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# MINUTES

## ROCKWALL CITY COUNCIL

Monday, February 02, 2015  
4:00 p.m. Regular City Council Meeting  
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Jim Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Bennie Daniels. Also present for the work session were members of the city's Park Board, including Chairman Brad Bassett and Board Members Ray Harton, Bob Lewis, Charles Johnson, and Kevin Moffatt.

City staff members present at the meeting included City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. WORK SESSION

1. HOLD JOINT WORK SESSION WITH THE CITY'S PARK BOARD REGARDING PARK BOARD DIRECTION AND PRIORITIES, AND TAKE ANY ACTION NECESSARY.

Mayor Pruitt began discussion of this item, indicating that one of his goals as mayor is to work towards development of a lakeside park in the north area of the city. Chairman of the Park Board, Brad Bassett, came forth and provided introductory comments related to his goals for the work session. He indicated that, although he knows a multi-sport, competitive ballpark complex is needed in Rockwall, he understands that the voters voted this down a couple of years back, so that idea is going to be taken off the table and will not be discussed at this time. He shared that the Park Board and staff will be focusing on a review and update to the Parks & Rec Department Business Plan, maintenance standards, and marketing strategies. He generally indicated a desire to establish, with help from the city council, the city's park-related goals for the next year and for the next three-to-five years. Mayor Pro Tem Lewis also indicated a desire to establish a lakeside park. Lewis shared that the City of Richardson bought several houses and tore them down in order to build a beautiful lakeside park near where his daughter lives. He generally expressed a desire for the Park Board to find out from citizens what they would like to see as far as our parks and rec facilities and programs are concerned. He also suggested they consider a review of the policies and procedures governing the use of city parks and evaluate additional parks and trails, especially south of IH-30. Lewis also suggested that the Board consider evaluating current and future use of the city's swimming pools, including evaluating if more marketing and additional parking may be needed.

Councilmember Daniels stated it would be good to know what percentage of our population is within a safe, reasonable walking distance or bicycle riding distance from a city park. He suggested that in some areas of the country, he knows that developers are responsible for, not only putting in biking and walking trails, but also for connecting those trails to adjacent neighborhoods or communities. Daniels also expressed that he would like to see some sort of lakeside park.

51 Councilmember Townsend expressed that he likes the idea of adding a lakeside park. He  
52 also indicated an interest in changing the way developers do the parks to make parks  
53 more of a prominent feature in each future subdivision / neighborhood that is developed,  
54 focusing on the most optimal 'proximity to parks' and greenspace. He also expressed a  
55 desire to create some sort of park-type setting along major entry corridors into the city to  
56 more strongly establish that we as a city value parks. He thinks focusing on marketing  
57 our city parks and facilities is a good idea. He would also like to see trails that not only  
58 lead to parks and subdivisions, but ones that lead to destination areas that the city is  
59 focused on, such as downtown. He would also like the Park Board to focus on reaching  
60 out to the public to find out in which direction the city needs to go, park-wise, and let the  
61 city council know.

62  
63 Councilmember Milder expressed that, as a lakeside community, we should go the extra  
64 mile to take care of the lake and shoreline. He also expressed a desire for a lakeside  
65 park and accessibility to the lake on the north and south side of the city. Milder shared  
66 that he was recently in Austin and visited Town Lake, which is a gravel hike and bike trail  
67 around the lake. He explained that it seems like Town Lake has a 'foundation' in place to  
68 raise money to help maintain the trail around the lake, and he suggested perhaps  
69 Rockwall could have something similar. He would like to find a way to complete and  
70 connect sidewalks which help get people to the city's trails. He suggested that streets  
71 be striped with bike lanes and ways for people to traverse by bike throughout the city.  
72 Councilmember Milder indicated that the city's pools could potentially be of benefit to  
73 the community; however, he expressed that the pool in the Southside area needs to be  
74 improved or perhaps taken out of service.

75  
76 Councilmember White suggested that the Park Board hold town hall meetings around the  
77 city and invite the public to those meetings for the purpose of asking what they would  
78 like to see related to parks. Councilmember White reminded Councilmember Milder  
79 about the city evaluating, a couple of years back, modifications to and/or closing the  
80 Southside pool, and that those conversations were not met with favorable feedback from  
81 residents in that community.

82  
83 Mayor Pro Tem Lewis suggested it may be a good idea for Rockwall to talk to some other  
84 cities, such as Austin and Frisco, who have great park systems in place in order to glean  
85 some ideas. He thanked the Park Board for their work and efforts.

86  
87 Mayor Pruitt pointed out that trails along the lakeside are likely not feasible due to sub-  
88 leases that are in place by homeowners along the takeline area, many of which may not  
89 expire for thirty years or more. He further indicated that he does not believe the city will  
90 be condemning anyone's property along the lake for park purposes. He went on to  
91 express an interest in the Park Board evaluating a facility (leased space) where Pickleball  
92 could be played and enjoyed by members of the public, as it has been recently brought  
93 to his attention that people of all ages, young and old, are playing it.

94  
95 Councilmember Hohenshelt indicated that his wife is a very active walker, and she has  
96 walked about 1,600 miles in a year. He would like to see how someone who enjoys  
97 walking could make it from Point A to Point B in the city if they wanted to walk to various  
98 areas. He suggested that more coordination with the school district or other entities in  
99 the city that own ball fields to help facilitate play on those fields may be of benefit.

101 Park Board Member Bob Lewis came forward and generally expressed that he gets a lot  
102 of questions about a lakeside park and about where someone may go to see 'the rock  
103 wall.' He expressed that he has heard the past bond proposition related to the park  
104 associated with displaying and preserving the 'rock wall' most likely failed because its  
105 design was too elaborate. He further indicated that he has received mixed input and  
106 feedback regarding the idea of a lakeside park, referencing a past flyer that circulated  
107 around years ago to discourage the idea of a lake side park. He stated that it may be a  
108 good idea to poll residents to see if they really do desire to have a lakeside park. Mayor  
109 Pruitt pointed out that there is a certain piece of property in the north area of town that  
110 he has in mind, and he stated that there are not any houses anywhere near this particular  
111 land. Mr. Lewis went on to express that joining the areas south of IH-30 with the areas  
112 north of IH-30 may be challenging, especially 'by foot,' regarding implementing some of  
113 the ideas that have been expressed this evening. He further expressed concern about  
114 the high expense associated with undeveloped land at the city's main entry points,  
115 especially related to the idea of developing these pieces of property as community parks.  
116

117 Park Board Member Charles Johnson came forth and indicated he has been on the Park  
118 Board for about a year. He expressed a desire to have the Park Board work on more  
119 meaningful things rather than just placing 'seals of approval' on routine items that come  
120 before them for consideration. Mr. Johnson suggested that the Council consider a  
121 "Ridge Road overlook" to evaluate the possibility of preserving the lakeside view and  
122 scenic overlook associated with the now undeveloped land along Ridge Road. Perhaps  
123 it could be called "The Scenic Overlook of Rockwall," and people could enjoy the  
124 sunsets and take photographs from this vantage point.  
125

126 Park Board Member Ray Harton came forth and briefly spoke to the council. He  
127 expressed that he often gets asked by citizens about the possibility of a lake side park.  
128 He has received feedback that there were perhaps too many items on the ballot to  
129 consider regarding bond propositions that went before voters a while back. He would  
130 like to further investigate what people may be interested in regarding parks. He  
131 mentioned a property up by Dalton Road, and expressed that, although there is no  
132 money for development of this area yet, maybe there will be in the future, as he believes  
133 this area would be a great asset to the city. He expressed that he will look into the game  
134 of Pickleball further.  
135

136 Park Board Member Kevin Moffatt came forth and indicated that he has been on the Park  
137 Board for about six years. He expressed that he is an active runner. He would like the  
138 city to consider having the Police Department be more proactive in enforcing the city's  
139 pedestrian and biking related regulations. He suggested a pedestrian lane be stripped  
140 off in order to allow pedestrians to travel from place-to-place, for example from Myers  
141 Park to the ball fields. Mr. Moffatt also suggested that perhaps some of the commercial  
142 buildings that have been vacant for a number of years could be purchased or utilized for  
143 youth related programs.  
144

145 Mayor Pruitt mentioned that, in the future, Summit Ridge and Lakeshore will be  
146 redesigned and redone, and he would like to get some public input as to how citizens  
147 want it designed.  
148

149 Park Board Member Charles Johnson asked if an app may be able to be developed to  
150 show the user where the parks and trails are located within the city. Parks and Rec  
151 Manager, Andy Hesser, generally indicated that this may be a possibility. Assistant City

152 **Manager Brad Griggs pointed out that the trails at Myers Park are already on the app**  
153 **called "Map My Run."**

154  
155 **Park Board Chairman Brad Bassett thanked city council members for the feedback and**  
156 **suggestions they provided during the work session. The mayor thanked members of the**  
157 **Park Board for the work session and for all they do.**

158  
159 **Mayor Pruitt read the below-listed discussion items into the public record before**  
160 **recessing the meeting into Executive Session at 4:50 p.m.**

161  
162 **III. EXECUTIVE SESSION.**

163  
164 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**  
165 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**  
166 **CODE:**

- 167  
168 1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of  
169 Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section  
170 551.071 (Consultation with Attorney)
- 171 2. Discussion regarding Economic Development prospects pursuant to  
172 Section 551.087 (Economic Development)
- 173 3. Discussion regarding possible claim or settlement agreement related to  
174 enforcing the city's sign ordinance regarding a billboard pursuant to  
175 Section 551.071 (Consultation with Attorney).
- 176 4. Discussion regarding pending litigation: Tracie Peters individually and as  
177 next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek  
178 pursuant to Section 551.071 (Consultation with Attorney)

179  
180 **IV. ADJOURN EXECUTIVE SESSION**

181  
182 **Executive Session was adjourned at 5:53 p.m.**

183  
184 **V. RECONVENE PUBLIC MEETING**

185  
186 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council**  
187 **members present.**

188  
189 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

190  
191 **Mayor Pro Tem Lewis indicated that no action is needed as a result of Executive Session.**

192  
193 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE**

194  
195 **Councilmember White delivered the invocation and led the Pledge of Allegiance.**

196  
197 **VIII. PROCLAMATIONS / AWARDS**

- 198  
199 1. Constable Randy Earl Parks: Life-Saving Recognition Day  
200

201 Mayor Pruitt called forth Constable Parks as well as Jack Key and his service dog, tattoo.  
202 Mayor Pruitt explained that Parks recently took lifesaving measures to help Mr. Key, who,  
203 while driving down the road, began driving erratically due to a diabetic episode. He  
204 thanked Constable Parks for his service to the community and for saving Mr. Key's life.  
205 He then read and presented an honorary proclamation to Parks.  
206

207 2. Rockwall Community Playhouse 20th Anniversary Recognition  
208

209 Mayor Pruitt called forth representatives of the Rockwall Community Playhouse who  
210 introduced themselves. Mayor Pruitt then read and presented a proclamation to the  
211 organization to commemorate its 20<sup>th</sup> anniversary.  
212

213 3. 800th Anniversary of the Magna Carta  
214

215 Mayor Pruitt acknowledged a group of Cub Scouts who were guests in the audience at  
216 the city council meeting. He then read a proclamation into the public record to recognize  
217 the 800<sup>th</sup> anniversary of Magna Carta and gave the proclamation to the Cub Scout Pack.  
218

219 IX. OPEN FORUM  
220

221 Mayor Pruitt explained how Open Forum is conducted and asked if anyone in the  
222 audience would like to come forth and speak during this time. There being no one  
223 wishing to speak, Mayor Pruitt then closed Open Forum.  
224

225 X. CONSENT AGENDA  
226

- 227 1. Consider approval of the minutes from the January 20, 2015 regular city  
228 council meeting, and take any action necessary.
- 229 2. Consider authorizing the City Manager to enter into a contract extension  
230 with Clean Harbors Inc. to manage Household Hazardous Waste  
231 Collection Day April 18, 2015 and take any action necessary.
- 232 3. Consider approval of the First Amendment to the RCH Water Supply  
233 Corporation Wholesale Water Contract and take any action necessary.
- 234 4. Consider approval of a resolution calling a General Election to be held on  
235 May 9, 2015 in the City of Rockwall for the purpose of electing a mayor  
236 and city council members for Places 1, 3 and 5, each for two-year terms,  
237 and a Special Election to be held in conjunction with the General Election  
238 for the purpose of filling a one-year unexpired term associated with City  
239 Council Place 2, and take any action necessary.
- 240 5. P2015-001 - Consider a request by Harold Fetty of H. D. Fetty Land  
241 Surveyor, LLC on behalf of the owner J-BR2, LLC for the approval of a  
242 final plat for Lots 1, 2 & 3, Block A, Buffalo Crossing Addition being three  
243 (3) non-residential lots currently identified as Tract 17-12 of the W. W.  
244 Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas,  
245 being a 7.32-acre tract of land zoned Commercial (C) District, generally  
246 located at the southeast corner of the intersection of S. Goliad Street [SH-  
47 205] and FM-549, and take any action necessary.

- 248 6. **Z2014-037** - Consider approval of an **ordinance** for a request by Bill  
249 Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf  
250 of Rockwall Commercial Property Management for the approval of a  
251 Specific Use Permit to allow for an Indoor Motor Vehicle  
252 Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre  
253 tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No.  
254 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)  
255 District, addressed as 1200 E. Washington Street, and take any action  
256 necessary. **(2nd Reading)**
- 257 7. **Z2014-038** - Consider approval of an **ordinance** for a request by Ben  
258 McMillian of Hazel & Olive on behalf of the owner of the property for the  
259 approval of a Specific Use Permit to allow for a General Retail Store in  
260 conjunction with an office and photography studio within Planned  
261 Development District 50 (PD-50) for two (2) parcels of land, being 0.43-  
262 acres of land, identified as Lots 19A & 19B of the Amick Addition, City of  
263 Rockwall, Rockwall County, Texas, zoned Planned Development District  
264 50 (PD-50) for Residential-Office (RO) District land uses, addressed as  
265 503 N. Goliad Street [SH-205], and take any action necessary. **(2nd**  
266 **Reading)**
- 267 8. **Z2014-039** - Consider approval of an **ordinance** for a request by Zack  
268 Amick of Gordon Rockwall Investments, LLC for the approval of a zoning  
269 change from an Agricultural (AG) District to a Light Industrial (LI) District  
270 for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard  
271 Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas,  
272 zoned Agricultural (AG) District, located in between Commerce Street and  
273 T. L. Townsend Drive, and take any action necessary. **(2nd Reading)**

274 **Councilmember Milder made a motion to approve the entire Consent Agenda (#s 1, 2, 3,**  
275 **4, 5, 6, 7 and 8). Councilmember White seconded the motion. The ordinances were read**  
276 **as follows:**

277  
278 **CITY OF ROCKWALL**  
279 **ORDINANCE NO. 15-02**  
280 **SPECIFIC USE PERMIT NO. S-129**

281  
282 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**  
283 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE**  
284 **NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY**  
285 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A**  
286 **LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR AN INDOOR MOTOR**  
287 **VEHICLE DEALERSHIP/SHOWROOM LOCATED IN A 12,500 SQUARE**  
288 **FOOT BUILDING INDICATED IN "EXHIBIT A" OF THIS ORDINANCE AND**  
289 **ADDRESSED AS 1200 E. WASHINGTON STREET, WHICH IS LOCATED ON**  
290 **A PORTION OF A LARGER 50.826-ACRE TRACT OF LAND DESCRIBED**  
291 **AS TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF**  
292 **ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL**  
293 **CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED**  
294 **THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**  
295 **OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR**  
296 **A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

CITY OF ROCKWALL  
ORDINANCE NO. 15-03  
SPECIFIC USE PERMIT NO. S-130

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) TO ALLOW FOR A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); 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.

CITY OF ROCKWALL  
ORDINANCE NO. 15-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 21.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE N.M. BALLARD SURVEY, ABSTRACT NO. 24, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

XI. APPOINTMENTS

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

Mayor Pruitt indicated that Mr. Renfro, Chair of the P&Z Commission, will not be present this evening, as a conflict arose in his schedule. No discussion or action took place regarding this agenda item.

2. Appointment with representative of Hill Wilkinson to hear update regarding downtown construction phasing and progress, and take any action necessary.

City Engineer Tim Tumulty came forth and briefly introduced Max Scott and Gary Borchard, the general contractor and superintendent on the downtown reconstruction project. They explained that several, unexpected things have caused the project schedule to fall behind and indicated that the completion date is now estimated to be around the end of October.

City Manager Rick Crowley pointed out that John Cranson is the employee who is assigned as the inspector on the project, and he has done a great job. Mayor Pruitt also acknowledged Mr. Cranson for his work.

City Engineer, Mr. Tumulty, indicated that staff has been working hard to frequently communicate with the merchants and business owners regarding the project.

Councilmember Milder asked if the project is still projected to be 'within budget.' Mr. Tumulty indicated that, yes, it is still expected to be within budget, especially with the contingency fund that is in place.

## **XII. PUBLIC HEARING ITEMS**

1. Hold a public hearing to receive input related to proposed amendments to the City Charter, and take any action necessary.

Mayor Pruitt thanked members of the city's Charter Review Commission for their time and suggestions related to review of the city charter. He then opened the public hearing.

**Sol Villasana**  
809 Village Green Drive  
Rockwall, TX

Mr. Villasana came forth and also thanked members of the Charter Review Commission for the hours and work they put in. Mr. Villasana then read a speech he prepared, which, in part spoke about the Voting Rights Act and the importance of its provisions remaining in tact. He explained that a trend, which favors single member districts, is occurring with regards to the political process. He urged the city council to move forward with the Charter Review Commission's recommendation to look into single member districts for Rockwall to ensure representation for the city's growing minority populations.

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

Mayor Pruitt then reordered the agenda to discuss and consider Action Item #5. Mayor Pro Tem Lewis made a motion to approve the resolution calling a Special Election associated with putting forth proposed ballot language to the voters concerning proposed Charter Amendments. Councilmember Milder seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

## **XIII. ACTION ITEMS**

1. **MIS2015-001** - Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton for the approval of an alternative tree mitigation plan for Phase IV of the Lakeview Summit

Subdivision being a 38.056-acre subdivision situated within the J. H. B. Survey, Abstract No. 124 and Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for residential land uses, located along the northern side of N. Lakeshore Drive east of the intersection of N. Lakeshore Drive and N. Goliad Street [SH-205], and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that the request is for approval of an alternative tree mitigation plan. Instead of having trees bought and delivered, the applicant would like to pay for the trees by depositing money into the city's tree mitigation fund.

Dub Douphrate  
Douphrate & Associates  
2235 Ridge Road  
Rockwall, TX

Mr. Douphrate indicated that he is here tonight representing DR Horton.

Mayor Pruitt clarified that the city does not have any big projects going right now or any place to put this large number of physical trees. Mr. Griggs, Assistant City Manager, confirmed this and indicated that the money in lieu of the trees is a better option at this point.

Councilmember White made a motion to approve MIS2015-001. Councilmember Daniels seconded the motion, which passed by a unanimous vote of Council (7 ayes to 0 nays).

2. **Z2014-040** - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.  
(1st Reading)

The city's Architectural Review Board (ARB) did reconvene after the last city council meeting, and some changes have been made to the rendering by the applicant as a result of recommendations of the ARB. Mr. Kirkland explained that the event/conference space was originally proposed to be 3,000 square feet. However, this planned space has been increased to about 3,650 square feet without encroaching on the pre-function event space. The pre-function area has increased from 1,000 square feet to now 1,800 square feet.

Councilmember Lewis clarified the increases in square footage for the event space (3,650 sq. ft.) and the pre-event space (1,800 sq. ft.). He also clarified that the outdoor courtyard space would be 2,030 square feet, and it will be fully enclosed.

Mr. Kirkland indicated that pretty significant renovations typically occur with Marriott properties about six to seven years after the hotel opens in order to maintain a certain

level and quality of appearance. He stated that his franchise agreement will be for twenty years; however, he will most likely begin looking to renew the agreement after about fifteen years. Marriott also has an ongoing quality assurance program where the hotel gets graded once per month for cleanliness and quality of the property and services.

Councilmember Townsend asked how many people the event space will now accommodate since the square footage has increased. Mr. Kirkland indicated that in round seating of tables of ten, it will accommodate about 250-300 people. Regarding the outdoor courtyard area, it will not be covered (no roof); however, some portions of it will have trellises, and the perimeter will be closed in.

Councilmember Milder thanked Mr. Kirkland for the changes made to the original plan and for his responsiveness to some of the council's concerns.

Councilmember Townsend made a motion to approve Z2014-040 with the understanding that the square footage will be increased to 3,650 for the ballroom event space. Mayor Pro Tem Lewis clarified that the pre-event space will increase to 1,800 square feet and the courtyard space will increase to 2,030 square feet.

Mayor Pro Tem Lewis then seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 15-\_\_  
SPECIFIC USE PERMIT NO. S-1\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

3. Discuss and consider Resolution commending the Regional Transportation Council's (RTC) and Texas Department of Transportation (TxDOT) responsiveness to the City's concerns regarding the Blacklands Corridor toll road, and take any action necessary.

City Manager Rick Crowley provided background information related to this agenda item. Mayor Pruitt indicated that he requested this agenda item be placed on the city council agenda. He expressed gratitude for having recently found out that TXDOT entirely removed any reference to the Blacklands Corridor/Tollway project from its future plans. Mayor Pruitt indicated that the city would like IH-30 to increase free road lanes to the

existing IH-30 interstate lanes in and out of the City of Rockwall. He would also like to see service roads extend at least to Horizon (further than Dalrock) so that IH-30 does not get shut down due to wrecks on the interstate. Mayor Pruitt then made a motion to approve the resolution. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider authorizing the city manager to execute the Contract for Election Services between the City of Rockwall, Rockwall County Elections Administrator and the Rockwall Independent School District (RISD), and take any action necessary.

City Manager Rick Crowley provided brief background information related to this agenda item. City Secretary Kristy Ashberry pointed out that early voting for Rockwall citizens will not be held at the County Elections Office, but, instead, it will be held at the Rockwall County Library. Councilmember White asked if the city ever received reimbursement for the \$10 we had to pay for our own list of registered voters. Ms. Ashberry indicated that, no, we did not receive a reimbursement; however, the new county elections administrator has indicated that we will not be charged for that list in the future.

Councilmember White made a motion to authorize the City Manager to execute the contract. Mayor Pro Tem Lewis seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider approval of a resolution calling a Special Election to be held on May 9, 2015 in conjunction with the General Election for the purpose of submitting proposed amendments to the City Charter to the voters, and take any action necessary.

Assistant City Manager Rick Crowley indicated that this item was previously addressed by the city council earlier on in the meeting following Public Hearing item #1.

6. Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request for the Rockwall Rubber Duck Regatta and a new Memorial Day event and take any action necessary.

Assistant City Manager Mary Smith indicated that Councilmembers Lewis, Townsend and White serve on the hotel/motel tax subcommittee. She explained that the Rockwall Rubber Duck Regatta originally requested \$32,200 for their upcoming event. After careful consideration, the subcommittee is recommending \$20,000 in funding. Of that amount, about \$7,200 will come back to the city for rental of the Harbor facility.

In addition, the city's Recreation staff was approached by representatives of some local veterans groups, who want to partner with the city on a newly, revamped Memorial Day event. The city's staff would be in charge of the logistics, and Commissioner Gilbert, Gary Bunch and others would take care of scheduling speakers and the program. The cost of set-up, sound and performers is estimated to be \$5,000, and the subcommittee is recommending approval of this \$5,000 funding request.

Councilmember Daniels expressed concern about having difficulty following and understanding the form and associated dollar figures included in the city councilmember's packet concerning the funding requests submitted by each of these

organizations. It was suggested that perhaps staff could modify the form to be more easily understood to a lay person.

After brief comments, Councilmember White made a motion to approve the funding requests for the Rubber Duck Regatta and the new Memorial Day event. Councilmember Townsend seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

7. Discuss and consider appointments to city advisory boards, specifically the Art Review Team (ART) Commission, and take any action necessary.

There was no action taken at this time concerning this item.

#### **XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

1. Departmental Reports
  - Building Inspections Monthly Report - December 2014
  - Fire Department Monthly Report - December 2014
  - Fire Department Annual Report - 2014
  - Harbor PD Monthly Report - December 2014
  - Internal Operations Department Monthly Report - December 2014
  - Meals on Wheels Senior Services Quarterly Report
  - Police Department Monthly Report - December 2014
  - Recreation Monthly Report - December 2014
  - Rockwall Animal Adoption Center Report - December 2014

2. City Manager's Report

City Manager Crowley pointed out that tomorrow night the annual Rockwall Chamber Awards Banquet will be held, and the annual Rockwall PAWS event will take place this weekend. Assistant City Manager Brad Griggs provided an update on the number of kids and teams signed up for this year's baseball and softball league. No action was taken concerning this agenda item.

#### **XV. EXECUTIVE SESSION**

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

- 598 4. Discussion regarding pending litigation: Tracie Peters individually and as  
99 next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek  
00 pursuant to Section 551.071 (Consultation with Attorney)

601  
602 **XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

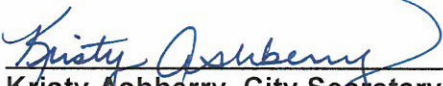
603  
604 The Council did not reconvene in Executive Session following the close of the public  
605 meeting agenda.

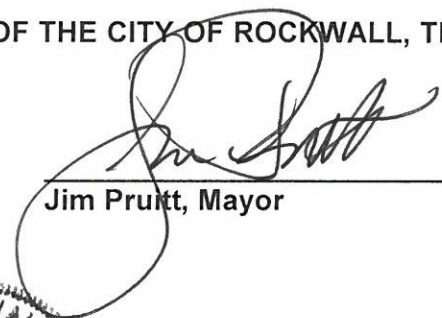
606  
607 **XVII. ADJOURNMENT**

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609 The meeting was adjourned at 7:18 p.m.

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612 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
613 **this 16<sup>th</sup> day of February, 2015.**

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615  
616 **ATTEST:**

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618 \_\_\_\_\_  
619 Kristy Ashberry, City Secretary

  
\_\_\_\_\_  
Jim Pruitt, Mayor

