent [Scott].
273 274 275 276 277 278 279 280 281	d. Z2006-008 – Hold a public hearing and consider approval of an Ordinance for a request by Randell Curington of Spring Haven Investments, Inc., for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate a single-family residential development on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd, and take any action necessary. [1 st Reading]
282 283 284 285 286 286 287	Robert LaCroix discussed the background of the proposed ordinance for a change in zoning on the Loftis property and advised that the Planning and Zoning Commission had recommended approval by a vote of 7-0. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:
288 289 290 291	Chris Cuny (Representing the Owner) Mr. Cuny showed the proposed development and requested approval of the change in zoning.
292 293 294 295	Stan Jeffus 1903 S. FM 549 Mr. Jeffus stated that he and his wife had grave concerns about the development causing an increase in the traffic along SH276 and SH205.

- 296 Joe Loftis
- 297 Mr. Loftis owns the property and requested that the Council approve the change in zoning.

300 There being no one further to address the Council, Mayor Cecil closed the public 301 hearing. Councilmember Cotti made a motion to approve the ordinance and 302 Councilmember Straughan seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED. SO AS TO CHANGE THE ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-56) PLANNED DEVELOPMENT NO. 66 DISTRICT ON A 234.70-ACRE TRACT KNOWN AS TRACTS 1-1. 2 AND 2-1. ABSTRACT 182, J.H. ROBNETT SURVEY, BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE DFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. 1st Reading

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The motion passed by a vote of 6 ayes and 1 absent [Scott].

- 317e.**Z2006-009** -- Hold a public hearing and consider approval of an318Ordinance for a request by Randell Curington of Spring Haven319Investments, Inc. for a change in zoning from (Ag) Agricultural district to320(PD) Planned Development district on a 27.89-acre tract known as Tract32119. Abstract 186, J.A. Ramsey Survey, located on the east side of F M.322549 immediately south of (PD-64) Planned Development district No. 64,323and take any action necessary. [1* Reading]
- 324

Robert LaCroix discussed the background of the proposed ordinance for a change in zoning and advised that the Planning and Zoning Commission had recommended approval by a vote of 7-0. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

329

338

- 330 Chris Cuny (Representing the Owner)
- 331 Mr. Cuny showed the proposed development and requested approval of the 332 change in zoning.
- 333 334 Melba Jeffus
- 335 1903 S. FM 549
- 336 Ms. Jeffus stated she does not want the development because of the 337 addition traffic on FM 549.
- There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember McCallum made a motion to approve the ordinance and Councilmember Cotti seconded the motion. Councilmember Scott returned to the meeting at this time. The ordinance was read as follows:
- 344AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING345THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY346AMENDED, SO AS TO CHANGE THE ZONING FROM (AG) AGRICULTURAL DISTRICT TO347(PD-67) PLANNED DEVELOPMENT NO. 67 DISTRICT ON A 27.939-ACRE TRACT KNOWN AS348TRACT 19, ABSTRACT 186, J.A. RAMSEY SURVEY, BEING MORE SPECIFICALLY

349 350 351 352 353 354	DESCRIBED IN EXHIBIT "A" ATTACHED HERETO: PROVIDING FOR SPECIAL CONDITIONS: CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE: PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. 1" Reading				
355 356	The motion	passed by a vote of 6 ayes and 1 abstain [Scott].			
357 358	7. SITE	PLANS / PLATS			
359 360 361 362 363	a.	SP2006-013 Discuss and consider a request by Matthew King for approval of variances associated with an amended site plan for the Lighthouse Private School located on Lot 1. Block A, Lighthouse Addition, being 2.21-acres zoned "GR" - General Refail Zoning District and located at 951 North Lakeshore Drive, and take any action necessary.			
364 365 366 367 368 368 369	Planning ar requested v variances a	roix discussed the background of this request. LaCroix stated that the id Zoning Commission approved the site plan pending approval of the variances by the Council. Councilmember Scott made a motion to approve the nd Councilmember Straughan seconded the motion. The motion passed by by a vote of 7 ayes and 0 nays.			
370 371 372	8. ACTI	ON ITEMS			
372 373 374 375	a.	Discuss and consider approval of an Ordinance amending the Code of Ordinances in Chapter 23 by creating an Arts in Public Places Master Plan and take any action necessary. [1 st Reading]			
376 377 378 379 380	funding, Co Subcommit	mer discussed the background of the ordinance. After discussion regarding puncilmember Cotti made a motion to approve the Ordinance and ask the tee to review ways to have funding available. Councilmember Straughan he motion and the ordinance was read as follows:			
381 382 383 384 385 385 386 387	AN AN FC	N ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, MENDING THE CODE OF ORDINANCES IN CHAPTER 23 STREETS, SIDEWALKS ID PUBLIC PLACES, BY ADDING ARTICLE IV ART IN PUBLIC PLACES; PROVIDING OR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DELLARS (\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. 1 ¹⁴ Reading			
388 389	The motion	passed unanimously by a vote of 7 ayes and 0 nays.			
390 391	Ь.	Discuss and consider finalizing the designation of the preferred route of SH66 through downtown Rockwall and take any action necessary.			
392 393 394 395 396 397 398 399	have ever t Couch also notices or i discussion, route will b	roix discussed the background of this matter. To his knowledge, no notices been sent to individual property owners along the proposed routes. Julie addressed the background of this matter and stated that in the past no information was sent out with regard to the Thoroughfare Plan. After short Councilmember Nielsen made a motion that the Rusk/Washington Street e the preferred route for SH66. Councilmember Cottl seconded the motion flon passed unanimously by a vole of 7 ayes and 0 nays.			

 400
 c.
 Discuss and consider approval of an Ordinance revising the Drought

 401
 Contingency Pian and take any action necessary. [1st Reading]

Rick Crowley discussed the background of the need for this ordinance. The drought
 program will begin June 1, 2006. After extensive discussion, Mayor Cecil made a motion
 to approve the ordinance and Councilmember Straughan seconded the motion. The
 ordinance was read as follows:

- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN FOR THE CITY OF ROCKWALL TO PROMOTE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE DROUGHT CONTINGENCY PLAN; PROVIDING AN EFFECTVE DATE. 7¹⁹ Reading
- 411 412

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410

- 413 The motion passed unanimously by a vote of 7 ayes and 0 nays. 414
- 415
 d.
 Consider approval of a contract with Lakeside Village Homeowner's

 416
 Association for mowing services within the Takeline at Lakeside Village

 417
 and take any action necessary

418 Brad Griggs discussed the background of this item. Councilmember Cotti made a 419 motion to enter into a contract that would be at no cost to the City and directed Staff to 420 make revisions to the Takeline Overlay District to allow homeowner associations to lease 421 the Takeline. Councilmember Straughan seconded the motion and the motion passed 422 unanimously by a vote of 7 ayes and 0 nays. 423

424 e. Discuss and consider approving a plan for implementation of C3 program.
 425 and take any action necessary.

Julle Couch discussed the plan for the implementation of C3 program. Councilmember
Cotti made a motion to approve the plan as outlined and Councilmember Nielsen
seconded the motion. The motion passed by a vote of 6 ayes and 1 nay [McCallum].

f. Discuss and consider status of the Animal Adoption Center and take any action necessary.

Julie Couch advised the Council that the Emergency Services Corporation had
 considered participating in the animal adoption center, but that there was no interest
 from any of its members, with the exception of Heath. The Council advised Staff to start
 work on this project as quickly as possible.

436

There being no further business to come before the Council, Mayor Cecil adjourned the
 meeting into Executive Session at 9:53 p.m.

- 440 9. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS 441 GOVERNMENT CODE TO DISCUSS:
- 442 a. Deliberation regarding the purchase, exchange, lease, or value of real.
 443 property
- 444
 b.
 Personnel Issues, including Board, Commission, and Committee

 445
 Appointments, and Related Matters; City Manager Evaluation
- 446c.Commercial or financial information regarding business prospects that the447City seeks to have locate, stay, or expand in or near the territory of the

450 d. Pursuant to Section 551.071(2) of the Open Meetings Act - Consultation 451 with altorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege. 452 453 Vester T. Hughes, Jr., as sole independent Executor of the Estate of е. 454 W.W. Caruth, Jr., Deceased vs. City of Rockwall, Cause No. 1-06-350, in the 382¹¹ District Court of Rockwall County, Texas, 455 456 457 10. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION 458 No action was taken as a result of Executive Session. There being no further business to 459 460 come before the Council, Mayor Cecil adjourned the meeting at 11:00 p.m. 461 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, 452 TEXAS, this 19th day of June , 2006. 463 464 465 Carl 466 William R. Cecil, Mayor 467 468 ATTEST 469 470 AND COLORING 471 a0CK# 472

City of Rockwall and with which the Board is conducting economic

development negotiations.

448

1	MINUTES					
2	ROCKWALL CITY COUNCIL					
3			June 5, 2006			
4			3:00 p.m. Work Session and Pre-Council Meeting			
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087			
б 7	1.	Çall t	O ORDER			
8 9 10 11 12 13	Mayor Cacil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott, and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pate Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.					
	2.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 37 OF TEXAS GOVERNMENT CODE TO DISCUSS:			
16 17		а.	Deriberation regarding the purchase, exchange, lease, or value of real property.			
18 19		İD.	Personnel Issues. Including Board, Commission, and Committee Appointments, and Related Matters; appointment of Mayor Pro Tem.			
20 21 22 23		¢.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwarl and with which the Board is conducting economic development negotiations			
24 25 26		d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.			
27 28 29		C.	Vester, T. Hughes, Jr., as sole independent Executor of the Estate of W.W. Caruth, Jr., Deceased vs. City of Rockwall, Cause No. 1-06-350, in the 382 rd District Court of Rockwall County, Texas.			
30 31		f.	Springer Road Elevated Tank – Potential Litigation.			
32 33	3.		ANY ACTION AS RESULT OF EXECUTIVE SESSION			
34 35 36 37	Mayor Cecil made a motion to accept the amended contract for Presbyterian Hospital and Councilmember Scott seconded the motion. The motion passed by a vote of 5 ayes and 2 nays [Nielsen and McCallum].					
38 39	4.	Work	SESSION TO DISCUSS:			
40		a.	City Newsletter			
41		b.	Accual Report			

42 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ______ day of ______, 2006. 43 44 45 Willin h. Cent 46 47 William R. Cecil, Mayor 48 49 ATTEST: 50 Vs. 51 ر را المالية المارين. Brooks, City Secretary OCKW 52 Dorothy SE.

53			MINUTES		
	ROCKWALL CITY COUNCIL				
54					
55			June 5, 2006		
56			6:00 p.m. Regular Meeting		
57			City Hall, 385 S. Gollad, Rockwall, Texas 75087		
58 59		NEW	LY ELECTED COUNCILMEMBERS TAKE OATHS OF OFFICE		
60					
61 62	Judge Brook	e Davi (s swo	d Bridges swore-in Councilmember Cliff Sevier. City Secretary Dorothy re-in Councilmembers Margo Nielsen and Stephen Straughan.		
63					
64	1.	Çall	TO ORDER		
65					
66 67	Coun	cilmen	called the meeting to order at 6:19 p.m. Present were Mayor Bill Cecil and nbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt		
68	Scott	and (Cliff Sevier. Also present were City Manager Julle Couch and City Attorney		
69		, Eckert,			
70					
71	2.	INVIT	TATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER BOB COTTI		
72					
73	3.	Peoc	LAMATIONS / RECOGNITIONS		
74	.	1 KOV			
75		a.	Juneteenth Proclamation		
		а.			
76 77		b.	Recognition of long-time resident Harold Evans' contributions to the community		
78		Ų.	Recognition of ongrante resident handla evana consideration to the contracting		
79		~	Presentation by Rockwall Breakfast Rotary of a check to the City's		
		c.	Regreation Development Fund		
90 94			Recieation Development rund		
81		Ocen	FORUM		
82	4.	OPEN	FOROM		
83		.	I second the Research second whe wished to address the Council shout any		
84	мауо	r Çeçi	opened the floor to anyone who wished to address the Council about any		
85	\$ubje	ct nol	set for public hearing on tonight's agenda. The following persons came		
66	forwa	ro to a	ddress the Council:		
87					
68			Buffington		
89	509 Bourn Avenue				
90	Rockwall, Texas				
91	Mr. Buffington stated he was a representative from the Southside Coalition				
92	and that they had several issues he wanted to discuss. First was the				
93	speeding on Sam Houston. Second he was concerned about young mon in				
64	the neighborhood being given jaywalking tickets. Buffington invited the				
95			cilmembers to attend Juneteenth.		
96					
97		Rose	oe Brown		
98			wall, Toxas		
<u>99</u>			Brown asked the Council what could be done about the jaywalking		
·00	tickets and why are they being given. He also stated he was concerned				
101			t the speeding along Sam Houston.		
.01		4000	r me sheeding mong dem moesteric		

102	Pastor Joe Robbins
103	St. Paul A.M.E. Church
104	805 Peter's Colony
195	Rockwall, Texas
106	Pastor Robbins thanked Staff for holding a meeting regarding the
107	construction of Ross Avenue.
108	معافرهما والمنابع والملبان والمرابع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع
109	Mayor Cecil asked the City Manager to have Staff hold another Town Hall meeting for the
110	area.
111	
12	Mr. Joe Kulik
113	1311 Shores Circle
114	Rockwall, Texas
115	Mr. Kulik stated he had concerns regarding the Level 3 watering
116	regulations. Kulik stated that we need to change the program to keep
117	Rockwall beautiful. We need to stop building - he opposes high density.
118	We should impose an immediate moratorium on construction.
119	
120	City Attorney Pete Eckert stated that the Legislature has made it difficult for citles to
121	impose a moratorium on residential and commercial building. It can last no longer than
122	60 days and it there cannot be consecutive moratoriums.
123	
124	Ruth Peck
125	108 Lakedale
126	Rockwall, Texas
127	Ms. Peck stated that developers need to follow the watering rules. Kroger's
128	was watering and so was Albertsons.
129	
1.30	Mary Puckett
131	1605 Plummer
132	Rockwall, Texas
133	Ms. Puckett wanted to know how the watering regulations were going to be
134	policed.
135	Chasi Familar
136	Sheri Fowler
137	2974 SH-66
138	Rockwall, Texas Ma. Semilar arms a statement is support of art in public places
139	Ms. Fowler gave a statement in support of art in public places.
140	la etta Comia
141	Joetta Currie
142	5446 Ranger
143	Rockwall, Texas Ma. Cursis also shoke in support of art in public places
144	Ms. Currie also spoke in support of art in public places.
145	
146	Terri Nevitt 201 Basky Long
147 440	201 Becky Lane Paskwall, Taxas
148	Rockwall, Texas Ms. Nevitt talked about the new city newsletter – she did not like the letter
149	and felt the money spent on it could be put to better use – like on the arts.
150 164	and tell the money spent on it could be part to verter use - like on the arts. She waste more content and fower eletures
151	She wants more content and tewer pictures.
152	

- 153 Claudette Johnson
- 154 1402 Lakeshore
- 155 Rockwall, Texas
- 156 Ms. Johnson stated that she does not like the new brochure it is too big
- 157 and too costly.
- 158
 159 Councilmember Scott advised that the Council is currently working on the brochure.
 160 Councilmember McCallum stated that the next version will be done differently.
- 161 162 Phillip Herbst
- 163 148 Westwood Drive
- 164 Rockwall, Texas
- 165 Stated he was out of town on his watering days and wanted to know if there 166 was any possibility of watering at a different time.
- 167 168 Lee Gilbert
- 169 2010 Industrial Boulevard
- 170 Rockwall, Texas
- 171 Mr. Gilbert stated that he understood that the City was implementing C3 for 172 better citizen communications. Gilbert advised that the trunk line on 173 Industrial had been cut on two different occasions and left the businesses 174 along industrial without phone – something that is vital to all their 175 businesses. The second cut was only 75 feet from where the line was cut 176 the first time. More care needs to be taken by construction crews.
- 177
 178 Councilmember Nielsen stated that the businesses could file a claim with the insurance
 179 company for the contractors to recoup any losses that might have occurred.
- 180

181 There being no one further to address the Council, Mayor Cecil closed the public forum 182 session of the meeting.

- 183 184 5. CONSENT AGENDA
- 185
 136 a. Consider approval of an *Ordinance* amending the Code of Ordinances in 187 Article 18-7 Teen Curfew. Section 18-7-2 Offenses to prohibit minors 188 under seventeen years of age from being in any public place between the 189 hours of 12:01 a.m. and 6:00 a.m. from June 1 through August 15 and 190 take any action necessary. [2nd Reading]
- 191b.Z2006-006 -- Consider approval of an Ordinance for a request by Heath192Middleton of Enterprise Rent-A-Car for approval of a Specific Use Permit193(SUP) to allow for "Automobile Renta" within the (C) Commercial district194on Let 13B1. Block A. Rockwall Towne Centre Addition, located at 700 E195IH-30, and take any action necessary [2nd Reading]
- 196c.Z2006-007Consider approval of an Ordinance for a request by197Salehoun Family Ltd. Print for approval of a change in zoning from (Ag)198Agricolitural district to (CI) Light Industrial district, on a 60-acre tract199currently known as Tract 8. Abstract 134, J. Lockhart Survey, located at2001790 Interstate 30, and take any action necessary. [2nd Reading]

- 201d.**Z2006-008** -- Consider approval of an **Ordinance** for a request by202Rancell Curington of Spring Haven Investments, Inc., for approval of a203change in zoning from (Ag) Agricultural district to (PD) Planned204Development district to accommodate a single-family residentia.205development on a 234 70-acre tract known as Tracts *-1, 2, and 2-1.206Abstract 182, J.H. Robnett Survey, located along the south side of SH207276 east of Rochole Rc, and lake any action necessary. [2nd Reading]
- 208e.**Z2006-009** -- Consider approval of an **Ordinance** for a request by209Randell Curington of Spring Haven Investments. Inc. for a change in210zoning from (Ag) Agricultural district to (PD) Planned Development district211on a 27.89-acre tract known as Tract 19. Abstract 186, J.A. Ramsey212Survey, located on the east side of F.M. 549 immediately south of (PD-21364) Planned Development district No. 64, and take any action necessary.214[2nd Reading]
- f. Consider approval of an Ordinance revising the Orought Contingency.
 Plan and take any action necessary. [2nd Reading]
- 217 g. Consider approving purchase of new public safety radios budgeted in the 2005-2006 operating budget and take any action necessary.
- h. Consider approval of the award of the bid for the Chandler's Marina Lift.
 Station Reconstruction and take any action necessary.
- i. Consider authonizing the City Manager to execute a Pre-Construction
 Services Contract for the SH-66 Boat Ramp Project and the Shores
 Neighborhood Park project and take any action necessary
- 224j.Consider approval of the Engineering Contract amendment for the225Squabble Creek Drainage Area Sanitary Sewer Investigation and take226any action necessary
- k. Consider approval of an Ordinance amending Chapter 15. Article IV.
 §15-81 of the Code of Ordinances to provide for the definition of solicitation and take any action necessary.

230 Councilmember Straughan requested that Consent Agenda item 5k be pulled. 231 Councilmember Scott requested that Consent Agenda items 5d and 5e be pulled. 232 Councilmember McCallum requested that Consent Agenda item 5g be pulled. 233 Councilmember Scott then made a motion to approve the remaining items (a, b, c, h, l 234 and j). Councilmember Straughan seconded the motion and the ordinances were read as 235 follows:

ORDINANCE NO. 06-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, AMENDING THE CODE OF ORDINANCES IN ARTICLE 18-7 TEEN CURFEW, SECTION 18-7-2 OFFENSES TO PROHIBIT MINORS UNDER SEVENTEEN YEARS OF AGE FROM BEING IN ANY PUBLIC PLACE BETWEEN THE MOURS OF 12:01 A.M. AND 6:00 A.M. FROM JUNE 1 THROUGH AUGUST 15: PROVIDING FOR AN ENFORCEMENT PROVISION; ESTABLISHING A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED BOLLARS (\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR AN EFFECTIVE DATE. 2rd Rusding

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247	ORDINANCE NO. 06-18
248 249 250 251 252 253 254 255 255	AN ORDINANCE OF THE CITY OF ROCKWALL. TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOBILE RENTAL FACILITY ON LOT 1361, BLOCK A, ROCKWALL TOWNE CENTRE ADDITION, LOCATED AT 700 EAST INTERSTATE 30; 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. 2 ^{TO} ROAD-10
257 258 259	ORDINANCE NO. D5-19
260 261 262 263 264 265 266 266 267 268 269	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (LI) LIGHT INDUSTRIAL DISTRICT, ON A TRACT OF LAND CONTAINING 6.0 ACRES AND KNOWN AS TRACT 8, ABSTRACT 134, J. LOCKHART SURVEY, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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. 2 ^{T®} Reading
270 271	ORDINANCE NO. 16-16
272 273 274 275 276 277	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN FOR THE CITY OF ROCKWALL TO PROMOTE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE DROUGHT CONTINGENCY PLAN; PROVIDING AN EFFECTIVE DATE, 2 ^{to} Reading
278 279 280	The motion passed unanimously by a vote of 7 ayes and 0 nays.
281 282 283 284 285	With respect to Consent Agenda Item 5k, Councilmember Straughan asked Chief Moeller about badges for door-to-door solicitors. Moeller advised that this would increase the work load and more people will have to get permits. After lengthy discussion, Mayor Gecil made a motion to deny approval of the ordinance and Councilmember McCallum seconded the motion. The motion passed by a vote of 6 ayes and 1 nay [Scott].
286 287 288	Councilmember Cotti made a motion to approve Consent Agenda Items 5d and 5e and Councilmember McCallum seconded the motion. The ordinances were read as follows:
289 290	ORDINANCE NO. 08-20
291 292 293 294 295 296 297 298 299 300 301	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-66) PLANNED DEVELOPMENT NO. 66 DISTRICT ON A 234.70-ACRE TRACT KNOWN AS TRACTS 1-1, 2 AND 2-1, ABSTRACT 182, J.H. ROBNETT SURVEY. BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE, 2 TH Reading

302	ORDINANCE NO. 06-21
303 304 305 306 307 308 309 310 311 312 313 314	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-67) PLANNED DEVELOPMENT NO. 67 DISTRICT ON A 27.939-ACRE TRACT KNOWN AS TRACT 19. ABSTRACT 186, J.A. RAMSEY SURVEY, BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACKED HERETO; PROVIDING FOR SPECIAL CONDITIONS: CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000] FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE, 2 TM Reading
315	The motion passed by a vote of 6 ayes and 1 nay [Scott].
316 317 318 319 320 321	With regard to Consent Agenda Item 5g which is to consider approving purchase of new public safety radios Councilmember McCallum asked for clarification on whether the cost is provided for in the current budget. McCallum then made a motion to approve Consent Agenda Item 5g and Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
322 323	6. APPOINTMENTS
324 325 326 327	 a. Appointment with Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and telated issues and take any necessary action.
328 329	Phillip Herbst, Planning and Zoning Chairman discussed the planning and zoning items on tonight's agenda.
330 331 332	 Appointment with Scott Self to discuss salboat fours at The Harbor and take any action necessary.
333 334 335 336 337 338 339 340 340 341	Scott Self addressed the Council regarding sallboat tours at The Harbor. Self stated that he had recently his Coast Guard Sailing License which would allow him to have passengers. Julie Couch stated that Mr. Self was only asking the Council to look at the concept tonight. There will be a concession fee. After discussion, Councilmember Nielsen made a motion to instruct Staff to prepare a contract between the City and Mr. Self and bring it back to the Council for approval. Councilmember Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays. The contract will not be exclusive.
342 343 344 345	c. Appointment with Michael Batdwin of TXU Electric Delivery regarding a request for a variance to install an overhead distribution line along FM549 to serve the proposed RSID Fontannal School and take any action necessary.
346 347 348 349 350 351	Michael Baldwin of TXU Electric Delivery appeared before the Council to discuss the requested variance. Putting in the overhead distribution line will save the School District between \$600,000 to \$1,000,000. Councilmember Scott made a motion to approve the request and Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 352 7. PUBLIC HEARING ITEMS
- 353 AM2006-002 -- Hold a public hearing and consider approval of an 354 а. Ordinance of a city initiated amendment to the City of Rockwall Code of 365 Ordinances - Subdivision Requiations - Chapter 24 - Amending the 356 following sections: Section 24-7, Master Plat, subsections (a) and (b): 357 Section 24-8. Preliminary Plats, adding a new subsection (a) and 358 renumbering succeeding subsections; and Section 24-9, Final Plat. 359 subsection (a), and take any action necessary. [1** Reading] 360

Robert LaCroix, Planning Director, discussed the background of this item. Mayor Cecil opened the public hearing but no one appeared to address the Council, so the public hearing was closed. Councilmember Straughan made a motion to approve the ordinance and Councilmember Scott seconded the motion. The ordinance was read as follows:

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE SUBDIVISION REGULATIONS, AS PREVSIOULY AMENDED, IN CHAPTER 24 OF THE CITY CODE OF ORDINANCES. AMENDING SECTIONS 24-7, 24-8 AND 24-9; MODIFYING PROCEDURES FOR ACCEPTANCE AND PROCESSING OF PLAT APPLICATIONS: PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND OOLLARS [S2,DD0.00] FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN EFFECTIVE DATE. 1" Reading

- 373
 374 The motion passed unanimously by a vole of 7 ayes and 0 mays.
- 376 8. SITE PLANS / PLATS

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378a.SP2006-015 - Discuss and consider a request for special exceptions to379the Unitied Development Code's requirements for construction materials380(Article V, Section 4.1 A) and building articulation (Article V, Section 4.1381C) by Andrew Booher of BMA Architects for the First Babilist Church382Children's Building, and take any action necessary.

Robert LaCroix discussed the background of this request and advised the Council that the Planning and Zoning Commission had recommended approval of the elevations and special exceptions by a vote of 6-0. Councilmember Straughan made a motion to approve the request and Councilmember Nielsen seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 389 9. Action Items
- 390391a.Consider approval of an Ordinance amending the Code of Ordinances in392Chapter 23 by creating an Arts in Public Places Master Plan and take any393action necessary
- B. Discuss and consider recommending an appropriate funding source for 395
 Art in Public Places and take any action necessary

Action Items 9a and 9b were discussed as one item. Mayor Cecil discussed the background for the funding source. Councilmember Straughan made a motion to approve the funding recommendation and Mayor Cecil seconded the motion. After lengthy discussion Councilmember Scott made a motion to amend the motion to approve the ordinance and approve \$30,000 from the hotel/motel fund. The amended motion failed for lack of a second. The ordinance was read as follows:

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403 404 405 406 407 408 409 4:0 4:1		THE C PLACE OF A F FOR A	ORDINANCE NO. 06-17 OINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CODE OF ORDINANCES IN CHAPTER 23 STREETS, SIDEWALKS AND PUBLIC ES, BY ADDING ARTICLE IV ART IN PUBLIC PLACES; PROVIDING FOR A PENALTY THE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN TIVE DATE.		
4•2 413 414			failed by a vote of 3 ayes (Cotti, Straughan and Cecil) and 4 nays [McCallum, in and Sevier].		
415 416 417 418 419 420	for th meeti motic	ber McCallum then made a motion to approve the ordinance, fund \$30,000 nder's statue and instruct Staff to bring back to the Council at the next commendations for fees for funding. Councilmember Scott seconded the City Attorney stated that it was not necessary to re-read the ordinance. The red by a vote of 5 ayes and 2 nays [Cecil and Cotti].			
420 421 4 22		C.	Discuss and consider the procedure for the reduction of the speed lamits within a subdivision and take any action necessary.		
423 424 425 426 427 428	Assistant City Manager Rick Crowley discussed the background of this item. After lengthy discussion, Councilmember Straughan made a motion to direct Staff to dovelop reducing speed limits to 25 mph within neighborhoods, but not the collector streets. Councilmember Cottl seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.				
429 430 431	10.		MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, RE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.		
432		a,	Departmental Reports		
433		b.	City Manager's Report		
434 435 436 437	Impro	vemen	advised the Council that the target-date for complete of the public side of the its at The Harbor is September. Couch reminded the Council that we would at 2:00 p.m. on June 19, 2006, to discuss budget priorities.		
438 438 439 440	There being no further business to come before the Council in regular session, Mayor Cocil adjourned the meeting into Executive Session at 9:41 p.m.				
441 442	11.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND IB7 OF TEXAS GOVERNMENT CODE TO DISCUSS:		
443 648		à.	Deliberation regaroing the purchase, exchange, lease, or value of real property		
445 446		þ.	Personnel Issues, including Beard, Commission, and Committee Appointments, and Refated Matters; appointment of Mayor Pro Tem.		
447 448 449 450		C.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.		

- 451d.Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation452with attorney with regard to a maller that it is the duty of the allorney to453consult with the Council and falls under the attorney-client privilege.
- 454 e. Vester T. Hughes, Jr., as sole independent Executor of the Estate of
 455 W.W. Caruth, Jr., Deceased vs. City of Rockwall, Cause No. 1-06-350, in
 456 ine 382¹⁰ District Court of Rockwall County, Texas.
- 457 f. Springer Road Elevated Tank Potential Litigation.
- 459 12. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

451 Councilmember Cotti made a motion to accept the settlement agreement with Chicago 462 Bridge and Iron and Councilmember Scott seconded the motion. The motion passed 463 unanimously by a vote of 7 ayes and 0 nays.

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465 Councilmember McCallum made a motion to appoint Councilmember Scott as Mayor Pro
466 Tem and Councilmember Sevier seconded the motion. The motion passed unanimously
457 by a vote of 7 ayes and 0 nays.

468 469 Councilmember Cottl made a motion to appoint Councilmember Straughan to the 470 Facilities Subcommittee and Councilmember McCallum seconded the motion. The 471 motion passed unanimously by a vote of 7 ayes and 0 nays.

473 There being no further business to come before the Council, Mayor Cecil adjourned the 474 meeting at 11:10 p.m.

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485 Dorothy Brook City Secretary



William R. Cecil, Mayor

		Minutes Rockwall City Council
		June 19, 2006
		2:00 p.m. Budget Work Session and Pre-Council Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087
1.	CALL	TO ORDER
Coun Scott	cilmen	l called the meeting to order at 2:00 p.m. Present were Mayor Bill Cecil and nbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Cliff Sevier. Also present were City Manager Julie Couch and City Attorney -
2.	WOR	κ δερείον το Discuss:
	ā.	Budget priorities.
		essing their budget prioritles, Mayor Cecil adjourned the meeting into ression at 4:00 p.m.
3.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF S GOVERNMENT CODE TO DISCUSS:
	а.	Deliberation regarding the purchase, exchange, lease or value of real property.
	b.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters
	C.	Commercial or financial information regarding business prospects that the City seeks to have rocate, stay, or expand in or near the territory of the City of Rockwali and with which the Board is conducting economic development negotiations.
	d.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and fails under the attorney-crient privilege
4.	Таке	ANY ACTION AS RESULT OF EXECUTIVE SESSION
No ac	tion w	as taken as a result of Executive Session.
TEXA	PAS: S, this	SED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
		Willin R. Curl
ΔΤΤΕ	ST-	William R. Cecil, Mayor
Â.	stot	hy Brooks AR BOCKWAR
Dorol	thy Bro	ooks, City Secretary
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49 50 51 52 53 54			Minutes Rockwall City Council June 19, 2006 6:00 p.m. Regular Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087	
55 56 67	1.	ÇALL 1	IO ORDER	
 Mayor Cocil called the meeting to order at 6:00 p.m. Present were Mayor Bill 6 Councilmembers Bob Cottl, Stephen Straughan, Tim McCallum, Margo Niels Scott, and Cliff Sevier. Also present were City Manager Julie Couch and City Pete Eckert. 				
63 64	2.	INVOC.	ATION AND PLEOGE OF ALLOGIANCE - COUNCILMEMBER CLIPF SEVIER	
65 60	3.	PROCLAMATIONS / RECOGNITIONS		
67	4.	CONSE	ENTITEMS	
68 69 70		а.	Consider approval of the Minutes from the May 15, 2006 City Council meeting and take any action necessary.	
71 72 73 74 75 76 77		Ь.	AM2006-002 Consider approval of an Ordinance of a city initiated amendment to the City of Rockwall Code of Ordinances - Subdivision Regulations - Chapter 24 - Amending the following sections: Section 24- 7, Master Pial, subsections (a) and (b); Section 24-8, Preliminary Plats, adding a new subsection (a) and renumbering succeeding subsections; and Section 24-9, Final Plat, subsection (a), and take any action necessary [2 nd Reading]	
78 79		Ċ.	Consider approval of a Change Order on The Barbor Project Phase 1 and take any action necessary.	
80 51 82 83		d.	Consider approval of a Resolution authorizing the City Manager to enter into an agreement with TxDOT for the purchase of right of way along SH- 205 from north of SH-66 to SH-276 (Parce, 86) and take any action necessary.	
84 85 56 87		C.	Consider approval of a Resolution allthonizing the City Manager to enter into an agreement with TxDO1 for the purchase of right of way along SH- 205 from north of SH-66 to SH-276 (Parcel 88) and take any action necessary.	
88 59 90		f.	Consider approval of a Resolution denying Atmos Energy Corpl, Mid- Tex Division's Statement of Intent to increase the gas utility rates in this municipality and take any action necessary.	
91 92 93 94		g.	Consider approval of an <i>Ordinance</i> denying the request of Atolos Energy Corp., Mid-Fexas Division, for an annual gas reliability infrastructure program (GRIP) rate increase in this municipality and take any action necessary.	

- Consider approval of the cost for Reverse 911 and take any action 95 b. necessary. 96 Consider approval of the award of the contract for emergency server. 97 i. repair south of SH-66 and take any action recessary. 98 Consider approval of the bid award for the Mobile Command Vehicle. 99 j, Radio System and lake any action necessary. 100 Consider approval of the bid award for street materials and take any k. 101 102 action necessary. Consider approval of the Minutes from the June 5, 2006 City Council 103 Ι. meeting and take any action necessary. :C4 Councilmember Cotti made a motion to approve all the Consent Agenda Items and 105 Councilmember Scott seconded the motion. The ordinances were read as follows: 106 :07 108 109 110 ORDINANCE NO. 06-24 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMERDING THE SUBDIVISION REGULATIONS. AS PREVSIOULY AMENDED, IN CHAPTER 24 OF THE 111 CITY CODE OF ORDINANCES, AMENDING SECTIONS 24-7, 24-8 AND 24-9; MODIFYING :12 PROCEDURES FOR ACCEPTANCE AND PROCESSING OF PLAT APPLICATIONS; 113 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND 114 DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE: 115 PROVIDING FOR A REPEALER CLAUSE, PROVIDING FOR AN EFFECTIVE DATE. 2" Reaging 1:6 ORDINANCE NO. 68-23 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DENVING THE REQUEST OF ATMOS ENERGY CORP., MID-TEX DIVISION, FOR AN ANNUAL GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) RATE INCREASE IN THIS MUNICIPALITY, AS A PART OF THE COMPANY'S STATEWIDE GAS UTILITY DISTRIBUTION SYSTEM: APPROVING COOPERATION WITH OTHER CITIES WITHIN THE ATMOS ENERGY CORP., MID-TEX DIVISION DISTRIBUTION SYSTEM AS PART OF THE ATMOS CITIES STEERING COMMITTEE (ACSC); AUTHORIZING ACSC TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION; AUTHORIZING INTERVENTION AS PART OF ACSC IN ANY APPEAU OF THE CITY'S ACTION TO THE RAILROAD COMMISSION; PROVIDING A REQUIREMENT FOR A PROMPT REIMBURSEMENT OF COSTS INCURRED BY THE CITY: FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED. 132 133 BY LAW; AND PROVIDING FOR NOTICE OF THIS ORDINANCE TO ATMOS ENERGY CORP... MID-TEX DIV(SION. 134 The motion passed unanimously by a vote of 7 ayes and 0 navs. 135 136 137 5. **APPOINTMENTS** 138 Appointment with Planning and Zoning Chairman to discuss and answer-139 а. any questions regarding cases on the agenda and related issues and 140 take any necessary action. 141 Phillip Herbst, Planning and Zoning Chairman, discussed the planning and zoning items 142
- :43 on tonight's agenda.

144 b. Appointment with David Howerlap of Rambow End Day Care regarding
 145 amondments to the Fire and Building Codes and Take any action
 146 necessary.

147 Fire Chief Mark Poindexter discussed the background of this matter and the requested Fire and Building Code amendments. Poindexter advised that the International Code 148 adopted by the City requires that fire alarms be monitored. David Nowerton came 149forward and addressed the Council and talked about the various codes and why he feels 150 they should be changed. He stated he has put in an alarm system but is asking for a 151 variance to not have his fire alarm monitored. After a short discussion, Councilmember 152 Straughan made a motion to deny Mr. Howerton's request and Councilmember McCallum. 153 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 154

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c. Appointment with Naming Sub-Committee for status report and take any action necessary.

Councilmember Scott discussed the status of the review of the naming guidelines by the Naming Subcommittee. The Subcommittee feels that the current guidelines are ok and recommends approving the recommendation by the Park Board for the naming of the park at the Shores "The Shores Park." The Subcommittee does feel that language needs to be added to the policy regarding how we name parks and buildings. Councilmembers Cotti and Straughan recommended that the policy be revised and brought back to the Council for approval. No other action was taken on this matter.

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 Appointment with Marlyn Roberts to regarding stockpilling dirt and take any action necessary.

Marlyn Roberts came forward to address the Council regarding a stockpile of dirt on his 769 property. Roberts wants to leave the dirt where it is until the project is complete and 169 then he will spread it out. The dirt will not be stockpiled permanently. Roberts stated 170 that he talked to FEMA and they said it could be in the flood plain so long as it is not in 171 the flood area. City Engineer Chuck Todd discussed the City ordinance prohibiting 172 stockpiling of dirt in the flood plain or on an easement. After discussion, Roberts was 173 asked if he would promise to get the dirt out in six months and he did so promise. 174 Councilmember Scott then made a motion to approve the variance and Councilmember 175 Nielsen seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0. 176 177 nays.

- 179 6. PUBLIC HEARING
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 a. **Z2006-010** -- Hold a public hearing and consider approval of an **Ordinance** for a request by Brian Walker for approval of a Specific Use
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 Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard
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 Takeline Overlay (TL OV) District, in the take area adjacent to their
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 property at 1170 Crestcove Drive, being Lot 22, Block B, Hilcrest Shores
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 Phase 3 Addition, and take any action necessary. [1st Reading]

187 Robert LaCroix discussed the background of this request. LaCroix stated that Staff
 188 recommended approval with conditions and that the Planning & Zoning Commission
 189 recommended approval as presented by Staff. Mayor Cecil opened the public hearing
 190 and the following persons came forward to address the Council:

- 191 192
- Applicant was not present and did not appear

Councilmember Cottl made a motion to continue the public hearing until the July 17,
 2006 meeting and Councilmember Straughan seconded the motion. The motion passed
 unanimously by a vote of 7 ayes and 0 nays.

b. Z2006-011 -- Hold a public hearing and consider approval of an
 Ordinance for a request by Brent Lemmond of Dallas Towboys for
 approval of a Specific Use Permit (SUP) to allow for a "Towing and
 impound Yard" within the (#C) Heavy Commercial district, on properly
 described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded)
 and located al 291 National Orive, and Take any action necessary.
 [1"Reading]

Robert LaCroix discussed the background of This request. LaCroix stated that Staff recommended approval with conditions and that the Planning & Zoning Commission recommended approval as presented by Staff. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

- 208 209 Brent Lemmond
- 210 10349 5H205

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- 211 Rockwall, Texas
- 212 Mr. Lemmond asked for approval of his request.

214 There being no one further to address the Council, Mayor Cecil closed the public 215 hearing. After short discussion, Councilmember Scott stated he would approve the 216 request so long as the cost of non-consent tows and impound fees would be a part of the $2^{+}7$ ordinance. City Attorney Eckert stated that the language should read "to the extent permitted by law only for non-consent tows from and within the city, the cost shall be 2:8 " Councilmember Scott made a motion to approve the limited to \$ 219 SUP with the additional language for nonconsent tows and Councilmember Cotti 22C seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 navs. 221

- 223 7. SITE PLANS / PLATS
- SP2006-010 -- Discuss and consider a variance request for the 225 a. requirement of cross access by Don Dalton of The Woodmont Company. 226 227 in association with a site plan for Rockwall Crossing Phase 2, period a 509,000 (+/-) sq ft commercial development localed on approximately 228 45.72-acres currently described as Rockwall Business Park East. The 229 230 subject property is zoned (PD-14) Planned Development No. 14 district. and (C) Commercial district, is situated within the I-30 Compon Overlay. 231 District and SH 205 Corridor Overlay district, and located along the south-232side of I-30, north side of Ralph Hall Pkwy, west of SH 205 and 233 immediately east of Rockwall Crossing Phase 1, (3/4 vote required for 234 235 approval).

Robert LaCroix discussed the background of the request for approval of the variance to the site plan in order use 9 x 18 parking spaces. The Planning and Zoning Commission approved the site plan, but required the use of 9 x 20 parking spaces. The applicant, Don Dalton came forward to address the Council. Mr. Dalton stated he was seeking a variance for the parking spaces and the cross access from the adjoining shopping center. After discussion, Councilmember Straughan made a motion to deny the 242 requested variances and Councilmember Scott seconded the motion. The motion to 343 deny passed unanimously by a vote of 7 ayes and 0 nays.

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 b. SP2006-004 – Discuss and consider a request by Donald Freeman of Perkins + Will for approval of a PD Site Plan for the Presbyler at Hospital of Rockwall located on a 13.49-acre track zoned (PD-9) Planned Development No. 9 district and situated west of Horizon Rd (FM 3097), south of Rockwall Pkwy, east of Summer Lee Drive and north of Tubbs Road, and take any action necessary

Robert LaCroix discussed the background of this request for site plan approval. 251 including a waiver for stone on the facade, vertical articulation standards, directional 252 signs and metal screening for the air conditioning units. The Planning and Zoning 253 Commission recommended approval by a vote of 6 – 1. The PO requires that the Council 254 approve the site plan. Ken Teel came forward to address the Council and requested 255 approval of the variances. Councilmember Scott made a motion to approve the request 256 and Councilmember Straughan seconded the motion. The motion passed unanimously 257 258 by a vote of 7 ayes and 0 nays. 259

- 260 8. ACTION ITEMS 261
 - Discuss and consider a moratorium on residential construction, and take any action necessary
- 264 Councilmember Scott stated that he brought this matter forward for Council discussion. 265 After a short discussion, no action was taken.
- 267 b. Discuss and consider funding for Art in Public Places and take any action.
 268 necessary.

City Manager Julie Couch and City Attorney Pete Eckert discussed the funding options. 269 270 After a short discussion, Councilmember McCallum made a motion directing Staff to bring back an ordinance regulring a \$30 fee on new construction permits for residential 271 homes and commercial businesses. This does not affect governmental permits. 272 273 Councilmember Scott seconded the motion. After additional discussion, Councilmember McCallum amended his motion to include the proposal for rounding up on water bills and 274 275 Councilmember Scott seconded the amended motion. The motion passed by a vote of 4 ayes [McCallum, Scott, Sevier and Cecil] and 3 nays [Nielsen, Cotti and Straughan]. 276 277

278c.Discuss and consider approval of an Ordinance amending Chapter 5 of279the Code of Ordinances regarding rables vaccidation requirements and280fees and take any action necessary

Jeffrey Widmer discussed the background of this item. Councilmember McCallum made
 a motion to approve the ordinance and Councilmember Cotti seconded the motion. The
 ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. AMENDING THE CODE OF ORDINANCES IN CHAPTER 5 ANIMALS IN SECTIONS 5-1 DEFINITIONS, 505 DOG-CAT PERMITS AND TAGS-GENERALLY, 5-9 VACCINATION OF ANIMALS CAPABLE OF TRANSMITTING RABLES; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. 11 Routing 292 293

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- The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 264d.Consider and take action on adoption of a Resolution directing265publication of notice of intention to issue certificates of obligation; and266resolving other matters relating to the subject.

297 Mary Smith, Finance Director, discussed the background of this item. Councilmember 298 Cotti made a motion to approve the Resolution and Councilmember Straughan seconded 299 The motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

c. Consider and take action on adoption of a Resolution calling a public hearing regarding amending the project plan and (hancing plan for Tax increment Reinvestment Zone Number 1, City of Rockwall, Texas, preliminary approval of amendments to the project and financing plan; authorizing publication of notice and notice to taxing units, and resolving other mallers related thereto.

307 Mary Smith discussed the background of this Item. Councilmember Cotti made a motion 308 to approve the Resolution and Councilmember Nielsen seconded the motion. The 309 motion passed unanimously by a vote of 7 ayes and 0 nays.

3.1 There being no further business to come before the Council at this time, Mayor Cecil. 3.2 adjourned the meeting into Executive Session at 10:10 p.m.

- 313

 314

 11.

 HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF

 315

 TEXAS GOVERNMENT CODE TO DISCUSS
- 316 a. Deliberation regarding the purchase, exchange, lease of value of real.
 317 property.
- 318 b. Personnel Issues, including Board, Commission, and Committee,
 319 Appointments, and Related Matters.
- 320c.Commercial or financial information regarding business prospects that the
321321City seeks to have locate, stay, or expand in or near the territory of the
City of Rockwall and with which the Board is conducting economic
323323Development negotiations.
- 324d.Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation325with attorney with regard to a matter that it is the duty of the attorney to326consult with the Council and fails under the attorney-client privilege.
- 327 12. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION.
- 328

Mayor Cecil made a motion to approve the REDC contract regarding the Justin Road right-of-way and Councilmember Cottl seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

232

Mayor Cecil made a motion to approve a mandatory injunction on the Hoenshalt property
 and Councilmember Cotti seconded the motion. The motion passed unanimously by a
 vote of 7 ayes and 0 nays.

336

Councilmember Nielsen made a motion that the Blackland termination date be set and Gouncilmember Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

There being no further business to come before the Council, Mayor Gecil adjourned the meeting at 11: 55 p.m. AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, day of _______, 2006. PASSED TEXAS, this <u>//</u> ? Curl \odot William R. Cecil, Mayor ATTEST SEAL City Secretary **Dorothy Brooks**

1		Minutes			
2	Rockwall City Council				
3	June 26, 2006				
4			5:45 p.m. Joint Work Session with the		
5			Planning and Zoning Commission		
ō			City Hall, 385 S. Goliad, Rockwall, Texas 75087		
7 8	1.	CALL	TO ORDER		
9 10 11 12 13 14 15 16	Court Scolt	cilmemi and Cl Burgan Phillip H	called the meeting to order at 5:45 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier. Also present were Planning and Zoning Commission Members ny, Susan Langdon, Mike Lucas, Glenn Smith, Jeff Carroll, Connie Jackson lerbst. Also present were City Manager Julie Couch and City Attorney Pete		
17 18	2 .	HOLD	Work Session to discuss:		
19 20 21		A.	Updating the comprehensive land use plan and other matters of joint interest and take any action necessary.		
21 22 23 24	Robe was l	Instruct	oix discussed the background of this matter. After lengthy discussion, Staff ed to proceed with the comprehensive land use plan update.		
25 26	3.	Ho∟D 551.0	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 87 OF TEXAS GOVERNMENT CODE TO DISCUSS:		
27 28 29		a.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and fails under the attorney-chent privilege.		
30 31	No a	ction wa	as taken as a result of Executive Session.		
32 33	4.	Астю	DN ITEM		
34 35 36		a.	Discuss and consider approval of a revised interlocal agreement with Rockwall County regarding subdivision regulations within the ETJ and take any action necessary.		
37 38	Robert LaCroix and Julie Couch discussed the revisions to subdivision regulations within the ETJ. After a short discussion, no action was taken.				
39 40 41 42	meet	ting at 7	no further business to come before the Council, Mayor Cecil adjourned the :45 p.m.		
43 44 45	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _// day of Council, 2008.				
46 47			hilling hi Can C-		
48 49 50 51 52		est: A A othy Bro	SEA!		

		Minutes
		Rockwall City Council
		July 3, 2006
		6:00 p.m. Special Meeting
		City Hall, 385 S. Goliad, Rockwall, Texas 75087
		•
	A	TA 00050
1.	GALL	TO ORDER
Cour	ncilmen	l called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and nbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier. Also present was City Manager Julie Couch.
2.	Астю	DNITEMS
	a.	Discuss and consider approval of a Resolution providing for reconnection fees for water disconnected pursuant to the Drought Contingency Plan Ordinance (Ordinance No. 06-16) and take any action necessary.
After	discus	ssion, upon motion duly made and seconded, the Resolution passed.
	Ь.	Discuss and consider approval of a revised interlocal agreement with Rockwall County regarding subdivision regulations within the ETU and take any action necessary.
	discu: oved.	ssion, upon motion duly made and seconded the Interlocal Agreement was
Ther neel	e being ling at (a no further business to come before the Council, Mayor Cecll adjourned the 6:30 p.m.
PAS this		ND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, day of
		Willi- L'anie
		William R. Cecil, Mayor
	EST: Did hy Bro	thy Buroles ooks City Secretary 5 SEAL

1			Minutes
2			Rockwall City Council
3			July 17, 2006
4			3:00 p.m. Work Session and Pre-Council Meeting
			City Hall, 385 S. Gollad, Rockwall, Texas 75087
5 6 7			
	Ι,	ĊALL	TO ORDER
8 9			
8	Mayor	Cecil	called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and
10	Çouni	cilmem	bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielson, Matt Scott
11	and C	liff Sev	ier. Also present were City Manager Julie Couch and City Altomey Pete Eckort.
12			Manus Provide VA DECEMBER
13	IC.	HOLD	WORK SESSION TO DISCUSS:
14		141	ARCHITECTURAL STANDAROS
15 16		(1)	ARCHITECTORAL STANDARDS
10	1 11.	Anim	URNMENT
18	311.	A030	DRAMENT
19	AHer	discuss	sing Architectural Standards, Mayor Cocil adjourned the maeting into Executive
20			:00 p.m.
21			as parti
22	IV.	HOLD	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF
23			S GOVERNMENT CODE TO DISCUSS
		_	
24		(1)	Deliberation regarding the purchase, exchange, lease, or value of real
25			property.
26		(2)	Personnel Issues, including Board, Commission, and Committee
27			Appointments, and Related Matters.
22		(3)	Commercial or financial information regarding pusiness prospects that the
29		1-1	City seeks to have locate, stay, or expand in or near the temtory of the City of
30			Rockwall and with which the Board is conducting economic sevelopment
31			negolial:ons.
32		60	Parsuant to Section 551.071(2) of the Open Mestings Act: Consultation with
33		(4)	attorney with regard to a matter that it is the duty of the attorney to consult
34			with the Council and falls under the attorney-client privilege.
35 36	۷.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION
37	Mo an	tion w	as taken by the Council during Executive Session. Mayor Cecil adjourned the
38			assion at 5:56 p.m.
39			
40		PASS	ED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
41	TEXA	S, this	1th day of Mgust. , 2006.
42			
43			
44 45			William R. Cecil, Mayor
40 46	ATTE	et.	a l
47	$\mathcal{A}^{\mathbf{T}}$		o Alexandre I and a second and
48	ίÆ	らいせ	hy buoks oks City Secretary
49	Dorot	hy Bro	oks City Secretary
		-	
	July 17,	zçus, daş	y Courtes 🕴 👔 👘 🖉
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			Control of the second sec

50		Minutes
51		Rockwall City Council
52		July 17, 2006
53		6:00 p.m. Regular Meeling
54		City Hall, 385 S. Gollad, Rockwall, Texas 75087
55		
56 57	I.	CALL TO ORDER
58 59 60	Counc	Cacil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and ilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott liff Sevier. Also present were City Managor Julie Couch and City Attorney Pete Eckert.
61 62 63	lí.	INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMOER MARGO NIELSEN
64 65	λπί.	PROCLAMATIONS / RECOGNITIONS
66 67		 National Night Out Officer David Andrews received the Proclamation.
68 69	IV.	OPEN FORUM
70		Cecil opened the floor to those persons who wished to address the Council during
71	the Op	een Forum Session. The following persons came forward to address the Council:
72		
73		Ruth Peck
74		108 Lakedale
75 76		Rockwall, Texas Ms. Peck stated that a water hotline could promote "meanness" among
70 77		neighbors and the Council should consider a better way for reporting
78		watering violations.
79		watering violations.
80		Ms. Lynn Browning
81		108 Lake Meadows
82		Rockwali, Texas
83		Ms. Browning stated that we needed a new housing building and a new
84		nursing home.
85		
86		Pastor Joe Robins
87		805 Peter's Colony
88		Rockwall, Texas
89		Pastor Robbins thanked the Council for their attendance at Juneteenth and
90		stated that the Southside had nothing to do with Channel 8 showing up to
91		do a story on police harassment of youth in the neighborhood. Pastor
92		Robbins also asked the Council to consider changing the name of the
93		Southside Park to "Lorie Williams Park."
94		
95		Joann Glover
98		950 Williams
97		Rockwall, Texas
98		Thanked the Council for their support of Rockwall Aging and advised the
9 9		Council that there is a growing population of seniors in our community.

100 101 102	There	being I	no one further to address the Council, Mayor Cecil closed the Open Forum.
103	۷.	CONSE	ENT ÁGENDA
134 105 106		(1)	Consider approval of the Minutes from the June 19, 2006. City Council meeting and take any action necessary.
107 108		(2)	Consider approval of a Resolution naming the neighborhood park at The Shores "Shores Park" and take any action necessary.
109 110 111		(3)	Consider approval of an Ordinance amending Chapter 5 of the Code of Ordinances regarding rables vaccination requirements and fees and take any action necessary [2 rd Reading]
112 113 114		(4)	Consider authorizing the City Manager to enter into a contract with Landscapes Unlimited, LLC for construction manager services for the Shores Neighborhood Park Project and take any action necessary
115 116 117		(5)	Consider authorizing the City Manager to enter into a contract with Schuler Project Management Team for construction manager services for the Park at Foxchase Project and take any action necessary.
118 119		(6)	Consider approval of the award of the bid for the spray ground equipment for the Fox Chase Park spray ground and take any action necessary
120 121		(7)	Consider approval of the award of the bid for the Industrial Boulevard Improvements Project and take any action necessary.
122 123 124 125		(8)	Consider authorizing the City Manager to execute a Facility Agreement for collection of the pro-rate costs for the off-site sanitary sewer line installed by the Highway 276 Retail Center and take any action necessary.
126 127 128		(9)	Consider approval of the award of the Engineering Agreement with Birkhoff, Hendricks & Conway for the design of the 16-inch water line along FM-552 and take any action necessary.
:29 130 131 132 133 134		(10)	Z2006-011 – Consider approval of an Ordinance for a recuest by Brent Lemmond of Dallas Towboys for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard" within the (HC) Heavy Commercial district, on property described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded) and located at 291 National Drive, and take any action necessary. [2rd Reading]
135 136 137		(11)	Consider authorizing the City Manager to enter into a contract with the City of Heath regarding the Public Safety Radio System and take any action necessary
138 139 140		(12)	Consider approval of an Ordinance amonding the Code of Ordinances in Chapter 10 — Fire Code with regard to the furning radius of a fire apparatus access road and take any action necessary <i>[1¹⁴ Reading]</i>
141 142		(13)	Consider approval of the revisions to the Parks, Recreation and Mubicipal Naming Policy and take any action necessary.
143		(14)	Left blank on purpose.

- 144 (15) Consider approval of a *Resolution* authorizing the Mayor to execute a
 145 Quitolaim Deed abandoning right-of-way that is no longer needed to the
 146 abutting iand owner and take any action necessary.
- 147 (16) Consider approval of the bid ward for a secondary fuel source with the
 *48 Fleet Card Program and take any action necessary
- (17) P2006-020 Consider a request from First Baptist Church for approval of a replat of Lot 1, Block A, First Baptist Church Addition, being a 7.52-acre tract zoned (GR) General Retail district, (SF-10) Single Family Residential district and (SF-7) Single Family Residential district and located at the northwest corner of Gollad (SH 205) and Boydston Drive, and take any action necessary.
- (18) P2006-021 Consider a request by Randall Curington of Spring Haven
 Investments, Inc. for approval of a preliminary plat for Fontanna Ranch
 Phase III, being a 27.69-acre tractizened (PD-67) Planned Development
 No. 67 district and located on the east side of FM 549, directly south of
 Fontanna Ranch Phase I, and take any action necessary.
- 160(19)P2006-023 Consider a request by Sean Flaherty of The Wallace Group.161Inc., for approval of a replat of Lot 2, Block A, Rockwall Crossing Addition.162being a 1.42-acre tract zoned @ Commercial and located along the south163side of Interstate 30, and take any action necessary.
- (20) P2006-024 Consider a request by Kyung Hwan in and Jee Hyung
 Chung for approval of a final plat for Lot 1. Block A. Yellow Jacket
 Addition, being a 1.129-acre tract zoned © Commercial district and
 situated at the northeast corner of Ridge Road and Yellow Jacket Lane,
 and take any action necessary.
- 169(21)P2006-025 Consider a request from Pat Grady of Lakeside Chevrolet170Co. for approval of a replat of Lakeside Chevrolet Addition, located at1712005 S. Golvao, being a 8.692-acre tract zoned © Commercial district and172situated within the SN 205 Overlay District and IH-30 Overlay District, and173take any action necessary
- (22) Consider and take action on adoption of a Resolution calling for a public hearing regarding amending the project plan and financing plan for Tax increment Reinvestment Zone Number 1. City of Rockwall, Texas: preliminary approval of amendments to the project and financing plan, authorizing publication of notice and notice to taxing units; and (esolving other matters related thereto.
- 180(23)Consider approving a Resolution authorizing Cities Aggregation Power181Project, Inc. (CAPP) to act as an agent on benalt of the City to enter into182a contract for electricity and take any action necessary

183 Councilmember Scott requested that Consent Agenda Items 10 and 13 be pulled. Mayor 184 Cecil requested that item 12 be pulled and Councilmember McCallum requested that 185 items 6 and 17 be pulled. McCallum then made a motion to approve the remaining items 186 and Councilmember Straughan seconded the motion. The ordinance was read as 187 follows:

ORDINANCE NO 06-35
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 5 ANIMALS IN SECTIONS 5-1 DEFINITIONS, 5-5 DOG/CAT PERMITS AND TAGS-GENERALLY, 5-9 VACCINATION OF ANIMALS CAPABLE OF TRANSMITTING RABIES: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED COLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (2 ²⁴ Reading)
The motion passed unanimously by a vote of 7 ayes and 0 nays.
After clarification regarding the re-use of water for the sprayground, Councilmember McCallum made a motion to approve Consent Agenda Item 6 and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
With regard to Consent Agenda Item 10, Councilmember Scott requested that paragraph 5 in Section 2, of the ordinance be amended to state: "That the City Council shall review and approve the applicant's rates for non-consent tows originating within the City of Rockwall to the extent permitted by law. Any inability to agree on rates for non-consent tows shall allow the City Council to rescind the SUP without further recourse." Mayor Cecil seconded the motion and the ordinance was read as follows:
ORDINANCE ND. 06-28
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A TOWING AND IMPOUND YARD, ON A TRACT OF LAND KNOWN AS TRACT 2-9, J R JOHNSON SURVEY, ABSTRACT NO, 128, LOCATED AT 291 NATIONAL DRIVE; 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. [2 ⁵³ Reading]
The motion passed unanimously by a vote of 7 ayes and 0 nays.
With regard to Consent Agenda Item 13, Councilmember Scott requested a clarification on the policy and then made a motion to approve the item. Mayor Cecil seconded lhe motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.
With regard to Consent Agenda Item 17 after a clarification regarding Irees, Councilmember McCallum made a motion to approve the item and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
With regarding to Consent Agenda Item 12, Mayor Cecil requested clarification on why the change was needed. Fire Chief Mark Poindexter explained the reason behind the request. Mayor Cecil then made a motion to approve the ordinance and Councilmember Straughan seconded the motion. The ordinance was read as follows:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 FIRE PREVENTION AND PROTECTION REGARDING THE TURNING RADIUS OF A FIRE APPARATUS ACCESS ROAD; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DDLLARS 1\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY

244 245 DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING A SEVERABLITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [1^{4]} Reading]

246

247 248

265

266

267

The motion passed unanimously by a vole of 7 ayes and 0 days.

249 VI. APPOINTMENTS

250
 251 (1) Appointment with Planning and Zoning Chairman to discuss and answer
 252 any questions regarding cases on the agenda and related issues and
 253 take any necessary action

Planning and Zoning Chairman Phillip Herbst discussed the planning and zoning items
 on tonight's agenda. Councilmember Cotti recognized Mr. Herbst work on the Planning
 and Zoning Commission. Mr. Herbst has reached his term limits on the Commission and
 will be stepping down from the Commission in August.

258
 259 (2) Appointment with Gary Trotler, a representative from the Coasta: Drive reignborhood, and take any action necessary.

Gary Trotter and other representatives from the Coastal Drive neighborhood gave a short
 power point presentation on their recent block party and then presented Councilmember
 Margo Nielsen with a check in the amount of \$350.00, which represents the funds they
 raised during the block party for Helping Hands.

(3) Appointment with David Duhman of Quorum Architects regarding status of the Animal Adoption Center and take any action necessary.

David Duhman and Jeffrey Widmer discussed the site plan and building design of the proposed Animal Adoption Center. After a short discussion, Councilmember Straughan made a motion to refer the matter to the Facilities Subcommittee and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

273 VII. PUBLIC HEARING ITEMS

- 274 Z2006-010 - Continuation of the public hearing on this matter and 275 (1) consider approval of an Ordinance for a request by Brian Walker for 276 approval of a Specific Use Permit (SUP) allowing for a deck/patio within 277 the Lake Ray Hubbard Takeline Overlay (TL OV) District to the take area. 278 adjacent to Their property at 1170 Crestcove Drive, being Lot 22, Block B, 279 Hiltorest Shores Phase 3 Addition, and take any action necessary. 280 281 [1" Reading]
- Robert LaCroix, Planning Director, advised that this is a continuation of the public
 hearing from the last meeting and gave a short update of the matter. The following
 persons appeared before the Council:
- 285
- 286 Brian Walker [Applicant]
- 287 1170 Crestcove Drive
- 288 Rockwall, Texas
- 289 Mr. Walker asked the Council for their approval.
- 290

There being no one further to address the Council on this matter, Mayor Cecil closed the public hearing. Councilmember McCallum made a motion to approve the ordinance and Councilmember Straughan seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DECK / PATIO WITHIN LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 22, BLOCK B. HILLCREST SHORES PHASE THREE AND LOCATED AT 1170 CRESTCOVE DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2.000 DI) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1" Reading]

- 305 306 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 307 22006-013 -- Hold a public heating and consuler approval of an 308 (2)ordinance for a request by Brad Forslund of Churchill Residentia, Inc., 309 for a change in zoning from (C) Commercial district to (PO) Planned 310 Development district, specifically to accommodate an independent/active 311 senior living community and commercial uses on a 25.45-acre tract 312 known as Trac: 18. Abstrac: No. 255, B.J.T. Lewis Survey, situated along 313 the east side of S. Gollad south of the railroad and north of Justin Dr. and 3:4 take any action necessary. [1st Reading] 315

Robert LaCroix discussed the background of this request and the requirements for the project. Mayor Cecil opened the public hearing and the following persons appeared before the Council:

- 319320Tony Sisk and Joan Monette of Churchill Residential [Applicants]321Mr. Sisk gave a power point presentation on the project and answered322questions by the Council.323
- 324 Ruth Peck

325

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- Ms. Peck read an e-mail from Claudette Jones In favor of the project.
- 326 327 Karen Birkenbach
- 328 337 Valient Drive
- 329 Rockwall, Texas
- 330 Ms. Birkenbach is in favor of the project.
- 331 332 Leon Tuttle
- 333 603 Stonebridge Drive
- 334 Rockwall, Texas
- 335 Mr. Tuttle spoke against the project.
- 336 337 Кеп Dickson
- 338 205 Meadowdale
- 339 Rockwall, Texas
- 340 Mr. Dickson spoke against the project.
- 341 342 Sam Buffington

343	509 Bourn Avenue
344	Rockwall, Texas
345	Mr. Buffington spoke in favor of the project.
346	•
347	Peg Pannell-Smith
348	602 Williams
349	Rockwall, Texas
350	Ms. Smith spoke in favor of the project.
351	
352	Frank Childs
353	Evergreen Mesquito
354 354	Spoke in favor of the project.
355	Spoke in layor of the project.
	Cher Thypor
356	Gary Turner Else Secietado Accesiolles
357	Fire Sprinkler Association
358	Mr. Turner wanted to clarify that there has never been "multiple loss" in
359	any building that has sprinklers.
360	
361	Joann Glover
362	550 E. Quail Run Road
363	Rockwall, Texas
364	Spoke in favor of the project.
365	
366	Tony Rios
367	Rockwall Housing Authority
368	Spoke in favor of affordable senior housing and stated that the issue is
369	"what is affordable." Mr. Rios fell that the applicant should set aside a
370	certain portion of the facility for lower income persons.
371	
372	Marcia Gilbert
373	205 Woodpark Lane
374	Rockwall, Texas
375	Ms. Gilbert spoke in favor of the project.
376	
377	There being no one further to address the Council on this matter, Mayor Cecil closed the
378	public hearing. After a very lengthy discussion, Councilmember Scott made a motion to
379	approve the request with the following conditions: (1) The applicant will establish rear
380	access; (2) the deed restrictions will last for 50 years; (3) the tax credits have to be
391	awarded; and (4) the restriction for 55 and over has an exception for the spouse of a
382	person 55 or over, but no children are allowed. Councilmember Straughan seconded the
383	motion. The ordinance was read as follows:
384	
385	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
386	THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY
367	AMENDED, SO AS TO APROVE A CHANGE IN ZONING FROM (C) COMMERCIAL DISTRICT
388 389	TO (PDI PLANNED DEVELOPMENT NO DISTRICT, SPECIFICALLY TO ALLOW FOR AGE-RESTRICTED SENIOR HOUSING AND COMMERICAL USES ON A 24.45 ACRE TRACT
309	KNOWN AS TRACT 18. ABSTRACT 255. B.J.T. LEWIS SURVEY, AND MORE FULLY
391	DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
392	FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF YWO THOUSAND DOLLARS
393	(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
394	FOR A REPEALER CLAUSE: PROVIDING FOR AN EFFECTIVE DATE.
395	

The motion failed by a vote of 3 ayes [Nielsen, Scott and Straughan] and 4 nays [Cottl, 396 397 McCallum, Cecil and Sevier].

399 VIII. SITE PLANS / PLATS 400

398

414

SP2003-020 -- Discuss and consider a request from Rob Whittle for 401 (1)approval of a special exception to the Unified Development Code's. 402 requirements for construction materials (Article V. Section 4.1 A) for the 403 amended building elevations of The Harbor Hilton Holel and Conference 404Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, a 405 19.93-acre site zoned (PD-7) Planned Development No. 7 District and 406 situated along the Lake Ray Hubbard shoreline south of I-30 and west of 407 Summer Lee Drive, and take any action necessary. 408

Robert LaCroix discussed the background of the requested change. Rob Whittle 409 appeared and stated that the change is a requirement by Hilton and discussed the 410 improvement in the EFUS. Councilmember Cotti made a motion to approve the request 411 and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 412 413 aves and 0 navs.

SP2005-031 -- Discuss and consider a request by Peg Smith for approval. 415 (2) of a special exception to the Unified Development Code's requirements. 416 for (Article V, Section 4.1 A) for the amended building elevations for 417 Smilly's Roadhouse Grill, located on the proposed Lot 2. Thomas and 418 Smith Addition, being a 0/29-acre tract zoned (GR) General Retail district. 419 and located at 308 North Fanith, St, and take any action necessary 420

Robert LaCroix discussed the background of this request. Peg Pannell-Smith appeared 421 and requested the Council's approval to use EFUS. Councilmember Niclsen made a 422 motion to approve the request and Councilmember Straughan seconded the motion. The 423 motion passed unanimously by a vote of 7 ayes and 0 nays. 424 425

SP2006-022 - Discuss and consider a request by Robert A. Howman of 426 (3) Glenn Engineering for approval of a special exception to the Unified 427 Development Code's requirements for fencing (Article V. Section 1.7 A). 428 concerning the PD Site Plan for Rockwall Elementary School #12. 429 (Fontanna Ranch), located on a 10.0-acre site within (PD-54) Planned 430 Development No. 64 district and situated on the proposed Schtama Blvd. 431 east of FM 549 and south of SH 275, and take any action necessary. 432

Robert LaCroix discussed the background of the request. Councilmember Straughan 433 made a motion to approve the request and Councilmember Cotti seconded the motion. 434 The motion passed unanimously by a vote of 7 ayes and 0 nays. 435

- 436
- IX. ACTION ITEMS

437 438 Discuss and consider on first reading an ordinance authorizing the 439 (1)issuance and sale of the City's Combination Tax and Limited Surplus. 440 Revenue Certificates of Obligation, Series 2006; levying an annual ad-441 valorem tax and providing for the security for and payment of said 442 certificates, approving the official statement; providing an effective date, 443 and enacting other provisions relating to the subject. - No other action 444 can be taken at this time. 445
446 Mary Smith, Finance Director, discussed the need for the reading of the ordinance. The 447 ordinance was read as follows:

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- AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL. TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2006; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE: AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.
- 456 No action was taken by the Council at this time.
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- (2) Discuss and consider on first reading an ordinance authorizing the issuance and sale of the City's General Obligation Bonds, Series 2006;
 461 levying an annual ad valorem tax and providing for the security for and payment of said bonds, approving the official statement; providing an effective date, and enacting other provisions relating to the subject. No other action can be taken at this time.
- 465 Mary Smith, Finance Director, discussed the need for the reading of the ordinance. The 466 ordinance was read as follows:
 - AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION BONDS. SERIES 2006; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS, APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.
- 474 No action was taken by the Council at this time.
- 476 (3) Discuss and consider status of construction on the Parrier Street.
 477 improvements and take any action necessary.

478 Julie Couch and Chuck Todd, City Engineer, discussed the background of this matter.
479 No action was taken by the Council on this matter.

481 (4) Discuss and consider action on the FM-3097 Sewer project for a change.
 482 order and take any action necessary.

483 Chuck Todd discussed the background of this matter – whether we need to re-bld the 484 project or approve a Change Order. Councilmember Cotti made a motion to approve a 485 Change Order and Councilmember Nielsen seconded the motion. The motion passed 486 unanimously by a vote of 7 ayes and 0 nays.

468 (5) Discuss and consider water conservation measures, including
 489 establishment of a violator hotime for citizens to call and report violators.
 490 and discuss whether additional part-time staff to assist with code
 491 enforcement is necessary and take any action necessary.

492 Councilmember Scot discussed why he brought this matter forward for discussion by
 493 the Council. Assistant City Manager Rick Crowley discussed the actions currently being
 494 Laken by the City. No action was taken by the Council on this matter.

496 (6) Discuss and consider approval of a *Resolution* establishing fees for dermits, licenses, certificates, contractors and certain construction within the City of Rockwall and take any action necessary.

Pete Eckert discussed this matter. Councilmember McCallum made a motion to approve the Resolution and Councilmember Scott seconded the motion. The motion failed by a vote of 3 ayes [McCallum, Scott and Sevier] and 4 nays [Cotti, Straughan, Cecil and Nielsen].

504 (7) Discuss and consider internet hotspots throughout Rockwall provided by 505 Netport USA and take any action necessary.

506 Councilmember Scott stated that he had requested this item be put on the agenda, but 507 that he had not had a chance to talk with the Netport representative and requested that 508 this item be removed from the agenda. 509

510(8)Discuss and consider participating in the Texas Cities for Climate511Protection group with regard to proposed new Texas coal plants and take512any action necessary.

5:3 Mayor Cecil brought this matter forward and stated he thinks we should participate. 5:4 Councilmember Nielsen made a motion to support this cause and Councilmember Cotti 5:5 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

> (9) Discuss and consider approval of an Ordinance amending the Code of Ordinances in Chapter 18 by adding Article V. Regular of Sex Offender Residency and take any action necessary. [1st Reading]

520 This item was pulled forward during the meeting for action. Councilmember McCallum 521 discussed the background and Kathy Penn from the District Attorney's office offered a 522 minor change to the ordinance – change the word "minor" to "juvenile." Police Chief 523 Mark Moeller showed a map of sex offender residences within the city. Parents were told 524 to "not rety on someone else to do your job." Councilmember Scott made a motion to 525 approve the ordinance with the minor change and Councilmember McCallum seconded 526 the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18 OFFENSES AND MISCELLANEOUS PROVISIONS BY ADDING ARTICLEV REGULATION OF SEX OFFENDER RESIDENCY, MAKING IT UNLAWFUL FOR CERTAIN SEX OFFENDERS TO RESIDE WITHIN ONE THOUSAND FEET (1.000') OF PREMISES WHERE CHILDREN GATHER; PROVIDING THAT A CULPABLE MENTAL STATE IS NOT REQUIRED FOR COMMITTING AN OFFENSE UNDER THIS ORDINANCE; PROVIDING FOR AFFIRMATIVE DEFENSES; PROVIDING FDR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING AND EFFECTIVE DATE. [1st Reading]

- 539 The motion passed unanimously by a vote of 7 ayes and 0 nays.
- 541(10)Discuss and consider approval of an Ordinance amending the sign542ordinance to permit single residential builders more access to market their543projects and take any action necessary. [1st Reading]

544 Councilmember Scott stated that he had requested this item be brought to Council for 545 their approval. Jeffrey Widmer and Robert LaCroix discussed the changes to the Sign

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546 Ordinance and showed a map of the various areas. Councilmember Scott made a motion 547 to amend the Sign Ordinance and Councilmember Cottl seconded the motion. The 548 ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE SIGN ORDINANCE, AS PREVIOUSLY AMENDED, IN SECTION III C. DEFINITIONS AND IN SECTION III SIGN STANDARDS, B. FUNCTIONAL STANDARDS, 12. TEMPORARY REALTOR OPEN HOUSE DIRECTIONAL SIGNS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. {1³¹ Reading}

- 557 558 The motion passed unanimously by a vote of 7 ayes and 0 nays.
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(11) Discuss and consider the requirements of a building over 5,000 square feet to have fire sprinklers and take any action necessary.

Councilmember Straughan stated that he had requested this item be brought forward for 562 discussion. Straughan stated that he is concerned about the cost of sprinklering 563 buildings downtown. Fire Chief Mark Poindexter suggested that the Fire Department 564 research the issue. Gary Turner of Texas Fire Safety Contractors addressed the Council 565 and gave examples of what he is currently doing in downtown Plano. Mike Mishler of the 566 Dallas Homeowners Association also addressed the Council and stated that it would be a 567 good idea to have a plan for the downtown area. Staff will explore the options and will 568 bring information back to the Council at a later date. 569

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 571 (12) Discuss and consider The Harbor Project Grand Opening Event funding.
 572 and take any action necessary.

573 Brad Griggs, Parks Director, discussed the grand opening events. Councilmember Cotti 574 made a motion to approve the funding for the event and Councilmember McCallum 575 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 576

- 577 X. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 578 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 580 (1) Departmental Reports
- 581 (2) City Manager's Report
- 582

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583 There being no further business to come before the Council in regular session, Mayor 584 Cecil adjourned the meeting into Executive Session at 1:09 a.m.

585 586 XI. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF 587 TEXAS GOVERNMENT CODE TO DISCUSS:

- 588 (1) Deliberation regarding the purchase, exchange, lease, or value of rea-589 property.
- 590 (2) Personnel Issues, including Board, Commission, and Committee.
 591 Appointments, and Related Matters.
- 592(3)Commercial or financial information regarding business prospects that the593City seeks to have locate, stay, or expand in or near the territory of the

594	City of Rockwall and with which the Board is conducting economic
595	development negotiations.

- 596(4)Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation597with attorney with regard to a matter that it is the duty of the attorney to598consult with the Council and fails under the attorney-of ent privilege.
- 559 600 601

XII. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

602 Councilmember Cottl made a motion approving instituting legal proceedings as deemed
 603 necessary against the builder/developer with respect to lot compaction at 716 Windsong
 604 and Councilmember Straughan seconded the motion. The motion passed unanimously
 605 by a vote of 7 ayes and 0 nays.

606

607 Councilmember Cotti made a motion regarding exchange of land along Catalina Drive
 608 and Councilmember Scott seconded the motion. The motion passed unanimously by a
 609 vote of 7 ayes and 0 nays.

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61: Councilmember Cotti made a motion approving execution of a Deed Without Warranty to 612 the The Woodmont Company regarding the two streets being abandoned in the Rockwall 613 Plaza Addition and Councilmember Scott seconded the motion. The motion passed 614 unanimously by a vote of Z aves and 0 pages

614 unanimously by a vote of 7 ages and 0 nays. 615

616 Councilmember Cotti made a motion approving the Resolution of necessity to acquire 617 the stated properties that have refused right of entry for surveying for the 205 Bypass 618 right-of-way and Councilmember Scott seconded the motion. The motion passod 619 unanimously by a vote of 7 ayes and 0 nays.

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621 Councilmember Cotti made a motion to approve a Resolution of necessity for acquiring
 622 the right of way along East Summer Lee and Councilmember Scott seconded the motion.
 623 The motion passed unanimously by a vote of 7 ayes and 0 nays.
 624

625 Councilmember Straughan made a motion approving the hospital land deal and 626 Councilmember Cottl seconded the motion. The motion passed unanimously by a vole 627 of 7 ayes and 0 nays. 628

629 There being no further business to come before the Council, Mayor Cecil adjourned the 630 meeting at 1:45 a.m.

631 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, 632 TEXAS, this _ 7 Th ugust 632 _ day of 2006. 634 635 636 637 William R. Cecll. Mayor

638 639 640

641 Dorothy Brooks, City Secretary



1			Min	utes
2			Rockwall C	lity Council
3				7, 2005
4				Council Meeting
5 6			City Hall, 385 S. Goliad	Rockwall, Texas 75087
ĉ				
7 8	I.	CALL	TO ORDER	
9 10 11 12 13 14 15	Cour Scoti adjou	ncilmen t and C urned t	nbers Bob Cotti, Stephen Strau Jiff Sevier. Also present word G	8:00 p.m. Present were Mayor Bill Cecil and Ighan, Tim McCallum, Margo Nielsen, Matt ity Manager Julie. Mayor Cecil immediately sion. City Attorney Pete Eckert joined the
15 16 17	II.		EXECUTIVE SESSION UNDER SECTION SECTIONS SECTIONS SECTIONS SECTIONS SECTIONS SECTION S	ONS 551.071, 551.072, 551.074 AND 551.087 OF
18 19		(1)	Deliberation regarding the purch property	nase, exchange, lease, or value of real
20 21		(2)	Personnel Issues, including Appointments, and Related Matte	Board, Commission, and Committee ars.
22 23 24 25		(3)	City seeks to have locate, stay,	on regarding business prospects that the or expand in or near the territory of the chillhe Board is conducting economic
26 27 28		(4)	with attorney with regard to a m	of the Open Meetings Act: Consultation after that it is the duty of the attorney to under the attorney-client privilego.
29		(5)	Potential Ingation regarding Fair	Housing claim.
30 31 32	IÌÌ.	Таке	ANY ACTION AS RESULT OF EXECUT	IVE SESSION
33 34			as taken as a result of Executive ating at 5:58 p.m.	Session. Mayor Cecil adjourned the pre-
35 36 37				JNCIL OF THE CITY OF ROCKWALL, TEXAS, 2006.
38 39 40			0	aller & Card
41				William R. Cecil, Mayor
42	ATTE	ST:	1 . D	- until tra-
43 44	$\mathcal{A}_{\mathcal{A}}$	Hith	12 HOOKA)	WWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWW
45 46	Dore	thy Bro	ooks, City Secretary	SEAL ST
	August Page 1	n isara C	By Council Minutes	The state of the s

		Minutes
47		Rockwall City Council
48 49		August 7, 2006
49 50		6:00 p.m. Regular Meeting
50 51		City Hall, 385 \$. Goliad, Rockwall, Texas 75087
52		City Hall, 500 C. Bollad, Rockman, Fords Forei
53	I.	CALL TO ORDER
54		•
55	Mayo	or Cecil called the meeting to order at 6:06 p.m. Present were Mayor Bill Cecil and
56	Cour	cilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt
57	Scot	Land Cliff Sevier. Also present were City Manager Julie and City Attorney Pete
58	Ecke	rt.
59		
60	II.	INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR WILLIAM R. CECIL
61		•
62	Ш.	PROCLAMATIONS / RECOGNITIONS
63 04		Once Factor
64	IV.	OPEN FORUM
65 66	Marke	or Cecil opened the floor to anyone wishing to speak on any subject that is not on
67	tonio	ht's agenda as a public hearing item. The following persons came forward to
68		ess the Council:
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70		Ann Cornelius
71		325 FM-2453
72		Royce City
73		Ms. Cornelius stated she was in favor of the Evergreen project.
74		
75		Brad Forslund
76		5605 N. MacArthur
77		Irving, Texas
78		Mr. Forslund is the applicant for the Evergreen project. He gave a list of
79		the items that the Council had discussed needing at the last meeting and
80		Evergreen's response to those items and asked the Council to reconsider
81		the matter.
82 83		Bath Maichan
84		Betty Weishaar 100 Lake Meadows, Apt. 103
85		Rockwall, Texas
86		Ns. Weishaar is not in favor the Evergreen project. She feels Rockwalt
87		seniors need more affordable housing.
88		senars need more anorable noronig.
89		Mary Hanrahan
90		201 S. Clark
91		Rockwall, Texas
92		Ms. Hanrahan spoke about the Trans Texas Corridor and asked the Council
93		to urge TxDOT to hold a public hearing in Rockwall.
94		

95 96 97 98 99 100 100 102 103 104 105 106 107 108 109		333 C Rock Mr. B it nec Mr. B Mefba 1903 Rock Ms. J Peg f 602 V Rock	Bishop Columbia Drive Wall, Texas Kishop stated his concerns regarding the stripping along Ridge Road – eds to be redone. The Mayor instructed the City Manager to contact Hishop to discuss his concerns. a Jeffus S. FM-549 Wall, Texas Reffus stated she was in favor of the Evergreen project. Pannell-Smith Williams Wall, Texas
110 111			imith stated she was in favor of the Evergreen project.
112 113			no one further to address the Council, Mayor Cecil closed the Open Forum le tonight's meeting.
114 115 116	۷.	CONS	ENT AGENDA
117 118 118		(1)	Consider approval of an Ordinance amending the Code of Ordinances in Chapter 10 – Fire Code with regard to the turning radius of a fire apparatus access road and take any action necessary. [2 nd Reading]
120 121 122 123 124 125		(2)	Z2006-010 – Consider approval of an Ordinance for a request by Bhan Walker for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Bubbard Takeline Overlay (TLIOV) District, in the take area adjacent to their property at 1170 Crestcove Drive, being Lot 22, Block B, Hiltcrest Shores Phase 3 Addition, and take any action necessary. [2^{ro} Reading]
126 127 128		(3)	Consider approval of an Ordinance amending the Code of Ordinances in Chapter 18 by adding Article V. Regular of Sex Offender Residency and take any action necessary. <i>[2nd Reading]</i>
129 130 131 132		(4)	P2006-029 – Discuss and consider a request from Arthur Beck of BSM Engineers. Inc., for approval of a replat of First United Methodist Church Addition, being 19.56-acres zoned (C) Commercial district and located at 1200 Yellow Jacket Lane, and take any action necessary.
133 134 135 136		(5)	P2006-031 Discuss and consider a request by Amy Miller of Doughrate and Associates for approval of a replat of Lot 1, Block A, Rockwall Dodge Addition, being a 6.874-acre tract zoned (C) Commercial district and located at 970 E, I-30, and take any action necessary.
137 138		(6)	Consider approval of the changes to the Council Policy and Procedures and take any action necessary.
139 140		(7)	Consider approval of the award of the bid for Aligort Road Water Line Phase 1 improvements and take any action necessary.

- (8) Consider approval of the award of the bid for sidewalk construction at N.
 142 Lakeshore, Summer Lee and Daiton Road and take any action recessary.
- (9) Consider approval of the Minutes from the July 17, 2006 City Council.
 meeting and take any action necessary.
- 146(10)Consider authorizing the City Manage: to execute a contract with147Crossland Acquisition, Inc. for right-of-way acquisition for the 205 Bypass148project and take any action necessary.
- 149(11)Consider authorizing the City Manager to execute an engagement effer150with Burford and Ryburn for legal services related to light-of-way151acquisition process for the 205 Bypass project and take any action152necessary.
- (12) Consider approval of an advance funding agreement with TxDOT for the construction of SH-205 and take any necessary action.
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156 Councilmember Straughan requested that Consent Agenda Item #7 be pulled. 157 Councilmember Cotti requested that Consent Agenda Items # 8, 9, 10, 11 and 12 be 158 pulled and then made a motion to approve the remaining items. Councilmember 159 Straughan seconded the motion and the ordinances were read as follows: 160

ORDINANCE NO. 06-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 FIRE PREVENTION AND PROTECTION REGARDING THE TURNING RADIUS OF A FIRE APPARATUS ACCESS ROAD; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2.000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING A SEVERABLITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [2nd Roading]

ORDINANCE NO. 06-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DECK / PATIO WITHIN LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 22. BLOCK B, HILLCREST SMORES PHASE THREE AND LOCATED AT 1170 CRESTCOVE DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; 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. (Z" Reading)

ORDINANCE NO. 06-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 16 OFFENSES AND MISCELLANEDUS PROVISIONS BY ADDING ARTICLE V. REGULATION OF SEX OFFENDER RESIDENCY, MAKING IT UNLAWFUL FOR CERTAIN SEX OFFENDERS TO RESIDE WITHIN ONE THOUSAND FEET (1,000) OF PREMISES WHERE CHILDREN GATHER: PROVIDING THAT A CULPABLE MENTAL STATE IS NOT REQUIRED FOR COMMITTING AN OFFENSE UNDER THIS ORDINANCE: PROVIDING FOR AFFIRMATIVE DEFENSES; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING ANO EFFECTIVE DATE. (2rd Reading)

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 197 The motion passed unanimously by a vote of 7 ayes and 0 nays.
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With regard to Consent Agenda Item #7. after clarification, Councilmember Straughan made a motion to approve the award of the bid and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

With regard to Consent Agenda Item #8, after clarification, Councilmember Cotti made a
motion to approve the bid and Mayor Cecil seconded the motion. The motion passed
unanimously by a vote of 7 ayes and 0 nays.

206 207 Councilmember Cotti stated that he had mistakenly pulled Consent Agenda Item #9 and 208 made a motion to approve the Minutes from the July 17, 2006 meeting. Mayor Cecil 209 seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 210 nays.

- With regard to Consent Agenda Ilem #10, after clarification regarding the funding,
 Councilmember Cotti made a motion to approve the contract with Crossland Acquisition,
 Inc. and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of
 7 ayes and 0 nays.
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With regard to Consent Agenda Item #11, after clarification, Councilmember Cotti made a mollon to approve the request and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

With regard to Consent Agenda Item #12, after clarification, Councilmember Cotti made a
 motion to approve the agreement with Tx0OT and Mayor Cecil seconded the motion.
 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 225 VI. APPOINTMENTS
 - Appointment with Evelyn Lofland regarding naming of 205 Bypass

228 Ms. EveyIn Lofland of #1 Top Side Lane, Rockwall, Texas, came forward to address the 229 Council. Ms. Lofland suggested that the 205 Sypass be named Glen Payne Freeway. No 230 action was taken by the Council.

231 232 Appointment with Mary Smith and David Medanich regarding the sale of (2)bonds and to consider approval of an Ordinance authorizing the 233 234 issuance and sale of the City's Combination Tax and Limited Surplus. 235 Revenue Certificates of Obligation, Series 2006; levying an annual advalorem tax and providing for the security for and payment of said 236 certificates; approving the official statement; providing an offective date; 237 and enacting other provisions relating to the subject. [2" Reading] 238

Mary Smith and David Medanich addressed the Council. Medanich advised that
 the bonds had been sold to Citi Group Global Marketing. Councilmember Cotti
 made a motion to approve the Ordinance and Councilmember Straughan
 seconded the motion. The ordinance was read as follows:

Acoust 7, 2006, City Council Minutes Page 4

244	ORDINANCE NO. 06-26
245 246 247	AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF
248 249 250	OBLIGATION, SERIES 2006; LEVYING AN ANNUAL AO VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS
251 252	RELATING TO THE SUBJECT. [2" Reading]
252 253 254	The motion passed unanimously by a vote of 7 ayes and 0 nays.
255 256 257	(3) Appointment with Mary Smith and Dawd Medanich regarding the sale of bonds and to consider approval of an Ordinance authorizing the issuance and sale of the City's General Obligation Bonds, Series 2006.
258 259	levying an annual ad valorem tax and providing for the security for and payment of said bonds; approving the official statement; providing an
260 261	effective date; and enacting other provisions relating to the subject. [2" Reading]
252 263 264 265 265	Mary Smith and David Medanich addressed the Council. Medanich advised that the bonds had been sold to Citi Group Global Marketing. Councilmember Cottl made a motion to approve the Ordinance and Councilmember Straughan seconded the motion. The ordinance was read as follows:
267	ORDINANCE NO. 06-27
268 269 270 271 272 273 273 274	AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2005; LEVYING AN ANNUAL AD VALOREM YAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT. [2 rd Reading]
275 276	The motion passed unanimously by a vote of 7 ayes and 0 nays.
276	(4) Item left blank on purpose.
278 279	(5) Appointment with Lee Gilbert regarding outting of phone trunk line curing Townsend reconstruction.
280 281 282 283 283 284 285	Lee Gilbert of 2010 Industrial Boulevard, Rockwall, Texas, addressed the Council regarding the cutting of the major phone trunk line being cut for the third time by the construction company working on Townsend Boulevard. Mr. Gilbert admitted it was not the City's fault, but urged the Council to find some way to protect the citizens whose utilities are being disrupted. He does all his business by phone and to lose a day of business is bad for his bottom line. City Engineer Chuck Todd advised the Council that

business is bad for his bottom line. City Engineer Chuck Todd advised the Council that it is the utility company's responsibility to mark their lines. After discussion, Staff was instructed to bring back an update in thirty days on a simplified vendor rating system and if it is possible to have language in our contracts that will protect our citizens in the event of a utility line being cut. No action was taken by the Council at this time.

291 VII. SITE PLANS/PLATS 292

(1) Discuss and consider a request by Clyde W. Talley of Tallison
 Construction Col, for approval of a special exception to the side yard
 setback requirements of the (ZL-5) Zero Lot Line district, specifically on
 Lots 12 and 13. Block M. Sanger Brothers Addition, located at the
 southeast corner of S. Alamo Road and Ross, and take any action
 necessary.

299 Robert LaCroix discussed the background of this Item and stated that the Planning and 300 Zoning Commission had recommended approval. Councilmember Cotti made a motion 301 to approve the request and Councilmember Straughan seconded the motion. The motion 302 passed unanimously by a vote of 7 ayes and 0 nays.

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304 Mayor Ceci) recognized the boy scouts from Troop 88 who were in attendance at our 305 meeting tonight. 306

- 307 VIII. ACTION ITEMS
- 308
 309 (1) Discuss and consider the City's involvement in the Trans Texas Corridor
 310 and take any action necessary.

311 Councilmember Scott discussed why he brought this matter forward for discussion by the Council and the rumor that TxOOT is going to use our Bypass. Councilmember Cotti 312 stated that he would be attending the 9th Annual Transportation Summit later in the week 313 314 and would bring back any information he obtained at the Summit and provide it to the 315 Council. Julie Couch advised that TxDOT and the Consortium are looking at what we 31Б have established as the outer loop. Mayor Cecil requested Ms. Couch to contact our 317 TxDOT representative. Paul Williams, regarding the rumor that they are considering 318 using the Bypass. Couch stated that she would contact Williams and have him come talk 319 to the Council. No action was taken by the Council.

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(2) Discuss and consider authorizing open house signs in the Southside Overlay District and take any action necessary.

Robert LaCroix discussed the background of this item. Councilmember Scott made a
 motion to approve the request under the Southside Overlay District and Councilmember
 McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes
 and 0 nays.

328 Mayor Cecil then made a motion to have an ordinance prepared that would allow these 329 signs city-wide and Councilmember Nielsen seconded the motion. Ms. Couch asked for 330 the parameters and stated that we cannot differentiate between builders. After 331 discussion, the motion failed by a vote of 2 ayes (Cecil and Nielsen] and 5 nays (Cotti, 332 Straughan, McCallum, Scott and Sevier].

- 333
- 334 (3) Discuss Shores drainage and take any action necessary.

Mayor Cecil pulled this item forward on the agenda and discussion took place after the Consent Agenda. Julie Couch started the discussion regarding the Peterson property and Brad Griggs, Parks Director, and Andy Hesser of the Parks Department, showed a video of the drainage area. Ms. Couch discussed the various options to address the

- 339 drainage problems and stated that there will always be water in the drainage channel.
- 340 The following persons came forward and addressed the Council with their concerns:
- 3-1

352 353

354

- 342 Eric Peterson
- 343 1841 Royal Isle
- 344 Mr. Peterson is the son of Ms. Nancy Peterson. He asked that the Council 345 please take some sort of action to alleviate the problem.
- 346 347 Bob Amick
- 348 Mr. Amick requested that a fence be put around the rock outfill.

349
 350 After discussion of the various options. Staff was instructed to bring back to the Council.
 351 a refined version of the third option and the cost for that that option.

(4) Discuss and consider setting a date for the Council/Staff Retreat and take any action necessary.

355 This item was postponed for discussion until after the remaining items had been discussed. Couch discussed the potential retreat dates. After discussion, it was agreed 365 that the retreat would be held on either December 3 and 4th (the Council meeting 357 currently scheduled for the 4th would be moved to the 11th) or December 10 and 11 358 (depending on Councilmember Scott's schedule). Scott stated he would check his 359 360 calendar in the morning and advise Ms. Brooks (the City Secretary) of his availability. 361 Ms. Brooks in the meantime would check on the availability of the retreat location (Spirit of the West in Tioga) for December 3 and 4. 362 363

364 (5) Discuss and consider alternatives for the city's quarterly newsletter and
 365 annual report and take any necessary action.

Julie Couch discussed the background of the request and showed the Council samples of the paper to be used. After discussion, Councilmember McCallum made a motion to approve the Annual Report, Option B – 16 pages. The motion failed for lack of a second. Councilmember Straughan then made a motion to approve the Annual Report, Option A – 20 pages and Councilmember Cottl seconded the motion. The motion passed by a vote of 6 ayes and 1 nay [Cecil].

372

Councilmember Cotti made a molion to approve the Newsletter, Option B and Councilmember Straughan seconded the motion. After discussion, Councilmember Cotti withdraw his motion and Councilmember Straughan withdrew his second. Councilmember McCallum then made a motion instructing Staff to bring more options for review, including using inserts in the water bill and newspaper-type paper for discussion and approval at the next meeting. Councilmember Nielsen seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

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(6) Discuss and consider adoption of a **Resolution** notifying the County of Rockwall Emergency Services Corporation of Rockwall's interest in participating in the joint countywide Emergency Management Program and take any necessary action.

385 Julie Couch discussed the background of this item. After Council discussion and 386 clarification, Councilmember Nielsen made a motion to support and participate in the 387 countywide Emergency Management Program and to contribute our pro rata share

according to the budget. Councilmember Sevier seconded the motion and the motion 388 389 passed unanimously by a vote of 7 ayes and 0 nays. 390 Discuss and consider approval of the following matters reparding the Law 391 (7) Entorcement Training Facility and take any action necessary. 392 Approval of an Ordinance approving a Law Enforcement Training. 393 (ar Pacifity Contract and the payment Thereof; approving a Law 394 Enforcement Training Facility Operating Agreement; approving 395 bonds of the Rockwall County Emergency Services Corporation 396 for said project; and resolving other matters related thereto and 397 take any action necessary. [151 Reading] 398 Consider approval of the lease between the City and the ES. 399 (b) Corporation and take any action necessary. 400 Consider approval of the award of the bid for the construction of 401 (c)the Law Enforcement Training Facility and take any action. 402403 necessary. Consider approval of the amendment of the Bylaws and Articles of 404 (d) Incorporation of the ES Corporation and take any action 405 406 necessary 407 Julie Couch discussed items (a) through (d) above. Councilmember Cotti made a motion to approve 7(a) above and Councilmember Straughan seconded the motion. The 408 ordinance was read as follows: 409 410 411 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A LAW ENFORCEMENT TRAINING FACILITY CONTRACT AND THE PAYMENT THEREOF: 412 APPROVING A LAW ENFORCEMENT TRAINING FACILITY OPERATING AGREEMENT; 413 APPROVING BONDS OF THE ROCKWALL COUNTY EMERGENCY SERVICES 4.4 415 CORPORATION FOR SAID PROJECT; AND RESOLVING OTHER MATTERS RELATED 416 THERETO, Itst Reading) 417 The motion passed unanimously by a vote of 7 aves and 0 nays. 418 419 Councilmember Cotti then made a motion to approve items 7(b), (c) and (d) and 420 Councilmember Straughan seconded the motion. The motion passed unanimously by a 421 422 vote of 7 ayes and 0 nays. 423 Discuss and consider calling a public hearing regarding amending the 424 (6) Code of Ordinances to can smoking in food service establishments and 425 public buildings, including establishing a designated exterior smoking 426 areas which include outside patios and lake any action necessary. 427 Councilmember Straughan discussed why he brought this matter forward for discussion 428 by the Council. One of the reasons is the recent Surgeon General's ruling on second-429 hand smoke. After discussion, Staff was instructed to gather data and bring back the 430 Information in sixty days. No action was taken by the Council. 431 432 433 (9) Discuss and consider additional water sources during the drought and 434 take any action necessary. Councilmember Scott discussed why he brought this forward for discussion by the 435 Council. After lengthy discussion, the City Manager was instructed to contact the City of 436

437 Dailas to discuss the possibility of a short-term contract to purchase water from them
 438 and to also contact the North Texas Municipal Water District to have them come update
 439 the Council on their actions with regard to the drought.

440
 441 (10) Discuss and consider approval to place the proposal to adopt the tax rate on the September 18, 2006, action item agenda and take any action 443 necessary.

444 Mary Smith discussed the background of this request. Councilmember Cotti made a 445 motion to place the proposal to adopt the proposed tax rate of 43 $\frac{1}{2}$ ¢ on the September 446 18, 2006, action item agenda and Councilmember Straughan seconded the motion. The 447 motion passed by a vote of 6 ayes and 1 nay [McCallum].

- 448
- 449(11) Discuss and consider calling the public hearings on the 2006-2007 fiscal450year tax rate on August 21, 2006 and September 5, 2006 and take any451action necessary.

452 Mary Smith discussed the background of this request. Councilmember Cotti made a 453 motion to call public hearings on August 21, 2006 and on September 5, 2006, regarding 454 the proposed tax rate of 43 % ¢ and Councilmember Straughan seconded the motion. 455 The motion passed by a vote of 6 ayes and 1 nay [McCallum].

- 456
- 457 458
- (12) Discuss and consider the status update regarding the secondary entrance to Damascus and take any action necessary.

459 Councilmember Straughan stated that he had asked for the status update on this matter. 460 Robert LaCroix gave the background of the matter and stated that the clock is still 461 running for the school to put in the Damascus connection. After discussion, it was 462 determined that Staff would notify the school that their zoning on the Cameron property 463 would expire in 11 months and update the Council at the next meeting. No action was 464 taken by the Council.

- 465
- 466 467

468

(13) Discuss and consider a report form the Lake Rockwall Estates Subcommittee and take any necessary action related to implementing the recommendations.

469 Julie Couch discussed the background of this item and Subcommittee's 470 recommendations: (1) Hiring a Code Enforcement Officer (splitting the cost with the County); (2) Extending our nuisance ordinances into the ETJ (extra territorial 471 jurisdiction); (3) funding for a consultant; (4) looking at ways to provide trash removal to 472 the area; (5) hold a public hearing for the residents of the Lake Rockwall Estates area to 473 explain what is going on; and (6) explaining what Code Enforcement would be working 474 on. We need to target clean up activities that will be ongoing. District Attorney Ray 475 Sumrow has agreed to work with us to enforce the code enforcement violations. 476 477 Sumrow advises that under a Contract for Deed, the Seller is still responsible for the taxes and that is who they will be going after for unpaid taxes. Councilmember Nielsen 478 stated that the consultant is critical to this situation and that we need to concentrate on 479 480 uninhabitable structures for now. Nielsen then made a motion that we move forward with hiring a Code Enforcement Officer for the area, look for a consultant, and bring the 481 nuisance ordinances to the next meeting for approval. Councilmember McCallum 482 seconded the motion. The motion passed unanimously by a vote of 7 ayas and 0 nays. 483 484

- 485 IX. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 486 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 488 (1) Departmental Reports
- 489 (2) City Manager's Report

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491 There being no further regular business to come before the Council, Mayor Cecil. 492 adjourned the meeting into Executive Session at 12:10 a.m.

493

- 494
 X.
 Hold Executive Session Under Sections 551.072, 551.074 and 551.087 of Texas

 495
 Government Code to Discuss:
- 496 (1) Deliberation regarding the purchase, exchange, lease, or value of real.
 497 property.
- 498 (2) Personnei Issues, including Board, Commission, and Committee.
 499 Appointments, and Related Matters.
- 500(3)Commercial or financial information regarding business prospects that the501City seeks to have locate, stay, or expand in or near the territory of the502City of Rockwall and with which the Board is conducting economic503development negotiations.
 - (4) Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.
 - (5) Potential Itigation regarding Fair Housing claim.
- 507 508

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509 The following actions were taken as a result of Executive Session.

5:0

511 Councilmember Cotti made a motion to approve the Resolution abandoning a portion of 512 Second Street and Councilmember Nielsen seconded the motion. The motion passed 513 unanimously by a vote of 7 ayes and 0 mays.

5:4

515 Councilmember Cottl made a motion to reappoint the following persons to the various 516 boards and commissions as listed and Councilmember Scott seconded the motion. The 517 motion passed unanimously by a vote of 7 ayes and 0 nays.

5:8

		2-year Terms	
Residential Property Owner	Melba Jeffus	Aug 2008	
Resident al Property Owner	Donna Orr	Aug 2008	
Building Designer	John Lindsey Blowsarcher	Aug 2008	
NS2898228.21 (197, 1997) 1997		Z-year Torms	الله, "م
Member 4	Mike Heffler	Aug 2008	
Member 5	Rick Mase	4ug 2008	
Ailemate 3 Ailemate 4	John Flouter Jeff Cascy	Aug 2008 Aug 2008	

Later Cold State Alight	经资源通知 的复数形式			28 - X22 28 3
		2-year Terms		
Memper 3	Art Ruff	Aug 2008		-
Mentber 5	Steve Markee	Aug 2008		
		مرد میں استاد میں		
		2 year torms		
Property Owner	Sherry Pittman	Alay 2008		
Property Owner	Mary Hanrahap	4ay 2008		
Property Owner	Jason Polts	Alay 2008		
	And the second second			
		2 year lerms		
Member 2	Joe Witcraft	Aug 2008		
Member 4	Herb Molizan	ີ Aug 2008		-
	EL ANNA GLA ZO			
		2 year terms		
Momber 4	Glenn Smith	Aug 2008		
Member 5	Michael Hunter	Aug 2008	•	

519 520

521 Councilmember Scott made a motion to appoint Glen Farris to the Planning and Zoning 522 Commission and Councilmember Straughan seconded the motion. The motion passed 523 unanimously by a vote of 7 ayes and 0 nays.

524

525 Councilmember Scott made a motion to appoint the following persons to the Art Review 526 Team Commission and Councilmember Cottl seconded the motion. The motion passed 527 unanimously by a vote of 7 ayes and 0 nays.

- 528 Art Review Team (ART) Commission 2 yoar terms Member 1 Aug 2005 Joetto Curne Visual Art Professional Member 2 Michelle Swinde. Aug 2008 Visual An Protessional Member 3 Business Aug 2008 James Green Contructure Vember Member 5 Resided Aug 2005 Nancy Bealy
- 529 530

531 There being no further business to come before the Council, Mayor Cecil adjourned the 532 meeting at 1:30 am.

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537 538

534 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 535 this <u>And</u> day of <u>Angust</u>, 2006. 536

R.Cuil

539 540 ATTES1 541 542 543 Dorothy Brooks

William R. Cecil, Mayor

1			MINUTES		
2		ROCKWALL CITY	COUNCIL SPEC	IAL MEETING	
3 4			DGET WORKSH		
6			londay, August 14 cipal Court Room	. 2006	
5 6			, Rockwall, Toxas	75087	
7					
8 9	I. CALL TO C	DRDER			
10 11 13 14 15	Councilmembers Scott and Cliff So Pete Eckert, Add	d the meeting to orde Bob Cotti, Stephen evier. Also present v itionally, present wer prothy Brooks. Mayon.	Straughan, Tim vere City Manag e all City Depart	McCallum, Margo er Julie Couch and ment Heads, Kristy	Nielsen, Matt City Attorney Ashberry and
16 :7 18 19		CUTIVE SESSION UN S GOVERNMENT COD		51.072, 551.074, AN	D 551.087 OF
20 21	Potent a	il logation regarding fa:	r haus ng c'aim - B	Evergreen of Rockwall	
22 23	III. TAKE ANY	ACTION AS A RESUL	T OF EXECUTIV	E SESSION	
23 24 25 26 27 28 29	zoning matter at I Councilmember S	Bob Cotti made a m the regular meeting o cott seconded the m ughan, and Nielsenj al	f the City Counc otion and the m	il scheduled for Aug otion passed by a v	just 21, 2006. ote of 4 ayes
28 30 31 32 33 34	BUDGET F 2007, ANI	D DISCUSS THE CI OR THE PERIOD OF D THE AMENDED ER 30, 2006, AND TAK	OCTOBER 1, 2 BUDGET FOR	OCTOBER 1, 200	PTEMBER 30,
34 35 36 37 38 39	a brief discussio Manager Julie C	ay, each Department I n at the end of all c ouch to cut \$1 mill dget at a special meet	of the presentati on from the bu	ons, the Council in Idget. The Council	structed City
40 41	There being no fu meeting at 7:30 p.	irther business to com m.	ne before the Co	ouncil, Mayor Gecil a	adjourned the
42 43 44 45	PASSED AND API this <u>5+1</u> day	PROVED BY THE CITY	(GOUNCIL OF T 」, 2006.	HE CITY OF ROCKW	ALL, TEXAS,
46 47 48 49 50 51 52 53 54	ATTEST: <u>AUtothy-</u> Dorothy Brooks, (Buths Dity Secretary	William OCK	R. Cecil, Mayor	<u> </u>

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1. CALL TO ORDER

1Ú Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and 11 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt 12 Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney. 13 14 Pete Eckert.

Minutes

Rockwall City Council

August 21, 2006

3:00 p.m. Special Meeting: Budget Work Session

and Pre-Council Meeting

City Hall, 385 S. Goliad, Rockwall, Texas 75087

- ACTION ITEMS 16 2.
 - Z2006-013 -- Reconsider approval of an Ordinance for a request by Brad a. Forslund of Churchill Residential. Inc., for a change in zoning from (C). Commercial district to (PD) Planned Development district, specifically to accommodate an independent/active senior living community and commercial uses on a 25.45-acre tract known as Tract 18, Abstract No. 255, B.J.T. Lewis Survey, situated along the east side of S. Goliad south. of the railroad and north of Justin Dr. and take any action necessary [2nd Reading]

26 Robert LaCroix, Planning Director, discussed the background of this matter. Brad 27° 28 Forslund and Tony Sisk of Churchill Residential were present to answer any questions from the Council. After discussion, Councilmember Scott made a motion to approve the 29 request with the following conditions: (1) the project will be age restricted for 50 years; 30 (2) the applicant will enter into a Pilot Agreement for the payment of all city taxes; (3) the 3: interiors of the project will be similar to the facilities in Plano and Keller; and (4) must 32 have 20% stone. Councilmember Cotti seconded the motion and the ordinance was read 33 34 as follows: 33333344444444444

ORDINANCE NO 06-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (CI COMMERCIAL DISTRICT TO (PD-68) PLANNED DEVELOPMENT NO. 68 DISTRICT, SPECIFICALLY TO ALLOW FOR AGE-RESTRICTED SENIOR HOUSING AND COMMERCIAL USES ON A 25.45-ACRE TRACT KNOWN AS TRACT 18, ABSTRACT 255, BUJT, LEWIS SURVEY, AND MORE FULLY DESCRIBED MEREIN AS EXHIBIT ' A": PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND BOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (2* Reading)

- The motion passed at 4:14 p.m. by a vote of 5 ayes and 2 nays [Cecil and Sevier]. 49 50
- 51 3. BUDGET WORK SESSION
- 52

53 The Budget Work Session was postponed and the meeting immediately adjourned into 54 Executive Session at 4:26 p.m.

55
56 4. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND
57 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

- 58 a. Deliberation regarding the purchase, exchange, lease, or value of real 59 property.
- 60 b. Personne Issues, including Board, Commission, and Committee.
 61 Appointments, and Related Matters.
 - c. Commercial or financial information regarding business prospects that the City seeks to have boate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
 - d. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation with attorney with regard to a matter fitter it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

69 70 5. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

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 72 No action was taken as a result of Executive Session. The Executive Session adjourned.
 73 at 5:58 p.m.

74 75 PA\$SED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 76 This <u>5中日</u> day 今天学校研究的人, 2006.

Will-R. Care

William R. Cecil, Mayor

80 ATTEST: 81 82 93 Dorothy Brooks, City Secretary 84 85 86 87

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38			Minutes
39			Rockwall City Council
90			August 21, 2006
91			6:00 p.m. Regular Meeting
92			City Hall, 385 S. Goliad, Rockwall, Texas 75087
93 -			
94 95	1.	CALL 1	TO ORDER
96 97 98 99	Cound Scott	limem	called the meeting to order at 6:03 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier. Also present was City Manager Julie Couch and City Attorney
100 101	2.	INVOCA	ATION AND PLEDGE OF ALLEGIANCE ~ COUNCILMEMBER TIM MCCALLUM
102 103	3.	PROCL	AMATIONS / RECOGNITIONS / ANNOUNCEMENTS
104	•		
105 1 06		a .	Status of Council decision on reconsideration of the request for approval of an Ordinance for a request by Brad Forsland of Churchill Residential,
107 108			Inc., for a change in zoning from (C) Commercial district to (PD) Planned Development district, specifically to accommodate an independent/active
109			senior living community and commercial uses on a 25.45-acre tract
110			known as Tract 18, Abstract No. 255, B.J.T. Lowis Survey, situated along
111			the east side of S. Goliad south of the railroad and north of Justin Drive.
112 113			advised the audience that the above matter had been approved by the City ng their 3:00 session.
114 115 116	4.	CONSE	ENT AGENDA
117 118		а.	Consider approval of the Minutes of the August 7, 2006 City Council Meeting and take any action necessary.
119 120 121 122 123 124 125		b.	P2006-019 – Discuss and consider a request by Michael Ailen of Allen & Ridinger for approval of a replat of a 15.481-acre tract zoned (C) Commercial district and located north of I-30 and sould of La Jolla Pointe Drive, being Lots 4-5, Block A, and Lots 1-3, Block B, La Jolla Pointe Addition, Phase 2, and Lot 2, Block A, Steak N Shake Addition, and including the proposed abandonment of part of Catalina Drive (a 60-ft right-of-way), and take any action necessary.
126 127 128 129 130 131		ç.	P2006-026 Discuss and consider a request by Phillip Duncan of Taylor- Duncan Interest, Inc. for approval of a master piat for the Lakes of Somerset, being a 139.354-acre tract zoned (PD-63) Planned Development No. 63 distinct and localed along the north side of S FM 549, east of SP 205 and west of Lofland Cake, and take any action necessary.
132 133 134 135		d.	P2006-027 - Discuss and consider a request by Phillip Duncan of Taylor- Duncan Interest, Inc., for approval of a preliminary plat for the Lakes of Somerset, being a 139.354-acre tract zoned (PD-63) Planned Development No 63 district and located along the north side of SIFM

136 549, east of SH 205 and west of Lofland Lake, and take any action 137 necessary.

- e. P2006-030 Discuss and consider a request by David Johnston of Ouanah Hospitally Patters for approval of a replat of the Newman Center Addition, being a 3.301-acre tract zoned (C) Commercial district and located along the north side of IH-30 west of SH 205, and take any action necessary.
- 143f.P2006-034 -- Discuss and consider a request by Randell Curington of144Spring Haven Investments, Inc., for approval of a final plat for Fontanna145Ranch Phase 1, being a 64.008-acre tract zoned (PD-64) Planned146Development No 64 district and situated along the east side of FM 549147south of Hwy 276, and take any action necessary.
- 148g.P2006-028 -- Discuss and consider a request by Randel* Curington of149Spring Haven Investments, Inc., for approval of a master plat for The150Highlands, being a 234.71-acre tract zoned (PD-66) Planned151Development No. 66 district and located along the south side of SH 276152east of Rochelle Rd, and take any action necessary.
- h. Consider approval of an Ordinance approving a Law Enforcement Training
 Facility Contract and the payment thereof: approving a Law Enforcement
 Training Facility Operating Agreement, approving bonds of the Rockwall
 County Emergency Services Corporation for said project; and resulving other
 matters related thereto and take any action necessary. [2nd Reading]
- 158 i. Consider authorizing the City Manager to execute a Standard Ut ity.
 159 Agreement with TxDOT for the SH-205 project and take any action.
 160 hodessary.
- 161 j. Consider authorizing the award of the bid for Fire Apparatus Equipment and take any action necessary.
- 163 k. Consider authorizing the City Manager to execute an Interlocal Agreement
 164 with the North Texas Council of Governments for the release of 9-1-1
 165 database information for the Reverse 9-1-1 System and take any action
 166 necessary.

167 Councilmember McCallum requested that Consent Agenda Items 4c and d be pulled from 168 consideration at this time and then made a motion to approve the remaining items. 169 Councilmember Straughan seconded the motion. Councilmember Scott requested that 170 Consent Agenda Item 4f be pulled from consideration at this time. Councilmember 171 McCallum amended his motion to approve the remaining items, less Item 4f, and 172 Councilmember Straughan seconded the motion. The ordinance was read as follows: 173

Ordinance No. 08-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A LAW EXFORCEMENT TRAINING FACILITY CONTRACT AND THE PAYMENT THEREOF; APPROVING A LAW ENFORCEMENT TRAINING FACILITY OPERATING AGREEMENT: APPROVING BONDS OF THE ROCKWALL COUNTY EMERGENCY SERVICES CORPORATION FOR SAID PROJECT; AND RESOLVING OTHER MATTERS RELATED THERETO. (2nd Reading)

- 192193 The motion passed unanimously by a vote of 7 ayes and 0 nays.
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185 Councilmember McCallum stated that he pulled Consent Agenda Items 4c and 4d 186 because he could not support them. Councilmember Cotti made a motion to approve 187 Consent Agenda Items 4c and 4d and Councilmember Nielsen seconded the motion. The 188 motion passed by a vote of 4 ayes [Cotti, Cecil, Straughan and Nielsen] and 3 nays 189 [McCallum, Scott and Sevier].

- 190
 191 Councilmember Scott stated that he pulled Consent Agenda ilem 4f because he could
 192 not support it. Councilmember McCallum made a motion to approve Consent Agenda
 193 Item 4f and Councilmember Cotti seconded the motion. The motion passed by a vote of
 194 6 ayes and 1 nay [Scott].
- 195 196 **5. Appointments**
- 197
 198 a. Appointment with Planning and Zohing Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any necessary action.

Planning and Zoning Chairman Greg Burgamy came forward to answer any questions the
 Council might have regarding the planning and zoning items on tonight's agenda.

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PUBLIC HEARING ITEMS / SITE PLANS / PLATS

a. Z2006-012 -- Hold a public hearing and consider a reduest by Tood Thomas of The Fortis Group for an amendment to (PD-3) Planned Development No. 3 distoct (Ord. No. 96-23), specifically to allow for a condominium and townhouse development on an 18.31-acre tract currently designated for (C) Commercial distoct uses, located along the southwest side of North Lakeshore Bivd north of Old Alamo Ro, and take any action necessary. THIS REQUEST HAS BEEN WITHORAWN BY THE APPLICANT.

Mayor Cecil noted that the applicant had withdrawn its request for consideration and
made a motion to accept the withdrawal. Councilmember Cottl seconded the motion and
the motion passed unanimously by a vote of 7 ayes and 0 nays.

b. P2006-033 -- Hold a public hearing and consider a request by Ciyde W.
 Talley of Tallison Construction Coll to: approval of a residential replat of
 Lots 12 and 13, Block M. Sanger Brothers Addition, being a 0.29-acre
 tract zoned (ZL-5) Zero Lot Line district and located at the southeast
 comer of S. Alamo Road and Ross, and take any action necessary.

Robert LaCroix discussed the background of the request for a residential replat and
advised the Council that the Planning and Zoning Commission recommended approval
of he request. Mayor Cecil opened the public hearing and the following persons came
forward to address the Council:

- 229
- 230 Clyde Talley [Applicant]
- 231 703 Ridge Road
- 232 Rockwall, Texas
- 233 Mr. Talley asked that the Council approve his request.
- 234

235Mary Puckett2361605 Plummer237Rockwail, Texas238Ms. Puckett spoke in favor the request.

239
240 There being no one further to address the Council, Mayor Cecil closed the public
241 hearing. Councilmember Nielsen made a motion to approve the request and
242 Councilmember Straughan seconded the motion. The motion passed unanimously by a
243 vote of 7 ayes and 0 nays.

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c. Z2006-014 -- Hold a public hearing and consider approval of an Ordinance for a request by Kelley Winner of Mirror-Mirror Hair Studio for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" with n (PD-50) Planned Development No. 50 district which is designated for (RO) Residential Office uses, specifically on Lot 1, Block A, Conselman Addition, located at 802 N, Goliad (SH 205), and take any action necessary. (1st Reading)

252 Robert LaCroix discussed the background of the request for a Specific Use Permit. 253 Some of the conditions recommended are that there will be no parking allowed on the 254 street (SH205); additional landscaping will be needed in the front of the property; time of 255 operation will be from 8:00 a.m. to 8:00 p.m.; and mitigation will be needed for the 256 removal of trees. Ms. Kelley Winner, the Applicant, came forward to request approval of 257 her request. Mayor Cecil opened the public hearing, but no one came forward to address 258 the Council, so the public hearing was closed. After discussion, Councilmember Cotti-259 made a motion to approve the request with the recommended conditions and 260 Councilmember McCallum seconded the motion. The ordinance was read as follows: 261 262

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A HAIR SALON WITHIN (PD-SO) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 1, BLOCK A, CONSELMAN ADDITION AND LOCATED AT 892 N. GOLIAD STREET; PROVIDING FOR SPECIAL CODITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1⁵⁷ Reading]

273 The motion passed unanimously by a vote of 7 ayes and 0 nays.

 d. SP2006-024 -- Discuss and consider a request by Gordon Pulis of Braum's Ice Cream Store for approval of variances to building materials and articulation standards associated with an amended site plan and building elevations for the existing Braum's Restaurant located at 1920 S.
 Goliad (SH 205), or a 1.30-acre tract known as Lot 1A, Block A, Braum's Addition, zoned (C) Commercial distinct and situated within the SH 205 Corridor Overlay Distinct and take any action necessary

Robert LaCroix discussed the background of the request for variances for building
 materials and articulation standards. LaCroix advised that because this is in an overlay
 district the stone requirement variance request required a ¼ majority vote.
 Councilmember McCallum made a motion to approve the request and Councilmember

287 285 289	Sevier seco nays.	nded the motion. The motion passed unanimously by a vote of 7 ayes and 0
290 290 291	e.	Hold a cublic heating on the proposed 2006-2007 fiscal year tax rate.
292 293 294 295		, Finance Director, discussed the background of this item. Mayor Cecil public hearing and the following persons came forward to address the
296 297 298	1903 Rock	a Jeffus S. FM 549 wall, Texas
299 300		effus spoke against raising the tax rate.
301 302 303	1909	endon S. Lakeshore wall, Texas
304 305		endon spoke against raising the tax rate.
306 307 308	FM27	e Tysman '6 & Munson 'ysman does not live in the City limits.
309 310 311		n Bouis Kanter
312 313 314		wall, Texas ouis spoke against raising the tax rate.
315 316 317	There being hearing.	g no one further to address the Council, Mayor Cecil closed the public
318 319	7, A¢tic	ITEM5
320 321	a,	Status update regarding the secondary entrance to Damascus and take any action necessary.
322 323 374		discussed the background of this item. The cost for the project would be fter lengthy discussion, no action was taken by the Council.
325 326 327	g.	Consider award of the Engineering Contract for the Peterson Drainage Project to Birkhoff, Hendricks and Conway, Inc. and take any action necessary.
328 329 320 331 332 333 334 335 336	Rick Crowle engineering approval by would have discussion,	brought this matter forward early for consideration. Assistant City Manager by discussed the background of this issue. This agreement would allow the firm to come back with a preliminary design and report prior to final the Council. Ron Conway of Birkhoff, Hendricks and Conway stated he the preliminary design and figures within two weeks. After a short Councilmember Scott made a motion to approve the award of the contract member Cottl seconded the motion. The motion passed by a vote of 6 ayes lielsen].

337 Ms. Nancy Peterson of 1841 Isle Royal Drive stated that she does not want a pond. 338 because it would be contaminated water.

- 339
- 340 341
- Discuss and consider optening around The Harbor and take any action necessary

342 Mayor Cecil stated he brought this matter forward for consideration because he is 343 concerned about the whole area - we need to get a handle on what we need to do. Julie Couch discussed the actions we will be taking to alleviate the problems, including 344 proposing funding for off-duty officers during the weekends. Police Chief Mark Moeller 345 346 stated that he does not have the staffing to be there full-time on Friday and Saturday. 347 nights and the only way they could have a presence there full-time would be through off-348 duty officers. Moeller stated that the property owners are willing to work with the City to include more signage, which will allow the police officers to ticket and enforce our 349 ordinances, but the officer has to see the offense before a ticket can be issued. Mayor 350 351 Cecil stated that he wanted a clear understanding from Staff and Council of what we will 352 not allow, such as no bikes or skateboards on the sidewalk and no skateboards in the 353 parking lots.

- 355c.Discuss and consider calling additional public hearing on the 2006-2007356fiscal year tax rate on September 18, 2006 and taxe any action357hecessary.
- 358d.Discuss and consider approval to place the proposal to adopt the lax rate359on the September 25, 2006 action item agenda at a special meeting and360take any necessary action.

Mary Smith discussed the background of Action Items 7c and 7d. Councilmember Cotti made a motion to set September 18, 2006 as the next public hearing and Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

365

354

After a short discussion regarding the date for adoption of the lax rate, Councilmember Cotti made a motion to convene the public hearing on September 11, 2006 at 6:00 p.m. and set September 18, 2006 as the date to adopt the budget. Councilmember McCallum seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

 371
 e.
 Discussion discussion and consider ways to acknowledge/reward citizens for superior and take any action necessary.

 372
 water conservation efforts and take any action necessary.

Mayor Cecil stated he brought this forward for discussion – just to get some ideas. Julle
 Couch stated that Staff could work on it and bring back some alternatives. Mary Pucketl,
 1605 Plummer Drive, came forward to address the Council and stated that we should not
 be awarding people for doing what they are supposed to be doing anyway.

377
 378
 378
 and consider authorizing the City of McLendon-Chisho'm to tie
 379
 and the Buffalo Creek sewer line and take any action necessary.

383 Julie Couch discussed the background of this item. Councilmember Cotti made a motion 381 to approve the Resolution authorizing the City of McLendon-Chisholm to tie into the 382 Buffalo Creek sewer line and Councilmember Sevier seconded the motion. The motion 383 passed unanimously by a vole of 7 ayes and 0 nays.

385 Consider authorizing the award of the bid for the FM-552 Waterline. 386 i., Construction Project and take any action necessary. 387 Consider authorizing the award of the bid for the FM-552 Waterline Phase. 388 į, 2 Construction Project and take any action necessary. 95C Rick Crowley discussed the background of Action Items 7i and 7j. Councilmember Cotti-390 made a motion to approve Phases 1 and 2 and Councilmember McCallum seconded the 391 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 392 393 394 Continue discussion on the proposed 2006-2007 operating budget and h. 395 lake any action necessary. After discussion, Council instructed City Manager Julie Couch to provide a prioritized list 396 of items to be cut from the budget. Ms. Couch advised she could have the list to them in 397 a week. After further discussion, it was determined that the Council would meet in a 398 budget work session on September 5, 2006, starting at 1:00 p.m. 399 400 There being no further business to come before the Council in regular session, Mayor 401 402 Cecil adjourned the meeting into Executive Session at 10:10 p.m. 403 HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS 404 8. 405 GOVERNMENT CODE TO DISCUSS: Deliberation reparding the purchase, exchange, lease, or value of real-405 a. 407 property. Personnel Issues, including Board, Commission, and Committee, 408 Ь. 409 Appointments, and Related Matters. Commercial or financial information reparcing business prospects that the 410 с. City seeks to have locate, stay, or expand in or near the territory of the 411 City of Rockwall and with which the Board is conducting economic 412 development negatiations. 413 Pursuant to Section 551.071(2) of the Open Meetings Add. Consultation. 414 d. with attorney with regard to a malter that it is the duty of the attorney to 415 consult with the Council and falls under the attorney-client phyllege. 416 417 Take Any Action as Result of Executive Session. 415 9. 413 420 Councilmember Scott made a motion to appointment the following persons to the boards and commissions as noted below. Councilmember Straughan seconded the motion and 421 422 the motion passed unanimously by a vote of 7 ayes and 0 nays. 423 424 "公理学校子,并是学校教育中的行动中的人们"并有自己的主义,学校的法学校的法学校的 2-year Tarms

Alleroate 1	Repert Eyon	Aug 2008	
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		2-year Torn:s	
Member 1	David Marlett	Aug 2008	

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Member 1	Brand Patierson	Aug 2008	
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		2 year tarms	
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Commu <mark>nity Mer</mark> ader Verteer from Vie Roo- 44	June Morgan	Aug 2008	· · · · · ·
All-printe Joy the Arts - Ex (

425

426 Councilmember Scott made a motion appointing the following persons to the Youth 427 Advisory Council and Councilmember Cotti seconded the motion. The motion passed 428 unanimously by a vote of 7 ayes and 0 nays.

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					· · ·	× .
		2 year torms				
Member 1	Kacey Valloy	Aug 2008	·			. <u> </u>
Pember 2	Laura Packer	Aug 2008	•			
Member 0	Marisa Olind	' Ag 2008 👘 '	· •· ·			•••
Mumber 4	Kelly Cose	Aug 2008		• •		•
Manual 5	Travis Griswold	Aug 2008	•	••		•
Monster 6	_ (Alie: <u>cate)</u> Miguel Chavita	Aug 2008	•			· ·
	(Alternate)	· - <u></u>				

430

431 Councilmember Scott made a motion to relain 2 alternates to the Youth Advisory Council
 432 and Councilmember Cotti seconded the motion. The motion passed unanimously by a
 433 vote of 7 ayes and 0 nays.

434

435 Councilmember Scott made a motion to move Justin Corneau from alternate member to 436 "council" member and Councilmember Cottl seconded the motion. The motion passed 437 unanimously by a vote of 7 ayes and 0 nays.

638

439 Councilmember Scott made a motion naming Councilmember McCallum and 440 Councilmember Cotti as lialsons to the Youth Advisory Council and Councilmember 441 McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes 442 and 0 nays.

443

444 Councilmember Scott made a motion to appoint Councilmember Sevier to the Airport 445 Subcommittee and Councilmember Straughan seconded the motion. The motion passed 446 unanimously by a vote of 7 ayes and 0 nays.

447

448 Councilmember Scott made a motion to appoint Councilmember Sevier to the 449 Finance/Audit Subcommittee (to replace Councilmember Cottl) and Councilmember 450 Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes 451 and 0 nays.

452 453 Councilmember Scott made a motion to appointment Councilmember Sevier to the Fine 454 Arts Subcommittee (to replace Councilmember Straughan) and Councilmember

- 455 Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes. 456 and 0 navs.
- 457

Councilmember Scott made a motion that the Hotel/Motel Subcommittee will consist of 458 459 Councilmembers Scott, McCallum and Cottl and Councilmember Cottl seconded the motion. The motion passed unanimously by a vote of 7 aves and 0 navs. 460

46:

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462 Councilmember Scott made a motion to name Mayor Cecil as the REDC Liaison and Councilmember Cottl seconded the motion. The motion passed unanimously by a vote 463464 of 7 ayes and 0 nays. 465

Councilmember Scott made a motion naming Councilmember Cottl as the Ilaison to the 466 Historic Preservation Advisory Board and Councilmember McCallum seconded the 467 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 468

Councilmember Scott made a motion naming Mayor Cecil as the liaison to the Rockwall 470 Housing Authority and Senior Citizen Activity and Councilmember Straughan seconded 471 472 the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

473 474 Councilmember Scott made a motion naming Councilmember McCallum as the liaison to 475 the Alliance for the Arts and Councilmember Straughan seconded the motion. The 475 motion passed unanimously by a vote of 7 ayes and 0 nays.

478 Councilmember Scott made a motion naming Councilmember Straughan as the liaison to 479 the Downtown Committee and Councilmember Straughan seconded the motion. The 480 motion passed unanimously by a vote of 7 ayes and 0 nays.

492 There being no further business to come before the Council, Mayor Cecil adjourned the 483 meeting at 11:00 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this <u>5</u>⁴⁰ day of *Appleman*, 2006. 485 456 487

458

489

490

William R. Cecil, Mayor

491 492 493

494 Darothy Brooks, City Secr 495



			MINUTES ROCKWALL CITY COUNCIL
2 3 4 5 7			September 5, 2006
4			1:00 p.m. Budget Work Session and Pre-Council Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087
5 6			City Han, 365 G. Gonad, Rockinski, Forder 1995
7 5	I.		TO ORDER
0 10 11	Cour	ncilmen	l called the meeting to order at 1:00 p.m. Present were Mayor Bill Cecil and nbers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier.
12 13	IJ.	Houd	BUDGET WORK SESSION
14 15 16	Dişçi bud <u>ş</u>	ussion jet in o	took place regarding the various items that should be out from the proposed rder to get the tax rate down. The budget work session ended at 3:50 p.m.
17 18	Маус	or Cacil	I called the Executive Session to order at 4:12 p.m.
19 20 21	Ш.	HOLD TEXA	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF IS GOVERNMENT CODE TO DISCUSS:
22 23		1.	Deliberation regarding the purchase, exchange, lease, or value of reat property.
24 25		2.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters
26 27 28 29		3.	Commercial or financial information regarcing business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotilations.
30 31 32		4.	Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.
33 34	IV.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION
35 36 37	No a Coul	iction v ncil me	vas taken as a result of Executive Session and Mayor Cecil adjourned the Pre- eting at 5:55 p.m.
38 39 40 41			ND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, y of September, 2006.
42 43 44			William R. Cecil, Mayor
45 46 47		est: Mtt	WBrooks SCKWAR
48	Dore	othy Br	ooks, City Secretary
	Saple Puge		128 C ly Source Minutes

49			MINUTES
50			ROCKWALL CITY COUNCIL
			September 5, 2006
51			6:00 p.m. Regular Meeting
52			City Hall, 385 S. Gollad, Rockwall, Texas 75087
53 54			City Han, 505 S. Obliad, Kockwan, Texas (300)
55 56	I.	ÇALL T	O ORDER
57 58 59 60 61	Counc	ilmemt and Cli	called the meeting to order at 1:00 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt iff Sevier. Also present were City Manager Julie Couch and City Attorney
62 63	II.	INVOCA	TION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER STEPHEN STRAUGHAN
64 65	III.	PROCL	AMATIONS / RECOGNITIONS / ANNOUNCEMENTS
66 67		1.	Swearing-m of new Youth Advisory Council Members
68 69 70 71 72 73	Packer in by I Justin Liaiso	r, Sarna Mayor Corne n Dorol	nted Youth Advisory Council Members Kelly Case, Marisa Olind, Laura antha Kirk, Travis Griswold, Miguel Chavira and John Vuckovic were sworn Cecil. Mayor Cecil also acknowledged returning members Sean Mehl and au, as well as School Liaisons Ray Harton and Eric Steinmiller, and City thy Brooks. Due to school activities, newly appointed member Kacey Valley o attend the meeting.
74 75 76	IV.	OPEN F	FORUM
77 78 79 80	matter	not on	opened the floor to anyone who wished to address the Council on any In the agenda as a public hearing item. No one came forward to address the Nayor Cecil closed the Open Forum portion of the meeting.
81 82	V.	CONSE	INT AGENDA
83 84 85		1.	Consider approval of the Minutes of the Special Meeting and Budget Work Shop held on August 14, 2006, and take any action necessary.
86 87 88		2.	Consider approval of the Minutes of the August 21, 2006, City Council meeting and take any action necessary.
89 90 91 92 93 94 95		3.	Z2006-014 Consider approval of an Ordinance for a request by Kelley Winner of Mirror-Mirror Hair Studio for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within (PC-50) Planned Dovelopment No. 50 district which is designated for (RO) Residential Office uses, specifically on Lot 1, Block A, Conselman Addition, located at 802 N, Goliad (SH 205), and take any action necessary. [2 rd Reading]
96 97 98		4.	P2006-035 Consider a request by Erik Hauglie of Pacheco Koch Consulting Engineers for approval of a final plat of Rockwall Community Hospital Addition, being 16 lots on 33,201-acres zoned (PD-9) Planned

 102 103 5. Consider approval of a <i>Resolution</i> regarding compliance with Chapter 104 395. Texas Local Government Code and take any action necessary. 					
 105 6. Consider approval of a bid award for the contract for Concrete Street 106 6. Maintenance and Repair and take any action necessary. 					
 108 109 7. Consider approval of the State Interoperability Initiative Equipment 110 Purchase and take any action necessary. 					
1118.Consider approval of a Resolution requesting the members of the 80°1128.Consider approval of a Resolution requesting the members of the 80°113Legislative Session of the State of Texas support increased funding for113the Texas Recreation & Parks Account Local Park Grant Program and the114Texas State Park System and take any action necessary.					
116 117 Councilmember Cotti requested that Consent Agenda Item No. 5 be presented that Consent Agenda Items No. 4 and 8 be presented that Consent Agenda Items No. 4 and 8 be presented that Consent Agenda Items (nos. 1, 2 and then made a motion to approve the remaining Consent Agenda Items (nos. 1, 2 and 7). Councilmember Straughan seconded the motion and the ordinance was represented to the temperature of temperature of the temperature of the temperature of the temperature of tempera	, 3, 6				
122 ORDINANCE NO. 06-34					
23					
126THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROOMING FOR A HAIR SALON127AMENDED, SQ AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A HAIR SALON128WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND129WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND129KNOWN AS LOT 1, BLOCK A, CONSELMAN ADDITION AND LOCATED AT BDZ N. GOLIAD130STREET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE131NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2.000.00) FOR EACH132OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER133CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2" Reading]	AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING A TRACT OF LAND WITHIN (PO-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 1, BLOCK A, CONSELMAN ADDITION AND LOCATED AT BDZ N. GOLIAD STREET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE STREET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH				
134 135 The motion passed unanimously by a vote of 7 ayes and 0 nays.					
136 137 Councilmember McCallum requested clarification on tree mitigation with rega 137 Councilmember Cotti made a r	Councilmember McCallum requested clarification on tree mitigation with regard to Consent Agenda Item No. 4. After short discussion, Councilmember Cotti made a motion to energy Consent Agenda Item No. 4 and Councilmember Scott seconded the motion.				
 141 142 Counclimember Cotti stated he pulled Consent Agenda Item No. 5 for further act 143 staff and made a motion to table the matter until the September 18, 2006 meeting. 144 Cecil seconded the motion and the motion passed unanimously by a vote of 7 ayes 145 nays. 					
 146 147 Councilmember McCallum made a motion to approve Consent Agenda Item No. 148 Councilmember Cottl seconded the motion. The motion passed unanimously by 149 of 7 ayes and 0 nays. 150 	ß and a vote				

- 151 VI. APPOINTMENTS
- 152
 153 1. Appointment with Planning and Zoning Chairman to discuss and answer
 154 any questions regarding cases on the agenda and related issues and
 155 take any necessary action.

155 Greg Burgamy, Planning and Zoning Chairman discussed the various planning and 157 zoning items on tonight's agenda.

158 159 VII. PUBLIC HEARING (TEMS

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160 Z2006-015 - Hold a public hearing and consider approval of an ١. 161 Ordinance for a city-initiated request for a change in zoning from (Ag) 162 Agricultural district to (SF-10) Single Family Residential district for all 163 properties located within the Airport Acres Addition (Indian Trail) and the 164 Greenlee Addition (Amity Lane), being approximately 18.89-acres localed 165 north of Aupon Rd west of FM 549, and take any action necessary. 166 [1" Reading] 167

Robert LaCroix discussed the background of this city-initiated zoning change and
advised that the Planning and Zoning Commission had approved the change by a vote of
6-0. Chuck Todd, City Engineer, stated that we will be widening Amity.

172
173 Mayor Cecil opened the public hearing but no one appeared so the public hearing was
174 closed. Councilmember Straughan made a motion to approve the ordinance and
175 Councilmember Cottl seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 18.89-ACRES AND ALL PROPERTIES WITHIN THE AIRPORT ACRES ADDITION AND GREENLEE ADDITION, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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 AN EFFECTIVE DATE. [1^{at} Reading]

- 187 188 The motion passed unanimously by a vote of 7 ayes and 0 nays.
 - Hold a public hearing on the proposed 2006-2007 fiscal year tax rate.

191
192 Mary Smith, Finance Director, discussed the background of the tax rate and stated that
193 the rate is now 42½¢. Mayor Cecil opened the public hearing and the following persons
194 came forward to address the Council:

- 195
 196 Catvin Barnard
 197 2610 Chelsea Court
 198 Rockwall, Texas
 199 Mr. Barnard told the Council to be as easy as possible on the taxpayers.
 200
- 201 There being no one further to address the Council, Mayor Cecil closed the public 202 hearing.

Hold a public hearing on the proposed budget for fiscal year 2007.

205
 206 Mary Smith discussed the background of the proposed budget. Mayor Cecll opened the
 207 public hearing, but no one appeared so the public hearing was closed.
 208

210 211 VIII. SITE PLANS / PLATS

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 SP2006-025 -- Discuss and consider a request by David Arterburn of One Stop Food Stores, Inc., for approval of a variance to the roof design standards of the SH 205 Overlay District, in association with a site plan for Dickey's BBQ, located on a 1.24-acre tract known as Lots 1R-A and 1R, Block A. Montego Addition, zoned (C) Commercial district and located at 2012 S. Gotiad, and take any action necessary.

Robert LaCroix discussed the background of the request for a variance by One Stop Food Stores. LaCroix advised that the Architectural Review Board had approved the request and that it would take a ¼ majority vote by the Council to approve the variance. Councilmember Cottl made a motion to approve the request ad Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

2262272.SP2006-029 -- Discuss and consider a request by Richard Ireland of228Nudeil Architects for approval of a variance to the masonry requirements229of the IH-30 Overlay District, in association with amended building230elevations for JC Penney, which is located within the approved "Plaza at231Rockwall" shooping center on a 47-acre (+/-) tract zoned (PD-14)232Planned Development No. 14 district, and take any action necessary.

Robert LaCroix discussed the background of the request by Nudell Architects for a variance to the masonry requirements and advised that the Planning and Zoning Commission approved the site plan. LaCroix stated that this is an increase in the EFUS and would require a ½ majority vote by the Council. Architect Richard Ireland discussed the properties of the EFUS they want to use. Councilmember Straughan made a motion to approve the request and Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 242 IX. ACTION ITEMS
- 243 244 1. Discuss and consider a Change Order for the Townsend Engineering.
 - 245 Contract Phase 1 and 2 and take any action necessary.

246 Chuck Todd, City Engineer, discussed the background and the reasons for the change 247 order. Councilmember Cotti made a motion to approve the change order and 248 Councilmember Straughan seconded the motion. The motion passed unanimously by a 249 vote of 7 ayes and 0 nays.

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241

 251
 2.
 Discuss and consider oreliminary design report by Ron Conway regarding.

 252
 Peterson drainage and take any action necessary.

Ron Conway gave his preliminary report regarding the Peterson drainage (to be known 253 as the "Shores North Drainage Improvements"). Conway stated that there are a couple 254 of beaver dams that will need to be removed as part of the improvements. The estimated 255 cost is \$213,000. If a pipe is used, the estimated cost is \$263,000. Julie Couch, City 255 Manager, advised that payment for the project would come out of General Fund 257 Reserves. Nancy Peterson addressed the Council and stated that she did not believe 258 there were any beavers, that it was nutria who had taken over the dams. Councilmember 259 Scott made a motion to go forward with the design for the pipe option and to look at the 260 funding for the project. Councilmember Cottl seconded the motion and the motion 261 passed unanimously by a vote of 7 ayes and 0 nays. 262

- 263
- 254 265
- Discuss and consider authorizing the design and engineering for Sam Houston and take any action necessary.

266 Chuck Todd stated that this was not bid because we cannot bid for professional 267 services. Councilmember Cotti made a motion to approve the item and Councilmember 268 Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 269 nays.

- 270
- 271
 Continuation of budget work shop.
- 272 There was no continuation of the budget work session.
- 273
 274 5. Discuss and consider an Agreement with the Rockwall Regional Hospital
 275 and Tiseo Paving for Public Improvements Related to the Hospital
 276 construction and take any necessary action.
- 277 Julie Couch advised that no action was necessary on this item.
- 278

 279
 X.
 CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 280

 280
 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
- 281 282 1. Departmental Reports
- 283 2. City Manager's Report

Rick Crowley gave a status update on the drought plan and code enforcement. Fire Chief Mark Poindexter responded to questions by Councilmember Straughan regarding response times being 8-9 minutes three times in the same district.

There being no further business to come before the Council in regular session, Mayor
 Cecil adjourned the meeting into Executive Session at 8:11 p.m.

290

291 XI. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF 292 TEXAS GOVERNMENT CODE TO DISCUSS:

- Deliberation regarding the purchase, exchange, lease, or value of real property.
- 295
 2. Personne: Issues, including Board, Commission, and Committee.
 296
 Appointments, and Related Matters.
- 297 3. Commercial or financial information regarding business prospects that the
 298 City seeks to have locate, stay, or expand in or near the territory of the

City of Rockwall and with which the Board is conducting economic 299 development negotiations. 300

- Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation 4. with attorney with regard to a matter that it is the outy of the attorney to consult with the Council and falls under the attorney-client privilege.
- 3G4 TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION XII. 305

306 Councilmember Scott made a motion to reappoint Dr. David Lensch as the City's Health 307 Official and Councilmember Nielsen seconded the motion. The motion passed 308 unanimously by a vote of 7 ayes and 0 nays. 309

310 Councilmember Scott made a motion authorizing the City Manager to execute the Lease 311 Amendment Agreement with IRI subject to review and approval by the City Attorney and 312 Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7 ayes 313 314 and D nays.

315 Councilmember Scott made a motion to approve the sale of right-of-way along SH-66 316 west of SH205 to TxDOT and Councilmember Sevier seconded the motion. The motion 317 passed unanimously by a vote of 7 ayes and 0 nays. 318

319 There being no further business to come before the Council, Mayor Cecil adjourned the 320 meeting at 9:30 p.m. 321

322 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 323 this 18th day of September, 2006. 324

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ATTEST: 329

330331

William R. Cecll, Mayor



1	Minutes		
	Rockwall City Council		
4	September 11, 2006		
3	6:00 p.m. Special Meeting		
4	City Hall, 385 S. Goliad, Rockwall, Texas 75087		
5	Gity Han, bus et abilauf the annual		
7			
2 3 4 5 6 7 8 9	CALL TO ORDER		
10 11 12 13	Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Matt Scott and Sevier. Councilmember Margo Nielsen was absent. Also present were Assistant Manager Rick Crowley and City Attorney Pete Eckert.		
14 15	2. PUBLIC HEARING		
\$6 17	a Hold a public hearing on the tax rate for fiscal year 2007.		
18	Mary Smith gave the background on the tax rate. Mayor Cecil opened the public he and the following persons came forward to address the Council:	aring	
19	and the following persons came to have a construction		
20 21	Kristen Bota		
22	2755 Green Gables Court		
23	Bestwell Toyas		
24	Ms. Bota asked various questions regarding the budget and how we arrived		
25	at the tax rate. Ms. Bota stated that services provided by employees		
26 27	should not be cut.		
28	Calvin Barnard		
29	2610 Chelsea Court		
30	Rockwall, Texas Mr. Barnard asked about the roll-back rate and was advised that there is		
31	Mr. Barnard asked about the follower rate and thes detrete maybe we have too		
32	much debt."		
33 34			
34 35	There being no one further to address the Council, Mayor Cecil closed the p	public	
36	hearing.		
37	-	al ele a	
38	There being no further business to come before the Council, Mayor Cecil adjourn	a na	
39	meeting at 6:12 p.m.		
40	A REPORT OF THE OFFICE OF THE CITY OF ROCKWALL, T	EXAS.	
41	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, T		
42	this 18 th day of September, 2006.		
43 44	16. 20 0		
45	William R. Cecil, Mayor		
46			
47 48	AFTEST:		
49	Worsthing 2000 Res 18 200 2 2		
50	Dorothy Brooks, City Secretary		
	SEAL B		
	Dorothy Brooks, City Secretary		
	The second se		
Sill Cocil and Cliff Sovier, Also present			
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D 551.087 OF			
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journed at			
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2.714 day of CLUMAN, 2006.			
ATTEST: William R. Cecll, Mayor Dorothy Brooks. Only Secretary Suctore 18 2005 Cay Course Minutes Tage 1 Suctore 18 2005 Cay Course Minutes			

51			Minutes			
52			Rockwall City Council			
53	September 18, 2006					
54			6:00 p.m. Regular Meeting			
55			City Hall, 385 S. Goliad, Rockwall, Texas 75087			
56		-				
67 58	I.		TO ORDER			
59 60 61 62 63	Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.					
64	II.	INVO	CATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER BOB COTTI			
65 66 67	III.	PROC	LAMATIONS			
68		1.	Constitution Week - Daughters of the American Revolution			
69 70 71		yn Fra roclam	ncisco of the Daughters of the American Revolution came forward to receive ation.			
72		2.	WomenAid Month - Scroptimist International of Rockwall			
73 74 75 76	proclamation. In support of their work, Councilmember Margo Nielsen purchased the first cookbook for 2006 and spoke about the important work they do in our community.					
77		З.	National Credit Education WeekConsumer Credit Counseling Service			
78 79 30		/ Philli amatic	ps of Consumer Credit Counseling Service came forward and accepted the m.			
81 82 83 84	tonig	r Ceci ht's ag follow	l advised the audience that he would be adjusting the order of the items on genda. Mayor Cecil then stated that the Council would consider Action Item /s:			
85 36 87		1.	Discuss and Consider a Park Board Recommendation to Change the name of Southside Park to Gloria Williams Park and take any action necessary.			
88 89 90 91 92	Councilmember Cotti talked about Gloria Williams and her contributions to the community. Cotti then made a motion to approve the Park Board recommendation to change the name of Southside Park to Gloria Williams Park and Councilmember Scott seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.					
93 94 95 96 97	out a forwa	i baoki ard by	Robbins came forward and thanked the Council for their action and handed let to them of Ms. William's poetry. Ms. Gloria Williams was then wheeled Councilmember Cotti. Ms. Williams thanked the Council for the honor and standing ovation.			
98 99	IV.	CONS	ENT ITEMS			
99 100 101		1.	Consider approval of the Minutes from the September 5, 2006 City Council meeting and take any action necessary			

Sector bei 18 2016, Cay Cound, Minutes Page 3

- Consider approval of the Minutes from the September 11, 2006 Special
 City Council meeting and take any action necessary.
- 1043.Consider authorizing the City Manager to execute a Contract for105Assessment and Collection with the Rockwall Central Appraisal District106and take any action necessary.
- 1074.Z2006-015 -- Consider approval of an Ordinance for a city-initiated108request for a change in zoning from (Ag) Agriculturat district to (SF-10)109Single Family Residential district for all properties located within the110Arport Acres Addition (Incian Trail; and the Greenlee Accition (Amily111Lane), being approximately 18.89-acres located north of Airport Rd west112of FM 549, and take any action necessary. [2^{rid} Reading]
- 1135.P2006-037 Discuss and consider a request by Eugene Middleton of114Winkelmann & Associates for approval of a final plat for Rockwall115Elementary School No. 11 (Datton Ranch, Lots 5 and 6, Block C), being11613.508-acres zoned (PD-58) Planned Development No. 58 district and117located at the southeast corner of FM 1141 and FM 552, and take any118action necessary
- 1195.P2006-038 -- Discuss and consider a request by David Booth of D.R.120Horton for approval of a final plat for Dalton Ranch, being 142 single-121family lots on 63.22-acres zoned (PD-58) Planned Development No. 58122district and located along the south side of FM 562 and west side of FM1231141, and take any action necessary.
- 1247.P2006-041 -- Discuss and consider a request by Robert Siege of RM125Crowe for approval of a replat of Lot 1R, Block C, La Jolla Pointe Addition126Phase 1, a 2.09-acte tractizened (C) Commercial district and situated127along the north side of IH-30, east of Village Drive, south of Laguna Drive128and west of Catalina Drive, and take any action necessary.
- 1298.P2006-040 -- Discuss and consider a request by Sam Canup and Jeorg130Whitenberg for approval of a final plat of the Jack Canup Addition, being131a 2.02-acrolitract zoned (PD-62) Planned Development District and132including properties addressed as 902 and 906 S. Goliad Street and 903133S. Alamo Road, and take any action necessary.
- 1349.P2006-032 Discuss and consider a request by Alex Flores of Cascada135Custom Homes for approval of a final plat of Lots 16 and 17. A roott136Acres Addition, being a 0.86-acre tract zoned (Ag) Agricultural district137(proposed SF-10 Single Family Residential) and located along the east138side of Indian Trail north of Airport Road, and take any action necessary.
- 139
 140
 Waterline Improvements Townsend Drive and SH276 waterlines and 141
 1ake any action necessary.

142 Counclimember Nielsen requested that Consent Agenda Item #2 be pulled. Mayor Cecil 143 requested that Item #6 be pulled. Councilmember Scott made a motion to approve the 144 remaining Consent Agenda Items (1, 3, 4, 5, 7, 8, 9 and 10). Mayor Cecil seconded the 145 motion and the ordinance was read as follows:

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ORDINANCE NO. 06-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, YEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL 152 153 154 155 DISTRICT TO (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 18.69-ACRES AND ALL PROPERTIES WITHIN THE AIRPORT ACRES ADDITION AND GREENLEE ADDITION, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS 158 (\$2,000,00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE. PROVIDING 157 FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2" Reading] 158 159 The motion passed unanimously by a vote of 7 ayes and 0 nays. 160 161 Councilmember Straughan made a motion to approve Consent Agenda item #2 and 162 Mayor Cecil seconded the motion. The motion passed by a vote of 6 ayes and 1 abstain 163 164 [Nielsen]. '65 After clarification regarding the trees, Mayor Cecil made a motion to approve Consent 166 Agenda #6 and Councilmember Scott seconded the motion. The motion passed 167 unanimously by a vote of 7 ayes and 0 nays. 168 169 Mayor Cecil announced that the Council would now consider Action Item #11 as follows: 170 171 Discuss and consider establishing a policy regarding reconstruction of 172 11. existing decks or other structures within easements and take any action 173 174 necessary. Councilmember Straughan recused himself from hearing or taking action on this item. 175 Jeffrey Widmer, Building Official, discussed the background of this item. After Council 176 discussion, Councilmember Nielsen made a motion that the Staff prepare a policy to be 177 approved by the Council, which allows structures currently in utility easements to be · 78 reconstructed. The property owner must obtain a building permit and sign a hold 179 harmless agreement, which will be filed of record as a covenant running with the land, 180 acknowledging full responsibility for repairs to the structure should any utility have to 181 remove the structure for repairs to the utility, the owner must also acknowledge their 182 responsibility for any damage to any utility caused by the construction of said structure. 182 Councilmember McCallum seconded the motion. The motion passed by a vote of 6 ayes 184 and 1 abstain [Straughan]. 185 186 Councilmember Straughan returned to the meeting. 187 188 189 190 ν. APPOINTMENTS Appointment with Planning and Zoning Chairman to discuss and answer-191 1. any questions regarding cases on the agenda and related issues and 192 take any necessary action. 193 Greg Burgamy, Planning and Zoning Chairman, appeared before the Council to answer 194 questions regarding the planning and zoning items on tonight's agenda. 195 196 Appointment with Michael Baldwin with TXU Electric Delivery requesting. 2. 197 permission to construct a new overhead distribution line along the east 198 cont-of-way of State Highway 205 north of FM 552 within the City of 199 Rockwall for a distance of approximately 2.600 feet and take any action 200 201 necessary. Mayor Cecil advised that this appointment request had been withdrawn by Mr. Baldwin 202 and then made a motion to withdraw the item from the agenda. Councilmember 203

204 Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes. 205 and 0 nays.

- 206 207 VI. PUBLIC HEARING
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 1. Hold a public hearing regarding amendments to the T/F Plan and take.
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 any action necessary

Mary Smith, Finance Director, discussed the background of the TIF and the reasons to amend the plan. Mayor Cecil opened the public hearing but no one came forward to address the Council, so the public hearing was closed. It was announced that TIF meeting will be held prior to the Council meeting on October 2, 2006. No action was taken by the Council.

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2172.P2006-039 -- Hold a public hearing and consider a request by Mark 8218Sharon Steele for approval of a residential replat of part of Lot 2, Block A.219W.D. Austin Addition, to be Lot 16. Block A of the Steele Addition, being a2200.32-acre tract zoned (PO-50) Planned Development District and located221at 906 N. Goliad Street, and take any action necessary.

Robert LaCroix, Planning Director, discussed the background of the request for a 222 residential replat and advised the Council that the Planning and Zoning Commission had 223 recommended approval by a vote of 6-0. Bart Steele, 217 Dwyer Court, Heath, Texas, 224 owner of the property, came forward and requested that the Council approve this 225 request. Mayor Cecil opened the public hearing but no one came forward to address the 226 Council, so the public hearing was closed. Councilmember Cotti made a motion to 227 approve the request and Councilmember Straughan seconded the motion. The motion 228 passed unanimously by a vote of 7 ayes and 0 nays. 229

230 Z2008-016 -- Hold a public hearing and consider approval of an 23^{+} з. Ordinance for a request by Brian A. Ryan for approval of a change in 232 zoning from (SP-7) Single Family Residential district to (CR) General 233 Retail district, on a 1.0-acre tract currently known as B F Boydstein, Block 234 122, Lot D, and located at 105 Olive Street, and take any action. 235 necessary. The subject site is located within the "Old Town Rockwall Historic" 236 district and is identified as a "High Contributing" property. [1³¹ Reading) 237

Robert LaCroix discussed the background of this request and advised the Council that 239 the Historic Preservation Advisory Committee had reviewed the change and approved it 239 by a vote of 6-1. LaCroix stated that the Planning and Zoning Commission also 240 recommended approval by a vote of 6-0. The applicant, Brian Ryan, 127 Jordan Drive, 241Rockwall, Texas, came forward and requested that the Council approve his request for a 242 change in zoning. Mayor Cecil opened the public hearing but no one came forward to 243 address the Council, so the public hearing was closed. Councilmember Sevier made a 244 motion to approve the ordinance and Councilmember Nielsen seconded the motion. The 245 ordinance was read as follows: 246

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-7) SINGLE FAMILY DISTRICT TO (GR) GENERAL RETAIL DISTRICT, ON A TRACT OF LAND CONTAINING 1.0 ACRES AND KNOWN AS 8. F. BOYDSTON, BLOCK 122, LOT D, AND LOCATED AT 105 OLIVE STREET, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A": PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.DD) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1" Reading] 258 259

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

4 Z2006-017 -- Hold a public hearing and consider approval of an 261 Ordinance for a request by Ed Hurst of Integrity Concepts, LLC, for 262 approval of a change in zoning from (2F) Duplex Residential district to 263 (ZL-5) Zero-Lot Line Residential distriction a D 358-acre tract known as 264 Billy Peoples No. 3 Addition, from (SF-7) Single Family Residential district. 265 to (ZL-5) Zero-Lot Line Residential distriction a 0.393-acre tract known as 266 B F. Boydston, Lot 61B, and from (PD-52) Planned Development No. 52. 267 district to (ZL-5) Zero-Lot Line Residential district on a 110-acre track 268known as B F. Boydston, Let 71B), and take any action necessary. The 269 subject property comprises approximately 1.85-cores overall and is located at the 270 northwest corner of Boydston and Clark Street. [1" Reading] 271

Robert LaCroix discussed the background of this request an advised the Council that the 272 Planning and Zoning Commission had recommended approval by a vote of 6-0. This 273 274 request includes a waiver to the alley regulrements. The applicant, Ed Hurst, 1213 Gonzales Drive, Mesquite, Texas, came forward and requested that the Council approve 275 his request. Mayor Cecil opened the public hearing but no one came forward to address 276 the Council, so the public hearing was closed. Councilmember Scott made a motion to 277 approve the ordinance and Councilmember Cotti seconded the motion. The ordinance 278 279was read as follows: 280

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (2F) DUPLEX RESIDENTIAL DISTRICT TO (ZL-SI ZERO-LOT LINE RESIDENTAL DISTRICT ON A 0.358-ACRE TRACT KNOWN AS BILLY PEOPLES NO. 3 ADDITION, FROM (SF-T) SINGLE FAMILY RESIDENTIAL DSITRICT ON A 0.393-ACRE TRACT XNOWN AS B.F. BOYDSTON, LOT 61B, AND FROM (PD-52) PLANNED DEVELOPMENT NO. 52 DISTRICT TO (ZL-S) ZERO-LOT LINE RESIDENTIAL DISTRICT ON A 1,10-ACRE TRACT KNOWN AS B.F. BOYDSTON, LOT 71B, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A", 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. [1⁴¹ Roading]

295 The motion passed unanimously by a vote of 7 ayes and 0 nays.

2975.Z2006-018 -- Hold a public hearing and consider approval of an298Ordinance for a request by Kevin Berger for approval of a Specific Use299Permit (SUP) to allow for a detached garage excoeding the maximum300size requirement on Lot 17, Block A, Saddlebrook Estates #2, being a3011.0-acre tractioned (SF-16) Single Family Residential distinct and located302at 2364 Saddlebrook Lane, and take any action necessary.

303 Councilmember Sevier recused himself from hearing or taking part in any action on this 304 matter. Robert LaCroix discussed the background of this request for a Specific Use 305 Permit. The applicant, Kevin Berger, 2364 Saddlebrook Lane, Rockwall, Texas, came 306 forward and requested that the Council approve this request. Mayor Cecil opened the 307 public hearing but no one came forward to address the Council, so the public hearing 308 was closed. Councilmember Straughan made a motion to approve the ordinance and 309 Councilmember Scott seconded the motion. The ordinance was read as follows:

 $\begin{array}{c} 310\\311 \end{array}$

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY

AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE (SF-16) SINGLE 313 FAMILY RESIDENTIAL DISTRICT ALOWING FOR A DETACHED GARAGE EXCEEDING THE 314 MAXIMUM SIZE REQUIREMENT, ON A TRACT LOCATED AT 2364 SADDLEBROK LANE. 315 BEING LOT 17, BLOCK A, SADDLEBROOK ESTATES #2 ADDITION; PROVIDING FOR 318 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM 317 OF TWO THOUSAND DOLLARS (\$2,000,00) FOR EACH OFFENSE: PROVIDING FOR A 318 SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN 319 320 EFFECTIVE DATE. [1" Roading]

322 The motion passed by a vote of 6 ayes and 1 abstain [Sevier].

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323 H2006-005 -- Hold a public hearing and consider approval a city initiated 324 в. request for the adoption of the North Gonad Historic Sistrict, including 325 Design Review Guidelines, and take any action necessary. The area is 326zoned (PO-50) Planned Development and (GR) General Retail District and is 327 328 stuated along North Goliad, south of Live Oak Street and North of Intervibian. 329 containing approximately 21.29 acres of land. A purliquit of the proposed district is 330 also located within the Ord Town Rockwall Historia District. (Referred back to the Historic Preservation Advisory Board by the Planning and Zoning 331 332 Commission1

333 Mayor Cecil made a motion to remove this item from the agenda ad Councilmember 334 Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes 335 and 0 nays.

336
 337 Mayor Cecil announced that the Council would now consider various Action Items as
 333 follows:

 Discuss and consider approval of an Ordinance adopting the budget for 1 scal year 2007 and take any action necessary.

Mary Smith discussed the background of this item. After Council discussion, Councilmember Cotti made a motion to adopt the budget for fiscal year 2007 and Councilmember Nielsen seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 06-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2006, THROUGH SEPTEMBER 30, 2007; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

354 The motion passed by a vote of 5 ayes and 2 nays [McCallum and Sevier].

 Discuss and consider approval of an Ordinance levying ad valorem taxes for the tax year 2006 and take any action necessary.

358 Mary Smith stated the reason for the increase in the rate was due to an increase in the 359 debt service. Smith also advised that this year was the first year for the senior tax free to 360 be in effect. Councilmember Cotti made a motion approving and setting the rate for ad 361 valorem taxes at \$0.4250 per \$100 valuation and Councilmember Straughan seconded 362 the motion. The ordinance was read as follows:

OROINANCE NO. 06-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2006 AT A RATE OF \$.4250 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE 369CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2006 TO PROVIDE REVENUES FOR370THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING371FUND ON ALL OUTSTANDING DEBTS OF THE CITY. PROVIDING FOR DUE AND372DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE3732006 TAX ROLL: PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE 1651374YEARS; PROVIDING AN EFFECTIVE DATE.

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The motion passed by a vote of 5 ayes and 2 nays [McCallum and Sevier].

Budget for fiscal year 2007 and take any action necessary.

Counclimember Nielsen recused herself from hearing or taking any action on this item ad the following item. Councilmember Cotti made a motion to approve the REDC budget for fiscal year 2007 and Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 abstain [Nielsen].

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 5. Discuss and consider the Rockwal' Technology Park Association budget
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 for fiscal year 2007 and take any action necessary

387 Councilmember Cottl made a motion to approve the Rockwall Technology Park 388 Association budget for fiscal year 2007 and Councilmember Straughan seconded the 389 motion. The motion passed by a vote of 6 ayes and 1 abstain [Nielsen].

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391 Councilmember Nielsen returned to the meeting.

39239312.Discuss and consider a request from the Rockwall Economic394Development Corporation (REDC) Board of Directors to include REDC395staff participation in the City's retirement plan with the Texas Municipal396Retirement System effective October 1, 2006, and take any action397necessary.

398 Cheryl Dunlop discussed the background of this item and stated that there would be a 399 reduction in the City's rate by adding the REDC staff to our plan. Councilmember 400 Straughan made a motion to approve ordinance and Councilmember Sevier seconded 401 the motion. The ordinance was read as follows:

402403AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING404FOR PARTICIPATION IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE405EMPLOYEES OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF406ROCKWALL, TEXAS, ON THE SAME BASIS UPON WHICH EMPLOYEES OF THE CITY407ITSELF PARTICIPATE IN SAID SYSTEM, GRANTING PRIOR SERVICE CREDIT TO SUCH408EMPLOYEES, AND ESTABLISHING THE DATE ON WHICH THIS ORDINANCE WILL BECOME409EFFECTIVE.

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- 411 The motion passed unanimously by a vote of 7 ayes and 0 nays.
 - Discuss and consider the Hote (Motel Subcommittee recommendations) for funding fiscal year 2007 and take any action necessary

415 Councilmember McCallum discussed the recommendations and then made a motion to 416 approve the Subcommittee's recommendations. Councilmember Cotti seconded the 417 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

418 419 VII. SITE PLANS/ PLATS

strip requirements in conjunction with the site plan for Vista Lago, a
 proposed commercial development on EoL 1R, Block C, La Jolla Pointe
 Addition Phase 1, which is zoned (C) Commercial district and situated
 within the IH-3D Overlay district along the nonth side of IH-30, east of
 Village Drive, south of Lagona Drive and west of Catalina Drive, and take
 any action necessary.

Robert LaCroix discussed the background of the request by Robert Siegel of RM Crowe for approval of a special exception to the street landscape buffer strip requirements and stated that the Planning and Zoning Commission had recommended approval. Councilmember Cottl made a motion to approve the request and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

435 SP2006-027 -- Discuss and consider a request by Steven Reyes of 436 2. Ramsay wy CO., LC., for approval of a variance to the IH-30 Overlay (IH-437 30 OV) District architectural standards with regards to mascary 438 requirements in conjunction with the site plan for McClintock Office. 439 Building, located on a 0.573 acre tract known as Lot 4, Block A, Shoreline . 440 Plaza Addition, zoned (C) Commercial district and situated within the IH-441 30 Overlay district, and located along Lakefront Trail and the future. 442 extension of Shoreline Drive, and take any action necessary. [3/4 majority 443 vote required for approval) 444

Robert LaCroix discussed the request by Sleven Reyes of Ramsay Ivy CO., LC., for approval of a variance to the IH-30 Overlay (IH-30 OV) District architectural standards with regards to masonry requirements and stated that the Planning and Zoning Commission had recommended approval. Councilmember Straughan made a motion to approve the request and Councilmember Cottl seconded the motion. The motion passed by a vote of 6 ayes and 1 abstaln [Scott].

451 3. SP2006-031 - Discuss and consider a request by Brad Forstund of 452 Rockwall Senior Community, LP, for approval of a PD Site Plan for the 453 Evergreen at Rockwall, being a 141-unit age-restricted senior housing 454 development located on a 6.43-acre tract zoned (PD-68) Planned 455 Development No. 68 district (Ord. 06-32), and situated along the east side. 456 of S. Goliad (SH 205) south of the railroad and north of Justin Road, and 457 take any action necessary. 458

Robert LaCroix discussed the request by Brad Forslund of Rockwall Senior Community. 459 LP, for approval of a PD Site Plan for the Evergreen at Rockwall and stated that the 460 Planning and Zoning Commission had recommended approval with conditions - use of 461 brick pavers on the temporary path instead of gravel. Councilmember Scott made a 462 motion to approve and Councilmember Straughan made the second. Councilmember 463 McCallum requested that Councilmember Scott amend his motion to include two tree 464 days on separate weeks, with notico to be published in the local paper and a sign placed. 465 on the property. Councilmember Scott so amended his motion and Councilmember 466 Straughan amended his second. The motion passed unanimously by a vote of 7 ayes. 467 468 and 0 nays.

470 VIII. ACTION ITEMS

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 473
 Argional Training Center site utilities and take any action necessary.

474 Chuck Todd, City Engineer, discussed the change order. Councilmember Cotti made a 475 motion to approve the Change Order and Councilmember McCallum seconded the 476 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

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 3.
 Discuss and consider approval of an Ordinance setting city-wide speed

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 Immts for residential streets and adjusting speed limits on arterial and

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 collector streets and take any action necessary.
 [1*' Reading]

481 Chuck Todd discussed the background of this item. Councilmember Cotti made a 482 motion to approve the Ordinance and Mayor Cecil seconded the motion. After 483 discussion, the motion failed by a vote of 3 ayes [Cecil, Straughan and Cotti) and 4 nays 484 [McCallum, Nielsen, Scott and Sevier].

ARE After further discussion, Councilmember McCallum made a motion instructing Staff to bring back an ordinance reducing the speed limit in Old Town and to bring back a study of the cost requirements for increasing or changing speeds on major streets and

488 of the cost requirements for increasing or changing speeds on major streets and 489 arterials. Councilmember Scott seconded the motion. The motion passed unanimously 490 by a vote of 7 ayes and 0 nays.

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 492
 8. Discuss and consider approval of an Ordinance adopting the amended budget for fiscal year 2006 and take any action necessary.

494 Councilmember Cotti made a motion to approve the ordinance and Councilmember 495 McCallum seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 06-37

- 498499AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS, AMENDING500THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2005 THROUGH501SEPTEMBER 30, 2006; PROVIDING FOR AN EFFECTIVE DATE.
- 502 503 The motion passed unanimously by a vote of 7 ayes and 0 nays.
 - Discuss and consider approval of the proposed Texas Clean Air Cities. Coalition ("TCACC") participation agreement and bylaws and take any action necessary.

508 After discussion. Councilmember Cotti made a motion that we withdraw our initial 509 agreement to participate in the Coalition and Councilmember Straughan seconded the 510 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 511
 512 There being no further business to come before the Council in regular session, Mayor
 513 Cocil adjourned the meeting into Executive Session at 10:22 p.m.
- 514 515 IX. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF 516 TEXAS GOVERNMENT CODE TO DISCUSS:
- Deliberation regarding the purchase, exchange, lease, or value of real.
 property
- 519 2. Personnel Issues, including Board, Commission, and Committee 520 Appointments, and Related Matters.
- 521 3. Commercial or financial information regarding business prospects that the 522 Oity seeks to have locate, stay, or expand in or near the ferrilary of the 523 Oity of Rockwall and with which the Board is conducting economic cevelopment negotiations.

- 5254.Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation526with attorney with regard to a maller that it is the duty of the attorney lo-
consult with the Council and falls under the attorney-client privilege
- 528 X. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION
- 529 530 Councilmember Straughan made a motion to approve the purchase of the right of way for 531 Townsend Drive Phase 2 from the J. I. Davis Estate at the cost of \$2.00 per square foot, 532 there being a total of 1,401 square feet. Councilmember Cotti seconded the motion and 533 the motion passed unanimously by a vote of 7 ayes and 0 nays.
- 534 535 Councilmember Cotti made a motion to approve the purchase of the right of way for 536 Townsend Drive Phase 2 from Thomas E. Chesna, Victoria D. Chesna and Don S. Watts 537 at the cost of \$2,00 per square foot, There being a total of 1,949 square feet. 538 Councilmember Sevier seconded the motion and the motion passed unanimously by a 539 vote of 7 ayes and 0 nays.
- 540

545

- 541 Councilmember Cotti made a motion to approve the resolution regarding the necessity to 542 institute eminent domain proceedings to acquire right of way for Justin Road and 543 Councilmember Scott seconded the motion. The motion passed unanimously by a vote 544 of 7 ayes and 0 nays.
- 546 Councilmember McCallum made a motion to appoint John Floeter to the Rockwall 547 Economic Development Corporation Board to complete the term of Nell Welborn and 548 Councilmember Straughan seconded the motion. The motion passed unanimously by a 549 vote of 7 ayes and 0 nays.
- 550
 551 There being no further business to come before the Council, Mayor Cecil adjourned the
 552 meeting at 11:30 p.m.
- 553 554 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 555 this 21d day of 210 DLA ____, 2006.

Wall & Come

560 561 562

563

556 557

558 559

ATTEST

564 Dorothy Brooks//City Secret 565

ROCKW Ś, The Designation of the second

			Minutes		
	Rockwall City Council				
2	October 16, 2006				
3			3 on n m. Work Session and Pre-Council Meeting		
4			City Hall, 385 S. Goliad, Rockwall, Texas 75087		
5					
6 7					
8	Ι.		TO ORDER		
9 10 11 12 13 14	Counc	ilmem Cou	called the meeting to order at 3:05 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Margo Nielsen, Matt Scott and Cliff ncilmember Tim McCallum joined the meeting later. Also present were City le Couch and Clty Attorney Pete Eckert.		
15	10.	WORK	SESSION		
16 17		1.	Hold work session on detention concepts and take any action necessary.		
18 19	The C was t	ouncil aken b	was shown a power point presentation on detention concepts. No action y the Council.		
20 21 Mayor Cecil adjourned the meeting into Executive Session at 4:31 p.m.					
22 23 24	III.	HOLD Texa	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF S GOVERNMENT CODE TO DISCUSS:		
25 26		1.	Deliberation regarding the purchase, exchange, lease, or value of real property.		
27 28		2.	Personnel Issues, including Board. Commission, and Committee Appointments, and Related Matters.		
29 30 31 32		3.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.		
33 34 35		4.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege		
36 37	w.		E ANY ACTION AS RESULT OF EXECUTIVE SESSION		
38 39 40 41	Buff The	ington motior	mber Nielsen made a motion authorizing the City Manager to settle the condemnation matter and Councilmember Straughan seconded the motion. I passed unanimously by a vote of 7 ayes and 0 nays.		
42 43 44	The May	re bain ar Cec	g no further business to come before Council in the Pre-Council Session, il adjourned the meeting at 6:00 p.m.		

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, 45 46 TEXAS, this 6th day November, 2006. 47 48 49 6 £ 50 William R. Cecil, Mayor 51 52 ATTEST: 53 les 54 SUNDARY CONTRACTOR SEA. 55 CXWCity Secretary Darothy Brooks/ 56 57 58

59 60 61 62 63			Minutes Rockwall City Council October 16, 2006 6:00 p.m. Regular Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087				
63 64 65 66 67 68 69 70	Count Scott	Cecil	ro ORDER called the meeting to order at 6:05 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier. Also present were City Manager Julie Couch and City Attorney				
71 72 73	11.		ATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MARGO NIELSEN				
74 75	lii.	PROC	LAMATIONS				
76		1,	Behind the Badge Week				
77 78 79	 that the appreciation dinner will be held on Saturday, November 4, 2000, 400 per everyone to attend. 						
80 81 82 83	Next, Mayor Cecil Introduced Angie Landers, winner of the Soroptimist Rockwall Idol Contest. Ms. Landers was presented with a proclamation and then performed her winning song, "Fill Always Love You," for the audience.						
84 85	IV.	CONS	SENT ITEMS				
86 87 88		1.	Consider approval of the Minutes of the October 2, 2006 City Council meeting and take any action necessary.				
89 90 91		2 .	Consider approval of an <i>Ordinance</i> reducing the speed limit in Old Town and take any action necessary. [2 nd Reading]				
92 93		3.	Consider approval an <i>Ordinance</i> to increase or change speeds on major streets and arterials and take any action necessary [2 rd Reading]				
94 95 96 97 98		4.	P2006-043 - Discuss and consider a request by Brad Forslund of Churchill Residential, Inc., for approval of a master plat for Eastshore Adoition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliac (SH 205) south of the railroad and north of Justin Road, and take any necessary action.				
99 100 101 102 103 104		5.	P2006-044 Discuss and consider a request by Brad Forslund of Churchill Residential. Inc., for approval of a preliminary plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 66-32), and situated along the east side of S. Goliad (SH 205) south of the rangoad and norsh of Justin Road, and take any necessary action.				
105 106		6.	P2006-045 - Discuss and consider a request by Michael Alturk of MA Engineering for approval of a preliminary plat for Subway / Gateway /				

107 108 109 110		Health Food Store Addition, being a 2.0-acre tract currently described as Tract 2-2, Abstract 186, J.A. Ramsey Survey, zoned (PD-46) Planned Development No. 46 and located at the northeast corner of FM 549 and SH 276, and take any action necessary.
111 112 113	7.	Consider approval of an Ordinance amonding the Code of Ordinances in Chapter 3, by amonding Sec. 3-1(a) and take any action necessary. [1 ^{9]} Reading]
114 115	8.	Consider approval of the award of the bid for the Justin Read Paving Project – Townsend to Industrial – and take any action necessary.
116 117 118	9.	Consider approval of an Ordinance amending the Project and Financing Plans: Of Reinvestment Zone Number: One and take any action necessary. [1* Reading]
119 120 121 122 123 124	Councilmen Councilmen Agenda Iten	ther Nielsen requested that Consent Agenda Item No. 1 be pulled and ober McCallum requested that Consent Agenda Items No. 4 and 5 be pulled, ober McCallum then made a motion to approve the remaining Consent of (2, 3, 6, 7, 8, and 9). Councilmember Straughan seconded the motion and ces were read as follows:
125 126		ORDINANCE NO. <u>06-43</u>
127 128 129 130 131 132 133 134 135	AN AL TH QQ CC	I ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, IENDING CHAPTER 15 MOTOR VEHICLES, ARTICLE VI OPERATION, DIVISION 7 BY TERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER IE PROVISIONS OF THE TRANSPORTION CODE, SECTION 545.356, UPON THE ROADS ILINEATED ON THE ATTACHED EXHIBIT, OR PARTS THEREOF, WITHIN THE ORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200): PROVIDING A EVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. [2 nd Roading]
136 137		ORDINANCE NO. 05-44
138 139 140 141 142 143 144 145 146	AA AL TH UI SI SI	N ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, MENDING CHAPTER 16 MOTOR VEHICLES, ARTICLE VI OPERATION, DIVISION 7 BY LTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER IE PROVISIONS OF THE TRANSPORTION CODE, SECTION 545,356, UPON STREETS STED BELOW, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY F ROCKWALL, TEXAS; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE JM OF TWO HUNDRED DOLLARS (\$200); PROVIDING A SEVERABILITY CLAUSE; ROVIDING AN EFFECTIVE DATE. [2 rd Reading]
147 148 149 150 151 152 153	Al Şi D ⁽ El	N ORDINANCE OF THE CITY COUNCIL OF THECITYOF ROCKWALL, TEXAS. MENDING THE CODE OF ORDINANCE OF THE CITY OF ROCKWALL, IN CHAPTER 3, EC. 3-1(a): PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED OLLARS (\$500.00): PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN FFECTIVE DATE. [1" Roading)
154 155 156	A	N ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. MENDING THE PROJECT AND FINANCING PLANS OF REINVESTMENT ZONE NUMBER NE, CITY OF ROCKWALL, TEXAS. [1 ²¹ Roading]
157 158 159	The motion	passed unanimously by a vote of 7 ayes and 0 nays.

Councilmember Nielsen stated that she pulled Consent Agenda Item No. 1 so that the minutes could be revised to show that she did not attend the walking tour of The Harbor. 160 Councilmember Nielsen then made a motion to approve the minutes as revised and 161 Councilmember Straughan seconded the mollon. The motion passed unanimously by a 162 163 vote of 7 ayes and 0 nays. 164

165

Councilmember McCallum asked for a clarification on the tree transplant day notifications with regarding to Consent Agenda Items No. 4 and 5. Robert LaCroix stated 166 that there would be signs on the property regarding the trees transplanting 167 opportunities. Councilmember McCallum then made a motion to approve Consent 168 Agenda Items No. 4 and 5 and Councilmember Cotti seconded the motion. City Engineer 169 Chuck Todd clarifled information regarding the alignment of the cemetery entrance off 170 171 SH205. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 172 173
- V. | APPOINTMENTS. 174
- 175 Appointment with Planning and Zoning Chairman to discuss and answer 176 1. any questions regarding cases on the agenda and related issues and 177 take any necessary action. 178

Planning and Zoning Chairman Greg Burgamy appeared before the Council to answer any questions they might have regarding the planning and zoning items on tonight's 179 180 181 agenda.

- 182
- Appointment with Turlle Cove Homeowners regarding fending in the 2. 183 Takeline and take any action necessary. 184

Robert LaCroix, Director of Planning, discussed the background of the requirements within the Take Line Overlay District. Paul Freese, 943 Lexington Drive, came forward to 185 speak for the Turtle Cove Homeowners. After lengthy discussion, it was determined that 185 a Council Subcommittee should be formed to review the Take Line Overlay District 187 ordinance. Any action on the Turtle Cove code violations will be held in abeyance until 188 the Council has had an opportunity to hear the Subcommittee's recommendations. 189 190

- 191 PUBLIC HEARING 192 VI.
- 193 22006-019 -- Hold a public hearing and consider approval of an 1. Ordinance for a request by Rhonda Wells for approval of a Specific Use :94 195 Permit (SUP) to allow for a Carpon (Residential) not meeting the standards in Article IV, Section 2.1.2 of the Unified Development Code, 196 on Lot 8, Block K, Stonebridge Meadows Phase 5, located at 711 197 **98** ° Stillwater Drive and zoned (SF-10) Single Family Residential district, and 199 take any action necessary [1" Reading] 200

Robert LaCroix discussed the background of the request for an SUP for a carport. LaCroix stated that the Planning and Zoning Commission recommended approval with 201 additional conditions. Mayor Cecil opened the public hearing and the following persons 202 203 came forward to address the Council on this matter: 204

- 205
- Rhonda Wells (Applicant) 206
- 711 Stillwater 207
- Rockwall, Texas 208

- Ms. Wells asked the Council to approve her request. They need the carport
 to sheller their mentally and physically challenged child from the elements
 when entering and leaving their vehicle.
- 212 213 There being no one further to address the Council, Mayor Cecll closed the public 213 hearing. Councilmember Scott made a motion to approve the request and 214 hearing. Councilmember Cottl seconded the motion. The ordinance was read as follows:
 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE (SF-10) SINGLE-FAMILY RESIDENTIAL DISTRICT ALLOWING FOR A CAPORT (RESIDENTIAL) NOT MEETING THE STANDARDS IN ARTICLE IV, SECTION 2.1.2 OF THE UNIFIED DEVELOPMENT CODE. ON A TRACT LOCATED AT 711 STILLWATER DRIVE. BEING LOT 8, BLOCK K, STONEBRIDGE MEADOWS PHASE 5: PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS IS2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1" ROBDING FOR A REPEALER CLAUSE; PROVIDING FOR
- 228 229 The motion passed unanimously by a vole of 7 ayes and 0 nays.
- 230 22006-020 -- Hold a public hearing and consider approval of an 2. 231 Ordinance for a request by Mark Medical and Shannon Bailhrop for 232 approval of a change in zoning from (AG) Agriculture district to (C) 233 Commercial district, on a 45.4871 acre tract currently known as Tract 17. 2345, Abstract 80, William W. Ford Survey and located at the southeast 235 corner of SH 205 and FM 549, and take any action necessary. 235 [1^{sl} Reading] 237
- Robert LaCroix discussed the background of this request for a change in zoning and stated that the Planning and Zoning Commission recommended approval. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:
- 242

216

- 243 Greg Malen (Representing the owner)
- 244 Engineering Concepts
- 245 Wylie, Texas
- 246 Mr. Malen asked the Council to approve this request.
- 247 Dill Metteor
- 248 Bill Houser
- 249 4768 S. SH-205
- Rockwall, Texas
 Mr. Houser stated that he was against the change in zoning until a specific
 purchaser or business comes in to request the change.
- 252 253

There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember Scott made a motion to deny the request and Councilmember McCallum seconded the motion. The motion to deny passed unanimously by a vote of 7 aves and 0 nays.

258
 259 3. **Z2005-021** -- Hold a public hearing and consider approval of an Ordinance for a request by Charles Mills for approval of a change in

zoning from (SF-10) Single Family district to (PD-12) Planned Development No. 12 district, on a 0.24-acre tract currently known as the 261 west 100-ft of Lot 5, Block F, Sanger Brothers Addition and located at the 262 portheast corner of Ross and Alamo, and take any action necessary. 263264 [1" Reading] 265 Robert LaCroix discussed the background of this request for change in zoning. Mayor Cecil opened the public hearing and the following persons came forward to address the 266 267 Council: 268 269 Charles Mills (Applicant) 270 706 S. Alamo 271 Rockwall, Texas 272 Mr. Mills asked the Council to approve his request. 273 There being no one further to address the Council, Mayor Cecil closed the public 274 Councilmember Nielsen made a motion to approve the request and 275 Councilmember Straughan seconded the motion. The ordinance was read as follows: 276 277 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 278 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS 279 280 281 282 283 PREVIOUSLY AMENDED. SO AS TO CHANGE THE ZONING FROM (SF-10) SINGLE-FAMILY DISTRICT TO (PD-12) PLANNED DEVELOPMENT NO. 12 DISTRICT ON A 0.24-ACRE TRACT KNOWN AS THE WEST 100-FT OF LOT 5, BLCOK F. SANGER BROTHERS ADDITION, BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO: PROVIDING FOR SPECIAL CONDITIONS; CORRECTING THE OFFICIAL 284 285 ZONING MAP; 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 286 287 SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN 288 EFFECTIVE DATE. [1st Reading]. 289 290 The motion passed unanimously by a vote of 7 ayes and 0 nays. 291 Lake Rockwall Estates Annexation Plan (6:00 p.m.) (1" Public 292 293 4 Hearing) -- Hold a public hearing and consider a City initiated request to annex land of approximately 328.85 acres generally 'ocated north of 294 County Line Rd, northeast of F.M. 3697 (Horizon Road), and southeast of 295 296 Tubbs Road, and contiguous to the existing City Limits line. [No action is 297 necessary.] 298 Mayor Cecil announced that we would be addressing this item and had the Spanish translators announce it in Spanish. Mayor Cecil asked if anyone in the audience needed 299 the Spanish translation to continue, but no one indicated the necessity of the translation, 300 301 so the translators left the meeting. 302 Robert LaCroix discussed the background of this item and advised that this public 303 hearing was being held in accordance with the statutory requirements for annexation 304 plans. Mayor Gecil stated that no action would be taken tonight. This is a step in the 305 process and the soonest that the City will be able to act will be in January/February 2009 306 - final approval would be at the second reading of the ordinance which will be on 307 February 19, 2009. Mayor Cecil opened the public hearing and the following persons 308 309 came forward to address the Council: 310 311

312 313 314	Jim Minor 166 Trout Road Mr. Minor stated that 80% of the population in Lake Rockwall Estates is
315 316	Hispanic and that the City should have sent out tetters in Spanian, sur-
317	had polluted the take by allowing drainade into it. Mr. Minor also wanted to
318	know what the City was going to about the water system. He stated that he
319	has organized a group against the annexation.
320	Danay Turner
321 322	Danny Turner 829 Lakeside Orive
323	Mr. Turger stated that the City had violated their rights and is violating
324	state clobe and that he is bringing in the FBI. That the Gity might have
325	even committed murder by causing the flooding in the area. Is against the
326	annexation.
327	Ramona LaFavors
328 329	Owns property at 579 Trout
330	ts in favor of the annexation.
331	
332	Janie Myers
333	370 Eva Place Wants to know what the City is going to do about the flooding and the
334 335	condition of the roads. What all is the City going to do.
336	
337	Eric Boden
338	214 Diana Orive
339	Lives on the mobile home side – wants to know if the City is going to push
340	them out.
341 342	Allen Spicer
343	1492 Valorie
344	Wants to know if the City is going to take his property away from him. Is
345	for the annexation if it is good for him. Can the City make it nice.
346	
347	Mitchell Turner
348	829 Lakeside Drive Poor people are human.
349 350	Poor people are manager.
351	Mary Gonzales
352	307 Tubbs
353	Concerned that the letters were not in Spanish. Is glad it will be in the City.
354	They need better streets and places for kids to play. She has friends on the trailer side and they have been told that the City is going to kick them out.
355	Their fears are being weighed upon. We need to tell them the truth.
356 357	Then lears are baing neighba wethin the time
358	Jim Day
359	177 Althea Road
360	Wants to know why we are going to annex them. Can they get
361	water/sewer/roads, etc.
362	

- Susan Gomez 363
- 199 Diana Drive 364
- Would like for the area to be cleaned up. It is trashy because of the 365
- landlords. 366
- 367
- Mary Garza 358
- 482 Eva Place 369
- Lives behind the take and it does flood. Is for the annexation. Wants to 370 know if 2 mobile homes will be allowed on one lot. The landlords are the 371 oroblem. 372
- 373 There being no one further to address the Council, Mayor Cecil closed the public 374 hearing. At this time each Councilmember addressed the audience on why we are 375 annexing the area, what services will be provided, and what we are going to try to 376 accomplish until the time comes when we can take final action on the annexation plan. 377
- 378 Lake Rockwall Estates Annexation Plan (7:00 p.m.) (2"" Public 5. 379 Hearing) -- Hold a public nearing and consider a City initiated request to 380 annex land of approximately 328.85 acres generally located north of 381 County Line Rc. nonheast of F.M. 3097 (Horizon Road), and southeast of 382 Tubbs Road, and contiguous to the existing City Limits line [No action is 353 necessary.] 384
- Robert LaCroix talked about the draft service plan which will include police protection, 385 fire protection, health and code compliance (building permits and junk vehicles) 386 landscape ordinance, parks and recreation services, solid waste collection, street 387 maintenance, etc. Water will continue to be Aqua Source but we will pursue the right to 388 provide water and sewer. Mayor Cacil opened the public hearing and the following 389 persons came forward to address the Council: 390
- 391
- Lawrence Chavez 392
- 510 Lynch 393
- Wants a copy of the service plan. 394
- 395 Mitchell Turner 396
- 829 Lakeside 397
- Stated that Robert LaCroix lied when he said there was a note in Spanish at 398 the bottom of the letters. 399
- 400 Eric Boden
- 401 214 Diana Drive 402
- Mr. Boden wants to know if he can move another trailer onto his property -403 he already has one and this is to enlarge his living space. He also asked if 404 the City would take care of the flooding Issues. 405
- 406 Mary Gonzales 407
- 327 Tubbs 408
- Ms. Gonzales want the Council to know that Mr. LaGroix had sent out two 409 letters with Spanish at the bottom - she showed the letters to the Council.
- 410
- 411

412	Joann Stanley
413	298 Plain Drive Stated she can't walt for the annexation - she is definitely in favor of it.
414	
415	She hopes that the City can get no of Aqua sooned. Boden's question regarding two trailers on the same lot. Ms. Stanley stated
416	Boden's question regarding two trailers on this sound that is not allowed.
417	that they have deed restrictions and that is not allowed.
418	
419	Jane Reynolds
420	370 Eva Place
421	Wants to know if they have to wait 3 years to stop the flooding.
422	
423	Jim Meyers
424	166 Trout
425	972-771-8198 The cost of the improvements would call for a bond election and the
426	
427	
428	Lake Rockwall Estates - may do not want is critical our own city. You are off. If this had not been started we would have our own city. You are
429	off. If this had not been started we would have going to have to be pushing people out - 90% of the trailers are going to have to be
430	pushing people out - 90% of the trainers are going to get a condemned. Does not believe it should be decided by 7 people.
431	condemned. Does not believe it should be decided by a poor
432	
433	Danny Turner
434	829 Lakeside Drive You flooded our sewer system. All you want is 3097 frontage. I don't trust
435	
436	yau guys.
437	· · · · •
438	Elizabeth Silva
439	533 Tubbs Road
440	is in favor of the annexation.
441	and the state
442	Kathy Smith
443	193 Russell Drive is for the andexation. Wants to know if there will be an additional exit for
444	is for the annexation. Walks to know a store and
445	the mobile home side.
446	
447	Van Simmons
448	337 Trout
449	Caul Mil Million Maga anteria
450	willing to help whatever way she can.
451	
452	Ruth Donnley
453	166 Trout We don't have the same pocket books. She has not seen anyone out there
454	We don't have the same pocket bookst one has not been able to get to help. Is concerned that the Hispanic population has not been able to get
455	to help. Is concerned that the thopante population
456	up and speak.
457	
458	Ramona LaFavors 1979 Random Qaks Drive
459	
460	
461	is for the annexation. She is unable to relit the notation Mexico she has to the condition of the area. Stated when she goes to Mexico she has to
462	

- speak Spanish. The people here need to learn English they need to learn 463 to help themselves.
- 464 465
- Susan Gomez 465
- 199 Diana 467
- Would like to see Habitat for Humanity homes there. We need to make sure 468 that the residents know what the restrictions are.
- 469 470
- Mary Gonzales 471
- 327 Tubbs 472
- Believes what the Council said. She moved to the LRE area because they 473 did not have any money. Everyone is going to have to put forth the effort. 474 Gonzales also asked about lights on Horizon - there are many accidents. 475
- Does not want to wait until 2009 for the lights. 476
- 477

There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember Cotti recognized Joann Stanley. Ms. Stanley formerly served 478 on the Rockwall Housing Development Corporation as a representative from Lake 479 Rockwall Estates. Councilmember McCallum advised the audience that the City is going 480to be building an extension road to County Line Road, which will result in two exits from 481 the mobile home site. Councilmember McCallum then made a motion that the Council 482 Subcommittee bring back a date for a Town Hall Meeting, to be conducted for the benefit 483 of Spanish-speaking residents as well as for all other residents of Lake Rockwall Estates. 484 485 Mayor Gecil seconded the motion. The motion passed unanimously by a vote of 7 ayes 486 and 0 nays. Notification of the meeting will be provided in both English and Spanish. 487

- 488 It was announced that copies of the draft service were on a table in the Lobby and 489 available for pick up. 490
- 491 ACTION ITEMS V11. 492
- 493 Discuss and consider the City's vehicle replacement policy and take any 494 1. action necessary. 495

Finance Director Mary Smith and Assistant Police Chief Kirk Riggs discussed the background of the policy. Councilmember Cottl made a motion to approve the policy 496 and retain the 2-year police vehicle policy and Councilmember Straughan seconded the 497 498 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 499

- 500
- Discuss and consider authorizing the City Manager to onter into an 2. 501 agreement with Landscapes Unimited for SH-66 Boat Ramp. 502 improvements and take any action necessary. 503

Brad Griggs discussed the background of the project. Funding for the project will be out 504 of the Recreation Development Fund. Councilmember Cotti made a motion to approve the request and Councilmember Nielsen seconded the motion. The motion passed 505 508 unanimously by a vote of 7 ayes and 0 nays. 507

- 503 Discuss and consider supporting a raise in the sales tax cap for 509 3. transportation funding and take any action necessary. 510

Mayor Cecil discussed the background of this item. After a short discussion it was 511 determined that no action would be taken by the Council at this time.

- 512 513
- Discuss and consider approval of a Resolution in support of federal and 514 4. state government initiatives to provide better control over illegal aliens in the United States and the State of Texas and take any action necessary 515

516 Mayor Cecil discussed the background of this request. After lengthy discussion it was determined that the Subcommittee needed to make revisions to the resolution after input 517 from the other Councilmembers, to be provided not later than Friday. October 20, 2006. 515 519

This matter will come back before the Council at the next meeting. 520

There being no further business to come before the Council in regular session, Mayor 521 522 Cecil adjourned the meeting into Executive Session at 10:52 p.m. 523

- HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF 524 525 VIII. TEXAS GOVERNMENT CODE TO DISCUSS. 526
- Deliberation regarding the purchase, exchange, tease, or value of real 1 527 properly. 528
- Personnel Issues, including Board, Commission, and Committee 2. 529 Appointments, and Related Matters. 530
- Commercial or financial information regarding business prospects that the 3. 531 City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic 532 533 development negotiations. 534
- Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation 4 with attorney with regard to a matter that it is the duty of the attorney to 535 536 consult with the Council and falls under the attorney-client privilege. 537

TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION 538 IX.

539 No action was taken as a result of Executive Session. 54C

There being no further business to come before the Council, Mayor Cecil adjourned the 541 542 meeting at 11:30 p.m. 543

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL. 544 545 TEXAS, this 6th day of November, 2006. 546

547

548

549

550

Willia R. Come

William R. Cecil, Mayo:

551 55**2** 553 554 **City Secretary**

Dorothy Brooks 555

CONTRACTOR OF THE OWNER RCCKW

÷.			Minutes	
2	Rockwall City Council			
3			Monday, November 06, 2006	
4			4:00 p.m. Pre-Council Meeting	
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087	
6			-	
7	۱.	CALL	TO ORDER	
8				
9	Мауо	r Cecil	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and	
10	Coun	cilmem	bers Bob Cotti, Stephen Straughan, Margo Nielsen and Cliff Sevier. Also e City Manager Julie Couch and City Attorney Pete Eckert. The Mayor	
11 12	imme	ant wer diately	adjourned the meeting into Executive Session. Councilmember Tim	
13	McCa	illum jo	ined the meeting at 5:30 p.m.	
:4				
15	u.	HOLD	EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND	
16		551.0	187 OF TEXAS GOVERNMENT CODE TO DISCUSS:	
17		1.	Deliberation regarding the purchase, exchange, lease, or value of real	
18			property.	
19		2.	Personnel Issues, including Board, Commission, and Committee	
20			Appointments, and Related Matters.	
21		3.	Commercial or financial information regarding business prospects that the	
22			City seeks to have locate, stay, or expand in or near the territory of the	
23			City of Rockwall and with which the Board is conducting economic	
24			development regeltations.	
25		4.	Pursuant to Section 551 071(2) of the Open Meetings Act Consultation	
25			with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.	
27		_		
28	L I 1.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION	
29 30	Cour	icilmen	nber Nielsen made a motion that the Takeline Ordinance Subcommittee	
31	loon	eiction.	of Rob Cotti Matt Scott and Bill Cecil) review the Taxeline Oroinance for	
32	upda	iting a	nd Councilmember Straughan seconded the motion. The motion passed	
33	unar	nimous	ly by a vote of 7 ayes and 0 nays.	
34	M	. Caall	adjourned the Pre-Council meeting at 6:00 p.m.	
35 36				
37	PAS	SED AN	ND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,	
35	this	20 [#] day	y of November, 2006.	
39				
40 41			willing K. Comme	
42			William R. Cecil, Mayor	
43	ATA	EST:	A Do I CKWS MA	
44	ΔQ	4417	TURES AND	
45 46		thy Bra	ogis, City Secretary	
49	COL	any or		
	Monda Puge 1		ser D6, 2018 C ty Deville Mineree	
	. 016	-	ter b6, cotte C ty Courts Minares	

47 48 4≌ 50 51	Minutes Rockwall City Council Monday, November 06, 2006 6:00 p.m. Regular Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087
52 53 54	I. CALL TO ORDER
55 56 57 53	Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.
59 60	II. INVOCATION AND PLEDGE OF ALLEGIANCE MAYOR BILL CECIL
61 52	
63 64 65 66 67	Mayor Cecil opened the floor to anyone who wished to address the Council on any subject that is not a public hearing on tonight's agenda. The following persons came forward:
68 69 70 71 72 73 74	Ruth Peck 108 Lakedale Rockwall, Texas Ms. Peck thanked the Council for their support of Musicfest. Thanks to their support and financial assistance the City of Rockwall now has a philharmonic orchestra. Ms. Peck invited everyone to come to Musicfest in April 2007.
75 76 77 78 79 80 81 82 83	Scott Self 428D Yacht Club Drive Rockwall, Texas Mr. Self spoke on behalf of the Chandler's Landing Homeowners Association and stated they were in favor of removing the vegetation from the Southside of the I-30 Bridge so there is a view corridor for The Harbor.
84 85 85 87 88 88 89	Joann Glover 550 E. Quail Run Drive Rockwall, Texas Ms. Glover congratulated the City on the grand opening of The Harbor.

90 91		re being ring.	no one further to address the Council, Mayor Cecil closed the public
92 93	IV.	Cons	ENT AGENDA
94 95 96		1.	Consider approval of the <i>Minutes</i> from the October 16, 2006 City Council Meeting and take any action necessary.
97 98		2.	Consider approval of an Interlocal Agreement for Fire Protection Services and take any action necessary.
99 100 101		3.	Consider approval of an Ordinance amending the Code of Ordinances in Chapter 3, by amending Sec. 3-1(a) and take any action necessary. (2 rd Reading)
102 103 304		4.	Consider approval of an Ordinance amending the Project and Financing Plans of Reinvestment Zone Number One and take any action necessary. [2 rd Reading]
105 106 107 108 109 110 111		5.	Consider approval of an Ordinance for a request by Rhonda Wells for approval of a Specific Use Permit (SUP) to allow for a Carport (Residential) not meeting the standards in Article IV, Section 2.1.2 of the Unified Development Code, on Lot 8, Block K, Stonebridge Meadows Phase 5, located at 711 Stillwater Drive and zoned (SF- 10) Single Family Residential district, and take any action necessary. [2 rd Reading]
112 113 114 115 116 117		6.	Consider approval of an Ordinance for a request by Charles Mills for approval of a change in zoning from (SF-10) Single Family district to (PD-12) Planned Development No. 12 district, on a 0.24- acre tract currently known as the west 100-ft of Lot 5, Block F, Sanger Brothers Addition and located at the northeast corner of Ross and Alamo, and take any action necessary. [2 nd Reading]
118 119 120 121		7.	Consider authorizing the City Manager to enter into agreements with MHS Planning and Design for Design Services for the Park at Emerald Bay and the Park at Hickory Ridge and take any action necessary.
122 123 124		8.	Consider authorizing the City Managor to execute TXDOT Standard Utility Agreements regarding SH205 Utility Improvements and take any action necessary.
125 126 127		9.	Consider approval of the railroad crossing construction proposal from the DGNO Railroad for the Townsend Phase 2 Project and take any action necessary.
128 129 130	Co ar	ouncilmo id Coun ; follows	ember McCallum made a motion to approve the Consent Agenda items cilmember Straughan seconded the motion. The ordinances were read

131		
132		ORDINANCE NO. 05-49
133		W AA THE ATH REWAY OF THE CITYOF BOCKWALL TEYAS
134		AN ORDINANCE OF THE CITY COUNCIL OF THE CITYOF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCE OF THE CITY OF ROCKWALL, IN
125		CHAPTER 3, SEC. 3-1(a): PROVIDING FOR A PENALTY OF A FINE NOT TO
136		EXCEED FIVE HUNDRED DOLLARS (\$500,00); PROVIDING FOR A SEVERABILITY
137 138		CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, 2 rd Reading
139		CAUSE, PROTIDINO FOR AR CITEOTITE BARGICE COMPANY
140		
14:		ORDINANCE NO. <u>06-45</u>
142		
143		AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
:44		AMENDING THE PROJECT AND FINANCING PLANS OF REINVESTMENT ZONE
:45		NUMBER ONE, CITY OF ROCKWALL, TEXAS. 2" Reading
146		
147		
:48		ORDINANCE NO. 06-48
149		AN ADDIVISION OF MUSICALLY COUNCY OF THE CITY OF DOCKDUALL TEXAS
150		AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
151		AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP)
152		WITHIN THE (SF-10) SINGLE-FAMILY RESIDENTIAL DISTRICT ALLOWING FOR A
153		CARPORT (RESIDENTIAL) NOT MEETING THE STANDARDS IN ARTICLE IV,
154 155		SECTION 2.1.2 OF THE UNIFIED DEVELOPMENT CODE, ON A TRACT LOCATED
156		AT 711 STILLWATER DRIVE, BEING LOT & BLOCK K, STONEBRIDGE MEADOWS
157		PHASE 5: PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY
158		OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
159		FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
160		FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. 2" Reading
151		
162		ORDINANCE NO. <u>06:46</u>
163		
164		AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
165		AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
:66		HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM (SF-10)
167		SINGLE-FAMILY DISTRICT TO (PD-12) PLANNED DEVELOPMENT NO.12 DISTRICT ON A 0.24-ACRE TRACT KNOWN AS THE WEST 100-FT OF LOT 5, BLOCK F.
168		SANGER BROTHERS ADDITION, BEING MORE SPECIFICALLY DESCRIBED IN
169		EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS;
17() 171		CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE
172		NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
173		OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
174		CLAUSE: PROVIDING FOR AN EFFECTIVE DATE. 2" Reading
175		
176		
177	The	notion passed unanimously by a vote of 7 ayes and 0 nays.
	1161	neven based anendresely by a tote to a size and a major
178		Å RAGINETIENTA
179	۷.	APPOINTMENTS
180		a state of the Manual Har and Designed County Chamber of
181		1. Appointment with Margie Hooper, Rockwall County Chamber of
182		Commerce for a status report on hotel/motel fund disbursements.

183 Margie Hooper came forward and gave a status report on the funds the Chamber 184 of Commerce received in 2005-2006.

- 185
- Appointment with Lynn Davis from the Old Town Shoppes on the
 Square for a status report on hotel/motel fund disbursements.

Lynn Davis came forward and gave a status report on the funds the Old Town Shoppes on the Square received in 2005-2006.

- 190
- 1913.Appointment with Joann Glover, Executive Director of Rockwall192County Committee on Aging to give an annual report and request193funding for fiscal year 2006 2007 and take any action necessary.

Joann Glover came forward and gave her annual report on the 2005-2006 funding she received and requested funding for 2006-2007. Councilmember Cotti made a motion to approve the funding request and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Appointment with Animal Adoption Center Subcommittee regarding
 recommendations for building plans and presentation by David
 Duhman of Quorum Architects.

Jeffrey Widmer discussed the Subcommittee recommendations and David Duhman of Quorum Architects gave a power point presentation on the changes. Councilmember Nielsen made a motion to authorize Staff and the Architect to start the bld and construction process and Councilmember Scott seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 207
- 2085.Appointment with the Airport Subcommittee for an update on209projects at the airport and to discuss and consider approval of a bid210for painting services at the Ralph Halt Municipal Airport and take211any action necessary.

Joey Boyd gave an update on the airport projects. Councilmember Cotti made a motion to approve the bid for painting services and Councilmember Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 215
- 2.7 VI. ACTION ITEMS
- 2:8
- 219 Mayor Cecil advised the audience that the Council would be considering Action 220 Item 6 at this time.
- 221
- 6. Discuss and consider adding an element to the Downtown Plan rotated to creating a destination and take any necessary action.

City Manager Julie Couch discussed the background of this item. Ms. Couch described the program and stated that we could send 6 persons to the "boot camp" and a 7th person would attend free. The cost would approximately \$8,400

plus travel expenses. After lengthy discussion, Councilmember Scott made a 227motion to have the City Manager move forward with the selection process and 228 bring the item back to the Council for final approval, but the cost shall not exceed 229 \$15,000.00. Councilmembers McCallum and Sevier stated that they support the 230 downtown revitalization effort, but needed more detailed cost and information 231 before they could support the motion that was on the floor. Councilmember Cotti 232 seconded the motion. The motion passed by a vote of 5 ayes and 2 nays [Sevier 233 and McCallum). Ms. Couch will have the information to the Council no later than 234the first meeting in December. 235

236

239

237 238 Discuss and consider approval to engage Fox, Byrd & Co. P.C. as the City's auditors for the fiscal year ended September 30, 2006 and take any action necessary.

Mary Smith. Finance Director, discussed the background of this request. Councilmember McCallum made a motion to approve the request and Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

244 244 245

246

 Discuss and consider underage drinking and the failure of adults to supervise and take any action necessary.

247 Councilmember McCallum stated that he brought this matter forward to 248 determine whether or not the Council was interested in assigning this ordinance 249 as a project for the Youth Advisory Council. After lengthy discussion no action 250 was taken on this matter by the Council.

251
 252
 3. Discuss and consider approval of a Resolution supporting Federal
 253
 and State initiatives to curb illegal aliens and take any action
 254
 necessary.

255 Councilmember Cotti stated that the Subcommittee revised resolution pursuant 256 to the input he received from the other Councilmembers. After very lengthy 257 discussion, Councilmember McCallum made a motion to postpone this resolution 258 indefinitely or until a Councilmember or the Mayor brings it back for 259 consideration. Councilmember Straughan seconded the motion and the motion 260 passed unanimously by a vote of 7 ayes and 0 nays. The Subcommittee for this 261 matter was disbanded.

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262 263

4

Discuss and consider revitalization of the old Kroger building and take any action necessary.

Councilmember Scott stated that he brought this matter to the Council for discussion. After discussion, Councilmember Scott made a motion directing Staff to talk to Richard Haas and the owner of the Kroger building regarding painting a mural on the back of the building (facing west) and Councilmember Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 ays.

271

- 272 Ms. Couch will update the Council regarding this matter at the next meeting.
- Discuss and consider removal of trees from the 1-30 Bridge east of
 Discuss and consider removal of trees from the 1-30 Bridge east of
 mile marker 66 in order to provide a clear visual corridor of The
 Harbor and take any action necessary.

Councilmember Scott stated that he brought this matter to the Council for discussion he then made a motion to ask TxDOT to remove the vegetation on the southern side of the L-30 bridge going east from mile marker 66 to the easternmost shoreline of Lake Ray Hubbard in order to provide a clear visual corridor of The Harbor. Councilmember Sevier seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

283 284 VII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING 285 MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

286
287 Jeffrey Widmer discussed the survey for the Smoking Ordinance. Julia Couch
288 discussed the need for a joint meeting with the Planning and Zoning Commission
289 to discuss form-based zoning, amendments to the Comp Plan and the Facilities
290 Plan. A tentative date of Wednesday, November 29, 2006 was set.

291
292 There being no other regular business to come before the Council, Mayor Cecil.
293 adjourned the meeting at 10:04 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
 TEXAS, this 20th day of November, 2005.

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300 301

William R. Cecil, Mayor

302 ATTEST:

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304 Dorothy Brooks, City Secretary

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1			Minutes	
2			Rockwall City Council	
3			Monday, November 20, 2006	
4			4:00 p.m. Pre-Council Meeting	
5			City Hall. 385 S. Goliad, Rockwall, Texas 75087	
6				
7	_	_		
8 9	I.		TO ORDER	
10 11 12 13 14	Coun Scott	cilmem and Cl	called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and bers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt liff Sevier. Also present were City Manager Julie Couch and City Attorney Mayor Cecil immediately adjourned the meeting into Executive Session.	
14 15 16	II.		EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 187 OF TEXAS GOVERNMENT CODE TO DISCUSS:	
17 18		1.	Deliberation regarding the purchase, exchange, lease, or value of real property.	
19 20		2.	Personnet Issues, including Board, Commission, and Committee Appointments, and Related Matters.	
21 22 23 24		3.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.	
25 26 27		4.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the cuty of the atforney to consult with the Council and fails under the attorney-client privilege.	
28 29	III.	TAKE	ANY ACTION AS RESULT OF EXECUTIVE SESSION	
30 31			is taken as a result of Executive Session. Mayor Cecil adjourned the Pre- ting at 5:55 p.m.	
32 33 34 35 36	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 11 th day of December, 2006.			
37 38 39			William R. Cecil, Mayor	
40 41 42 43		SUUT	oke, City Secretary	
	11 22 0 Page 1	6 G ty Ceu	CINELOS	

44			Minutes Rockwall City Council				
45			Rockwall Gity Odditon				
46	Monday, November 20, 2006						
47			6:00 p.m. Regular Meeting				
48			City Hall, 385 S. Goliad, Rockwall, Texas 75087				
49 50 51 52 53	Prior to calling the meeting to order, Mayor Cecil congratulated City Manager Julle Couch for being recognized by the International City Managers Association for 30 years of service and City Secretary Dorothy Brooks for achieving the designation as a Texas Registered Municipal Clerk.						
54		CALL	10 ÖRDER				
55	ŀ.						
56 57 58 69 60	Mayor Cecil called the meeting to order at 6:00 p.m. Present view Margo Nielsen, Mat Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Mat Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney						
61							
62	Ц.	INVOC	ATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER TIM MCCALLUM				
63							
64	<u> .</u>	PROC	LAMATIONS				
65							
65		1.	Rockwall Kiwanis Week				
68 69 70 71	 week of November 26 through December 2, 2000, as known solds for an area urged all in attendance at the meeting to be at the Christmas parade on S December 2, 2006. It starts at 9:00 a.m. 						
72 73	IV.	CONS	SENT AGENDA				
74 75 76		1.	Consider approval of the Minutes from the November 6, 2006 City Council moeting and take any action necessary.				
77 78		2.	Consider award of bid to Philpott Motors for Police Pursuit vehicles and take any action necessary.				
79 80		3.	Consider approval of an agreement with Securenet, Inc. for ontical water infrastructure security enhancements and take any action necessary.				
81 82 83		4.	Consider approval of an easement to TXU for an electrical easement for a transformer pad in Shores Park to serve the new park electrical features and take any action necessary				
84 85 86		5.	Consider approval of a Resolution authorizing abandonment of the right- of-way along Catalina Drive to the abutting landowner and take any action necessary.				
87 88		6 .	Consider approval of the award of the bio for the Townsend Road Phase 2 Construction and take any action hopessary.				

- 89 7. Consider approval of the Summer Lee East- Change Order No. 1 and
 90 fake any action necessary.
- 8. P2006-348 -- Consider a request by Johnalhan McClintock of McClintock
 Investments for approval of a replat of Lot 4, Block A. Shorerine Plaza
 Addition, being a 0.574-acre tractizened (C) Commercial district and
 located along Lakefront Trail and the future extension of Shoreline Drive,
 and take any action necessary.
- 969.P2005-049 -- Consider a request by Robert Richardson of Doug Conhally97& Associates, Inc., for approval of a replat of Lot 6, Block A, Municipal98Industrial Park Addition, being a 1.01-acre tract zoned (LI) Light Industrial99District and located along the north side of Whitmore Drive, and take any100action necessary.
- 10.P2006-050 -- Consider a request by Julio Pareces for approval of a final102plat of Lot 10, Block A, Airport Acres Addition, being a 0.39-acre tract103zoned (SF-10) Single Family Residential district and located on Indian104Trail, and take any action necessary.
- 10511.P2008-051 -- Consider a request by Sandra Green of WD Partners for
approval of a reptat of Lots 1 and 2, Block A, Travel Centers of America
Addition, being a 13.069-acro tract zoned (C) Commercial District and
located at the southwest corner of IH-30 and SH 205, and take any action
necessary.
- 11012.P2006-052 -- Consider a request by David Kotchalka of Kimley-Horn and111Associates for approval of a master plat for North Lakeshore Valley, being11249.36-acres zoned (PD-66) Planned Development No. 66 district (Orc.11306-02) located along North Lakeshore Drive and west of SH 205, and114take any action necessary.
- 11513.P2006-053 -- Consider a request by David Kolchalka of Kimley-Morn and116Associates for approval of a preliminary plat for North Lakeshore Valley.117being 49.36-acres zoned (PD-65) Planned Development No. 55 district118(Ord. 06-62) located along North Lakeshore Drive and west of SH 205,119and take any action necessary.
- 12014.P2006-054 -- Consider a request by Michael Alturk of MA Engineering for121approval of a final plat for Subway / Gateway / Health Food Store122Addition, being a 2.0-acre tract zoned (PD-46) Planned Development No.12346 and located at the northeast comer of FM 549 and SH 276, and take124any action necessary
- 12515.P2006-055 -- Consider a request by Sean Flaherty of The Wailace Group.126Inc., for approval of a replat of Lots 6 and 7, Block A, Rockwall Crossing127Addition, a 23 454-acre tract zoned (C) Commercial and situated within128the (IN-30 OV) IR-30 Overlay District at 903 Interstate 30, and take any129action necessary.
- 130
 16. Consider approval of the Ross Street Project- Change Order Number 2, and take any action necessary.

Councilmember McCallum requested that Consent Agenda Items # 11, 12 and 13 be pulled. McCallum then made a motion to approve the remaining Consent Agenda Items 132 (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15 and 16). Councilmember Scott seconded the motion and 133 134 the motion passed unanimously by a vote of 7 ayes and 0 nays.

135 136

Councilmember McCallum stated he pulled Consent Agenda Item #11 for clarification on expansion of the parking lot. City Attorney Pete Eckert stated that the paving materials 137 for the parking lot were listed in a litigation settlement a few years ago and that the 138 matter needed to be tabled until he could research the settlement document. 139 Councilmember Scott made a motion to table the matter until the next regular meeting 140 and Councilmember Straughan seconded the motion. The motion passed unanimously 141 :42 by a vote of 7 ayes and 0 nays. 143

144

After clarification, Councilmember McCallum made a motion to approve Consent Agenda items #12 and 13. Mayor Cecil seconded the motion and the motion passed unanimously 145 146 by a vote of 7 ayes and 0 nays. 147

148

APPOINTMENTS. 14<u>9</u> ٧.

150 Appointment with Planning and Zoning Chairman to discuss and answer :51 1. any questions regarding cases on the agenda and related issues and 152 take any necessary action. 153

Planning and Zoning Chairman Greg Burgamy addressed the Council and stated that he had no comments on tonight's planning and zoning items. The Council had no 154 155 questions for him. 156

- 157
- Appointment with Omega Hawkins, General Manager of Kaufman Area. 2. 158 Rural Transportation, to provide an annual report for 2006 and request 159 funding for the 2006-2007 budget year and take any action necessary. 160

Omega Hawkins of the Kaufman Area Rural Transportation gave her annual report. Ms. Hawkins requested funding for next year in the amount of \$20,000, plus matching funds 161 162 in the amount of \$12,000 for a grant for a new bus. Councilmember Cottl made a motion to approve the \$12,000 matching funds for the new bus and approve the \$20,000 subsidy. 163 Councilmember Straughan seconded the motion. After discussion, Councilmember 164 Scott made a motion to amend the previous motion so that it deals only with the \$20,000 165 Councilmember Straughan seconded the motion and the motion passed 166 subsidy. 167 unanimously by a vote of 7 ayes and 0 nays. 168

159

After lengthy discussion, Councilmember Nielsen made a motion to approve the \$12,000 170 matching funds for the bus and Mayor Cecil seconded the motion. After very lengthy discussion, Councilmember McCallum made a motion to amend the motion to state that 171 172 the 3rd bus will be available in Rockwall when needed - based on operating money. Councilmember Sevier seconded the motion. The motion passed unanimously by a vote 173 of 7 ayes and 0 nays. The vote was then taken on motion made by Councilmember 174 Nielsen, and as amended by McCallum's motion. The motion passed unanimously by a 175 176

vote of 7 ayes and 0 nays. 177

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179
3. Appointment with Lori Roneycult with Farmers Electric Concorative requesting permission to construct new overhead distribution lines along the south right-of-way of FM552 and along the east right-of-way of FM1141 within the City of Rockwall and take any action necessary.

183

Ms. Lori Roneycutt of FEC requested that FEC be allowed place their poles in the right-184 of-way along FM552 and FM1141. Councilmember Scott stated that he would have to 135 abstain from voting, but that he could speak on the matter. City Attorney Pete Eckert 186 advised the Council that if the Council approved this request, it should be approved 187 subject to legal review. After lengthy discussion, Councilmember Straughan made a 188 motion to table the matter until the next regular meeting and Councilmember Nielsen 189 seconded the request. After a short discussion, Councilmember Straughan withdrew his 190 motion and Councilmember Nielsen withdrew her second. 191

192 193 Mayor Cecil made a motion to approve the request subject to legal review regarding 194 whether or not the lines have to be underground. Councilmember Nielsen seconded the 195 motion. The motion passed by a vote of S ayes, 1 abstain [Scott] and 1 nay [McCallum]. 196 Results of said review will be available at the next meeting.

- 198 VI. PUBLIC HEARING ITEMS
 - Z2005-022 -- Hold a public hearing and consider approval of an Ordinance for a request by Brenda Meyers of Sterling Tea for approval of a Specific Use Permit (SUP) allowing for a restaurant less than 2,000-sf in area within (PD-50) Planned Development No. 50 district, specifically on Lot 1, Abate Injury Rehab Center Addition, located at 506 N. Goliad, and take any action necessary. [1st Reading]
- 205 206

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Robert LaCroix, Planning Director, discussed the background of this request. LaCroix advised that the Planning & Zoning Commission had recommended approval with conditions. Due to the percentage of landholders objecting to the request, a ¼ majority is required to approve this request. The applicant, Brenda Myers, came forward and requested that the Council approve the SUP.

212 213 Mayor Cecil opened the public hearing and the following persons came forward to 214 address the Council:

- 215
- 216 Mary Hanrahan
- 217 201 S. Clark
- 218 Ms. Hanrahan stated that signs in the Historic District should be brought to 219 The Historic Preservation Advisory Soard for approval. She is not 220 comfortable with a restaurant in this location – especially if there is a 221 dumpster.

There being no one further to address the Council, Mayor Gecli closed the public hearing. Robert LaCroix discussed the reasoning behind bringing the signage to the Council for approval, rather than the MPAB. Councilmember Straughan made a motion to approve the request without the hanging sign and Councilmember Nielsen seconded the motion. The ordinance was read as follows: 228229AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, T EXAS, AMENDING230THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY231AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A RESTAURANT232OF LESS THAN 2.000 SQUARE FEET WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50233DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 1. ABATE INJURY REHAB CENTER234ADDITION AND LOCATED AT 506 N. GOLIAD STEET; PROVIDING FOR SPECIAL235CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO236THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY237CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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239 The motion failed due to lack of a super majority vote in favor of the request. There were
240 5 ayes and 2 nays [Cecil and Sevier].

241 Z2006-023 -- Hold a public hearing and consider approval of an 2. 242 Ordinance for a request by Columbia Development Company, LLC, for 243 approval of an amendment to (PD-59) Planned Development No. 59 244 District (Ord. 04-59), located south of Washington, west of Renfro St and 245 north of the railroad, specifically to increase the maximum foll coverage to 246 60% and to allow for front yard fences, and take any action necessary. 247 [1st Reading] 248

Robert LaCroix discussed the background of this request and advised that the Planning and Zoning Commission had recommended approval by a vote of 5-0. Ross Ramsay, representing the owner, came forward and requested that the Council approve this request. Mayor Cecil opened the public hearing, but no one came forward, so the public hearing was closed. Councilmember Straughan made a motion to approve the request with the condition that the word "wood" be removed. Councilmember Cotti seconded the motion and the ordinance was read as follows:

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE AN AMENDMENT TO (P0-59) PLANNED DEVELOPMENT NO. 59 DISTRICT (ORD. NO. 04-59) TO INCREASE THE MAXIMUM BUILDING COVERAGE TO 80% AND ALLOW FOR FRONT YARD FENCES; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND OOLLARS (\$2,000.03) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

267 The motion passed unanimously by a vote of 7 ayes and 0 nays.

268 Z2006-024 -- Hold a public hearing and consider approval of an 269З. Ordinance for a request by Shirley Black for approval of an amendment. 270 to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / 271 Collectable Sales" within (PD-50) Planned Development No. 50 cistrict, at 272502 N. Goliad on Lot 1, Block 1, Black's Collectables Addition, specifically 273 to designate areas for outside display and merchandising, and take any 274 action necessary. [1st Reading] 275

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277 Robert LaCroix discussed the background of this matter and recommended continuing 278 the public hearing until the next meeting. Mayor Cecil opened the public hearing. 279 Councilmember Cotti made a motion to continue the public hearing until December 11, 280 2006 and Councilmember McCallum seconded the motion. The motion passed 281 unanimously by a vote of 7 ayes and 0 nays.

- 283 VII. SITE PLANS / PLATS
- SP2006-035 -- Discuss and consider a reduest by Robert Stengele of 285 1. spell Engineering Group. Inc., for approval of a variance to the cross-286 access requirements of the I-30 Ovenay District in association with the 287 sile plan for the Hentage Bulck Pontiac GMC motor vehicle dealership. 288 located on Lot 1, Block 1, Chrysler Addition, being 6 0-acres zoned (C) 289 Commercia: District and situated at the northwest conter of IH-30 and 290 Kyle Drive within the IH-30 Overlay district, and take any action. 291 necessary, (3/4 voto required for approval) 292
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Robert LaCroix discussed the background of this request. The site plan was approved in 2000. The applicant is requesting that a cross-access to the property to the west not be built. Applicant Robert Stengle came forward and stated that the request is really a security issue. Councilmember Cotti made a motion to approve the request and Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 abstain [Scott].

301 VIII. ACTION ITEMS

3031.Hear and discuss and consider Staff update concerning conservation304efforts and conservation material promised from the NTMWO: including305an update on water usage as a whole and by each water supplier that we306service, i.e. how well we are doing as a whole and individually. Rockwall,307Heath and each supplier we service and take any action necessary.

Rick Crowley gave a status update on water usage. Mayor Cecil discussed the meeting
 with the Council, the North Texas Municipal Water District and other water providers.
 Staff will bring an incentive program for Council discussion during the December 11,
 2006, meeting.

3132.Discuss and consider holding public hearings and performing a full review314of the City's landscape ordinances and take any action necessary.

Councilmember Scott discussed the background of this matter. After a short discussion,
 it was determined that Staff will bring a plan of action forward for Council approval.

3183.Discuss and consider amending City ordinances or policies regarding319pets in City parks and take any action necessary.

Councilmember Sevier discussed the background of this item. After discussion, it was determined that Staff will look at the various issues and bring back proposed solutions to the Council.

- 3244.Discuss and consider amending Chapter 12 of the Code of Ordinance325"Food and Food Service Establishments" in Sec. 12-41 to require the326posting of inspection scores and take any action necessary.
- 327

Jeffrey Widmer discussed the background of this item. Councilmember Cotti made a motion to approve the ordinance, with the change in the size of the grade and where the notice will be posted. Councilmember McCallum seconded the motion and the ordinance was read as follows:

- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 12 FOOD AND FOOD SERVICE ESTABLISHMENTS, SEC. 12-41 PERMITS, LICENSES OR CERTIFICATES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.
- 338 339 The motion passed unanimously by a vote of 7 ayes and 0 nays.

340
 341 There being no further business to come before the Council in regular session, Mayor
 342 Cecil adjourned the meeting into Executive Session at 10:42 p.m.

- 343 344 IX. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS 345 GOVERNMENT CODE TO DISCUSS:
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- Personnel tissues, including Board, Commission, and Committee Appointments, and Related Matters.
- 3513.Commercial or financial information regarding business prospects that the352City seeks to have locate, stay, or expand in or near the territory of the353City of Rockwall and with which the Board is conducting economic354development negotialions.
- 3554.Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation356with attorney with regard to a matter that it is the duty of the attorney to
consult with the Council and falls under the attorney-client privilege.

No action was taken as a result of executive session. There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 11:30 p.m.

360
 361 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
 362 this 11th day of December, 2006.

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will I. C.L.

William R. Cecil, Mayor



		Minutes					
2	Rockwall City Council						
3		November 29, 2006					
4		6:00 p.m. Joint Work Session with the					
5		Planning and Zoning Commission					
6		City Hall, 385 S. Goliad, Rockwall, Texas 75087					
5 6 7 8							
8 9	I.	CALL TO ORDER					
10	Mayor Cocil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cocil and						
11	Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Matt Scott and Cliff						
12	Sevier. Councilmember Margo Nielsen was absent. Planning and Zoning Commission						
13	mem	ers present were Glen Farris, Connie Jackson, Mike Lucas, Greg Burgamy, Bill					
14 15		r, Glen Smith and Michael Hunter. Also present were City Manager Julie Couch ty Attorney Pete Eckert.					
16	ang y	ly Altoney Pale Eckolt.					
17 18	u.	HOLD WORK SESSION TO DISCUSS:					
19 20		 The proposed amended comprehensive land use policies. 					
21 22 23 24	The amended comprehensive land use policies were presented to the Council and Planning and Zoning Commission members. Discussion ensued, but no action was taken.						
25 26		 Downtown form based zoning code. 					
20 27 28 29	The Downtown form-based zoning code presentation was made by Dennis Wilson. No action was taken.						
30 31	411.	APPOINTMENT ITEM					
32 33 34		 Appointment with Dwayne Brinkley of Brinkley Sargont Architects to present future facilities expansion planning study and take any action necessary 					
35 36 37		Dwayne Brinkley gave a power-point presentation on the future facilities expansion planning study. No action was taken.					
38 3 9	There being no further business to come before the City Council and Planning and Zoning Commission, Mayor Cecil adjourned the meeting at 9:30 p.m.						
40 41 42 43	PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this day of, 2007.						
44 45 46 47	ATTE	William R. Cecil, Mayor					
48 49 50	ATTEST: <u>UUUUUUU</u> Dorothy Brooks/City Secretary SEAL						

1			Minutes				
2	Rockwall City Council						
3	Monday, December 11, 2006						
4			4:00 p.m. Pre-Council Meeting				
5			City Hall, 385 S. Goliad, Rockwall, Texas 75087				
0 7	t.	CAL	L TO ORDER				
8 9 10 11 12 13	Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil a Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, M Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorn Clark McCoy. Mayor Cecil immediately adjourned the meeting into Executive Session.						
14 15	II.		D EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND .087 OF TEXAS GOVERNMENT CODE TO DISCUSS ¹				
16 17		1.	Deliberation regarding the purchase, exchange, lease, or value of real property.				
18 19		2.	Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters,				
20 2: 22 23		3.	Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations				
24 25 26		4.	Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the cuty of the attorney to consult with the Council and falls under the attorney-client privilege.				
27 28 29 30			ras taken as a result of Executive Session. Mayor Cecil adjourned the Pre- ssion at 6:00 p.m.				
31 32 33 34 35 36	PAS this 2	SED AI 2 [™] day	ND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, of January, 2007.				
37 38 39 40		st:	William R. Cecil, Mayor				
4 1 42	Doro	thy Bro	SEAL				
	Decem	oet (1, 2,	Gal Cdy Count: Meeting				

43			Minutes					
44	Rockwall City Council							
45		Monday, December 11, 2005						
46			6:00 p.m. Regular Meeting					
47			City Hall, 385 S. Gollad, Rockwall, Texas 75087					
48			ony nan, sos s. donad, rockwan, rexas i suor					
49	I.	CALL	TO ORDER					
50	1.	Q ME L						
51	Mayo	Nover Capil called the meeting to order at 6:33 p.m. Bresset ware Hover Dill Capil and						
52		Mayor Cecil called the meeting to order at 6:22 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt						
53			liff Sevier. Also present were City Manager Julie Couch and City Attorney					
54		McCoy						
55		MCCO	T.					
56	II.	INNOC	ATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER STEPHEN STRAUGHAN					
57	••-	macq						
58	11 .	Peor	LAMATIONS / AWARDS					
59	FFE .	FROG	Lemanons / Enanos					
60	Mayo	r Cecil	announced that the City received the Greater Dallas Planning Council's					
61								
62		award for the best project in 2006 – The Harbor. Mayor Cecil also announced the names of the City's Employees of the Year Carmen Chavez (Office Employee), Paul Johnson						
63			ty) and Dennis Pittman (Field Employee) - and the names of the Director's					
64			loyees: Chris Spencer for his work on the GIS project and Kay Roberson for					
65			the drought.					
66	1461.44	OIK OII	the drought.					
67	IV.	Поем	Forum					
68	14.	OFER						
<u>59</u>	Mayo	r Cecil	opened the floor to anyone wishing to address the Council on any subject					
70			oblic hearing on tonight's agenda. No one came forward, so the open forum					
71			closed.					
72	20001							
73	ν.	CONS	ENT AGENDA					
74	•.							
75		1.	Consider approval of the Minutes of the May 18, 2006 Council Work					
76		••	Session and take any action necessary.					
77		2.	Consider approval of the Minutes from the June 26, 2006 Joint Work					
78			Session with the Planning and Zoning Commission and take any action					
79			necessary.					
80		3.	Consider approval of the Minutes from the July 3, 2006 Special City					
81		D .	Council meeting and take any action necessary.					
82		4,	Consider approval of the Minutes for the November 20, 2006 City Council					
83			Meeting and take any action necessary.					
84		5.	Consider amending Chapter 12 of the Code of Ordinance "Food and					
85		5.	Food Service Establishments" in Sec. 12-41 to require the posting of					
86			inspection scores and take any action necessary. [2nd Reading]					
		-						
87		6.	Consider adoption of a policy relating to Chapter 3, Section 3-1-A of the					
88			Code of Ordinances and take any action necessary					

- 89 7. Consider authorizing the City Manager to execute a contract with
 90 Kaufman Area Rural Transportation for transportation services and take
 91 any action necessary
- 92 8. Consider approval of the purchase of a new breathing air cylinder filling
 93 system for Fire Station 1 and take any action necessary.
- 94 9. Consider approval of the purchase of restroom facility at Yellow Jacket
 95 Park and Take any action necessary
- 9610.P2008-051 Consider a request by Sandra Green of WD Partners for
approval of a replat of Lots 1 and 2, Block A. Travel Centers of America
Addition, being a 13.069-acre tract zoned (C) Commercial District and
located at the southwest corner of IH-30 and SH 205, and take any action
necessary. (Tabled at the 11/20/06 meeting)
- 10111.P2006-056Consider a request by Brad Forstund of Churchill102Residential, Inc., for approval of a final plat for Eastshore Addition, being10325.55-acres zoned (PD-68) Planned Development No. 68 district (Ord10406-32), and situated along the east side of 5. Goliad (SH 205) south of105the railroad and north of Justin Road, and take any necessary action
- 10612.Z2006-023Consider approval of an ordinance for a request by107Columbia Development Company, LLC, for approval of an amendment to108(PD-59) Planned Development No. 59 District (Ord, 34-59), localed south109of Washington, west of Renfro St and north of the railroad, specifically to110increase the maximum lot coverage to 60% and to allow for front yard111fences, and take any action necessary. [2nd Reading]
- 112
 13.
 Consider approval of Airport Rd. Waterline Change Order Number 1 and take any action necessary.
- 14
 14.
 Discuss and consider Harbor Special Event Guidelines and Fee Structure and take any action necessary.
- 11615.Consider authorizing the Mayor to execute the Utility Easement for117utilities to new firing range and take any action necessary.
- 118
 16. Consider approval of a Facility Agreement for the Evergreen project for off-site water and sanitary sewer and take any action necessary.
- 120 17. Consider authorizing the City Manager to enter into a Contract with
 121 Schuler Project Management Team for the Development of the Park at
 122 Fox Chase and take any action necessary.

123 Councilmember Cotti requested that Consent Agenda Items 5, 8 and 14 be pulled and 124 then made a motion to approve the remaining items. Councilmember Scott requested 125 that items 6, 10 and 12 be pulled. Cotti amended his motion to approve Consent Agenda 126 Items 1, 2, 3, 4, 7, 9, 11, 13, 15, 16 and 17) and Councilmember McCallum seconded the 127 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

1295.Consider amonding Chapter 12 of the Code of Ordinance "Food and130Food Service Establishments" in Sec. 12.41 to require the posting of131inspection scores and take any action necessary [2nd Reading]

Councilmember Cotti made a motion to postpone any action on Consent Agenda item #5
 and Councilmember Scott seconded the motion. The motion passed unanimously by a
 vote of 7 ayes and 0 nays.

- 135
- 136
 6. Consider adoption of a policy relating to Chapter 3, Section 3-1-A of the
 137
 Code of Ordinances and take any action necessary.

After clarification, Councilmember Scott made a motion to approve Consent Agenda Item #6 ad Councilmember Straughan seconded the motion. After discussion, the motion and second were withdrawn. Councilmember Cotti then made a motion to table the matter until the next meeting (January 2, 2007) and Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

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 Consider approval of the purchase of a new breathing an cylinder filling system for Fire Station 1 and take any action necessary

146 Councilmember Cotti requested clarification from Fire Chief Mark Poindexter regarding 147 the funding for the system. After Fire Chief Poindexter clarified that the funding for the 148 system would be coming out of his current budget, Councilmember Cotti made a motion 149 to approve the request and Councilmember Straughan seconded the motion. The motion 150 passed unanimously by a vote of 7 ayes and 0 nays.

- 12. Z2006-023 -- Consider approval of an ordinance for a request by Columbia Development Company, LLC, for approval of an ameridment to (PD-59) Planned Development No. 59 District (Ord. 04-59), located south of Washington, west of Renfro St and north of the railroad, specifically to increase the maximum lot coverage to 60% and to allow for front yard fences, and take any action necessary. [2nd Reading]
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159 Councilmember Scott made a motion to approve the ordinance and the motion was 160 seconded by Councilmember Straughan. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE AN AMENDMENT TO (PD-59) PLANNED DEVELOPMENT NO. 59 DISTRICT (ORD. ND. 04-59) TO INCREASE THE MAXIMUM BUILDING COVERAGE TO 60% AND ALLOW FOR FRONT YARD FENCES; 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.

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171 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 173 10. P2006-C51 Consider a request by Sandra Green of WD Partners for
 174 approval of a replat of Lots 1 and 2, Block A, Travel Centers of America
 175 Addition, being a 13.069-acre tract zoned (C) Commercial District and
 176 focated at the southwest corner of IH-30 and SH 205, and take any action
 177 necessary. (Tabled at the 11/20/06 meeting)
- 178

179 Gouncilmember Cotti made a motion to approve the request and Councilmember
 180 Straughan seconded the motion. The motion passed by a vote of 4 ayes [Cecil, Cotti,
 181 Straughan and Nielsen] and 3 nays [McCallum, Scott and Sevier].

- 18214Discuss and consider Harbor Special Event Guidelines and Fee Structure183and take any action necessary.
- 184
- 185 Councilmember Cotti asked for clarification on where the funds would be credited. City Manager Julie Couch stated that they would be used to offset operating expenses. 186 Councilmember Cotti made a motion to approve the Harbor Special Event Guidelines and 187 Fee Structure and Councilmember Straughan seconded the motion. After further 188 discussion. Councilmembers Cotti and Straughan withdrew their original motion and 189 second. Councilmember Colti Ihen made a motion to table this matter until January 16, 190 2007 or sooner, if possible, and Councilmember Straughan seconded the motion. The 191 192 motion passed unanimously by a vote of 7 ayes and 0 nays.
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Mayor Cecil announced that the appointments would now be heard and then Action Item.
 #1 would be discussed.
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- 197 VI. APPOINTMENTS
 - Appointment with Churchi I Residential regarding a request for water and wastewater impact fee abatement and take any action necessary.

201 City Engineer Chuck Todd discussed the background of this matter. Tony Sisk of 202 Churchill Residential came forward to request that the Council waive the water and 203 wastewater impact fees. Councilmember McCallum made a motion to deny the request 204 and Councilmember Sevier seconded the motion. After discussion, the motion passed 205 unanimously by a vote of 7 ayes and 0 nays.

- 206 207 208
- Appointment with The Ratchiff Group, L.U.C. regarding Rockwall Toyola --LEED Certification presentation and take any action necessary.

209 Bennett Ratcliff appeared before the Council. Mr. Ratcliff stated that they were not here 210 to request anything that they only wanted to present some information on the construction project for the Toyota dealership. Ratcliff described the LEED Certification 211 and stated that the project would cost about \$14 Million. He introduced Steve Jackson, 212 213 the owner, who will be moving his family from California to Rockwall. This building will be the second of its kind in the nation. It will be built using new technology, new 214 strategies for construction and new materials. They want the project to be an 215 2:6opportunity to educate the public.

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219 IX. ACTION ITEMS 220

1.Z2006-022 -- Discuss and consider approval of an ordinance for a
request by Brenda Meyers of Sterling Tea for approval of a Specific Use223Permit (SUP) allowing for a restaurant less Ihan 2.000-sf in area within
(PD-50) Planned Development No. 50 district, specifically on Lot 1, Adato
Injury Rehab Center Addition, located at 506 N. Goliad, and take any
action necessary [2nd Reading]

After a short discussion, Councilmember Cotti made a motion to approve the Ordinance and Councilmember Straughan seconded the motion. The ordinance was read as follows:

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231AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING232THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOULSY233AMENDED, SD AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A RESTAURANT234OF LESS THAN 2.000 SQUARE FEET WITHIN (PD-50) PLANNED DEVELOPMENT NO. SD235DISTRICT, ON TRACT OF LAND KNOWN AS LOT 1, ABATE INJURY REXAB CENTER236ADDITION AND LOCATED AT 506 N. GOUAD STREET; PROVIDING FOR SPECIAL237CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO238THOUSAND DOLLARS (\$2,000.00) FOR EACH DEFENSE; PROVIDING FOR A SEVERABILITY239CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

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

243 VII. PUBLIC HEARING ITEMS

- 2451.Z2006-024 -- Continue a public hearing and consider approval of an
ordinance for a request by Shidey Black for approval of an amendment to
the existing Specific Use Permit (Ord: 05-26) allowing for "Antiques /
Collectable Sales" within (PD-50) Planned Development No: 50 district, at
502 N. Goliad on Lot 1, Block 1, 8tack's Collectables Addition, specifically
to designate areas for outside display and merchandising, and take any
action necessary. [1st Reading]
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Robert LaCroix discussed the background of this request and stated that the Planning and Zoning Commission had approved the request with additional conditions, i.e., that lawn furniture will be displayed under the bois d'arc tree in the back. Shirley Black, 502 N. Goliad, Rockwall, Texas (Applicant) came forward and requested that the Council approve her request. After discussion, Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

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265

- 260 Brian Black
- 261 5704 Southern Cross
- 262 Rockwall, Texas
- 253 Mr. Black requested that the Council approve this request. (He is Ms.
 264 Black's husband). Mr. Black stated that they are willing to work with the
 265 Council.
- 267 There being no one further to address the Council, Mayor Cecil closed the public 268 Councilmember Nielsen made a motion to approve the request and hearing. 269Councilmember Cotti seconded the motion. A lengthy discussion ensued regarding the 270 display on the front porch. Councilmembers Nielsen and Cotti withdrew their motion and 271 second. Councilmember Straughan made a motion to approve the request with the 272 condition that there be a limitation of 40% coverage on the front porch. Councilmember 273 Nielsen seconded the motion. The ordinance was read as follows: 274
- 275 276 277 278 278 279 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (ORD. NO. 05-26) ALLOWING FOR ANTIQUE/COLLECTABLE SALES OF LESS THAN 2,000 SQUARE FEET WITHIN (PDS0) PLANNED DEVELOPMENT NO. 50 DISTRICT. ON A TRACT OF LAND KNOWN AS LOT 1. 28Õ BLOCK 1. BLACK'S COLLECTABLES ADDITION AND LOCATED AT 502 N. GOLIAD 281 STREET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE 282NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH 283 OFFENSE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER 284 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

285 The motion passed by a vote of 4 ayes [Cotti, Cecil, Straughan and Nielsen] and 3 navs 286 287 [Sevier, Scolt and McCallum].

289 VIII. SITE PLANS / PLATS 290

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291 1. SP2006-039 -- Discuss and consider a request by David Grant of IdleAire. 292Tech, Corp, for approval of variances to the masonry requirements and mechanical equipment screening requirements of the IH-30 Overlay and 293 SH 205 Overlay districts, in association with an amended site plan for 294Travel Centers of America to allow for IdleAire facilities at the existing 295 truck stop located at the southwest corner of IH-30 and SH 205, on Lots 1 296 and 2, Block A, Travel Centers of America Addition, being 13.07-acres 297 298 zoned (C) Commercial district, and take any action necessary. (3/4 vote-299 required for approval)

300 Robert LaCroix discussed the background of this request. Christopher Klaus from the 301 North Central Texas Council of Governments addressed the Council in support of this 302 project. David Grant, representing the Applicant, requested that the Council approve this request. After discussion and clarification that the only matter before the Council was 303 that of the three variances, Councilmember Cotti made a motion to deny the 3 variance. 304 305 requests and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 aves and 0 navs. 306 307

- 308 IX. ACTION ITEMS.
- 310 Discuss and consider the proposed annexation of the area north of SH-66. 2. 311 between FM-1141 and FM-549 and take any action necessary.

312 Robert LaCroix discussed the background of this request. Councilmember McCallum made a motion to direct Staff to prepare the annexation proceedings ad Councilmember 313 314 Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 315 nàys. 316

3. Discuss and consider authorizing the City Manager to execute a contract for third-party administration and reinsurance services with Group & Pension Administrators (TPA) and Sympetra (Stop-loss/reinsurance) and 319 take any action necessary. 320

321 Cheryl Donlag, Director of Administrative Services, discussed the background of this item. Representatives from Brinson & Associates discussed the procedure they went 322 323 through and gave their recommendations. Councilmember Cotti made a motion authorizing the City Manager to execute contracts for third-party administration and 324 reinsurance services with Group & Pension Administrators (TPA) and Symertra (Stop-325 loss/reinsurance) and Councilmember Straughan seconded the motion. The motion 326 327 passed unanimously by a vote of 7 ayes and 0 nays.

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4. Review and discuss current city policy/ordinance pertaining to Door-to-Oper Solicitation and take any action necessary.

331 Councilmember Cotti discussed why he brought this matter back to the Council for discussion. After Council discussion, Staff was instructed to have the City Attorney Pete 332 Eckert review Attorney McCoy's ordinance and examine whether circulars/handbills 333

336 337 5. Discuss and consider authonzing the City Manager to execute a change 338 order to the Rogers O'Brien contract for construction of Lohthouse feature. 339 at The Harbor and take any action necessary. 340 City Manager Julie Couch discussed the background of this request. Mayor Cecil made a 341 motion to approve the change order for the lighthouse and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays. 342 343 344 Χ. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, 345 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 346 347 1 Departmental Reports 348 2. City Manager's Report 349 350 There being no further business to come before the Council, Mayor Cecil adjourned the 351 meeting into Executive Session at 11:32 p.m. 352 353 L HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS 354 **GOVERNMENT CODE TO DISCUSS:** 355 356 1. Deliberation regarding the purchase, exchange, lease, or value of real 357 property. 358 2. Personnel Issues, including Board, Commission, and Committee 359 Appointments, and Related Matters 360 З. Commercial or financial information regarding business prospects that the 361 City seeks to have locate, stay, or expand in or near the territory of the

should be included and bring the matter back to the council in 30-45 days. We need to

make it clear that no solicitation means no sales.

362 City of Rockwal; and with which the Board is conducting economic development negotiations. 363 364

Pursuant to Section 551,071(2) of the Open Meetings Act: Consultation. 4. 365 with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and fails under the attorney of ent privilege. 366

367 No action was taken as a result of executive session. There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 12:30 a.m. 368 369

370 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, 371 this 2nd day of January, 2007. 372

Willin R. C.

William R. Cecil, Mayor

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