

**MINUTES**  
**ROCKWALL CITY COUNCIL**

**Monday, March 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 Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Member David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and legal counsel Patrick Lindner. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

**II. EXECUTIVE SESSION.**

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

1. Discussion regarding proposed Development Agreement with Lakefront Trail Rockwall Hotel pursuant to Section 551.071 (Consultation with Attorney).
2. 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).
3. Discussion regarding Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)
6. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

**III. ADJOURN EXECUTIVE SESSION**

Executive Session was adjourned at 5:00 p.m.

**IV. RECONVENE PUBLIC MEETING**

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

48 V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

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50 Mayor Pro Tem Lewis made a motion to authorize the city manager to finalize and sign  
51 the agreement between the City of Rockwall and Lakepointe Trail Rockwall Hotel, LP  
52 related to construction and operation of a hotel on an approximately 2.968-acre tract of  
53 land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry  
54 Africa Subdivision, City of Rockwall related to the rebate of city hotel occupancy taxes  
55 provided, however, this approval and authorization is subject to council's approval of  
56 items Z2014-040 and SP2014-034. Councilmember White seconded the motion, which  
57 passed by a vote of 7 ayes to 0 nays.

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59 VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

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61 Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

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63 VII. PROCLAMATIONS / AWARDS

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65 1. Severe Weather Awareness Week

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67 Mayor Pruitt invited Rockwall County Emergency Management Coordinator, Joe DeLane,  
68 to come forth. He then read the proclamation and asked Mr. DeLane if he would like to  
69 say a few words. Mr. DeLane shared that the National Weather Service will be hosting a  
70 Storm Spotter training class on Saturday, March 7 that is free to the public and will be  
71 held at the Rockwall County Library. He encouraged the public to attend.

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73 VIII. OPEN FORUM

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75 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to  
76 come forth and speak during this time. There being no one indicating such, Mayor Pruitt  
77 then closed Open Forum.

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79 IX. CONSENT AGENDA

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81 1. Consider approval of the minutes from the February 16, 2015 regular city  
82 council meeting, and take any action necessary.
- 83 2. Consider approval of a resolution for the naming of the neighborhood  
84 park located with the Stone Creek subdivision, and take any action  
85 necessary.
- 86 3. Consider approval of a resolution for the naming of the neighborhood  
87 park located with the Breezy Hill subdivision, and take any action  
88 necessary.
- 89 4. **Z2015-001** - Consider approval of an **ordinance** for a request by James  
90 Jackson of Jackson Automotive for the approval of a Specific Use Permit  
91 to allow for automotive vehicles to be stored outside overnight in  
92 conjunction with an existing minor automotive repair garage on a 0.88-  
93 acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition,  
94 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,  
95 situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White  
96 Hills Drive, and take any action necessary. **(2nd reading)**

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5. **Z2015-002** - Consider approval of an **ordinance** for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. **(2nd reading)**
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6. Consider approval of a resolution establishing the pro rata equipment fee related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.
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7. Consider approval of a resolution regarding the cost per acre related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.
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8. **P2015-005** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Andrea Holliman for the approval of a replat for Lot 1, Block A, Hoardstroms Addition being a 0.47-acre tract of land identified as a portion of Lot 1 of the W. D. Austin Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 904 N. Goliad Street, and take any action necessary.
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9. **P2015-006** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owners Chris and Jill Blasé for the approval of a replat for Lot 3, Block A, Blasé Addition being a 4.28-acre tract of land currently identified as Lot 3, Block A, Blasé Addition and a portion of Tract 11-3 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.
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10. Consider authorizing the city manager to execute a contract with MHS Planning and Design for the Stone Creek Neighborhood Park construction plans in the amount of \$71,200 to be funded from fees collected from developer contributions in accordance with the Mandatory Neighborhood Park Land Dedication ordinance and take any action necessary.
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11. Consider approval of a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP. for the Wastewater Flow Monitoring Study in the amount of \$285,800.00 to be funded from Revenue Bonds, and take any action necessary.
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12. Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor's Office for continuation of a previously received grant associated with the Domestic Violence Investigator / Prevention Officer, and take any action necessary.



Councilmember Milder requested to pull item #11 for further discussion. Councilmember Townsend then made a motion to approve the remaining Consent Agenda Items (#1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12). Councilmember Daniels seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 15-06  
SPECIFIC USE PERMIT NO. S-132

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) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED 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. 15-07  
SPECIFIC USE PERMIT NO. S-133

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) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, 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.

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

Regarding Consent Agenda item #11, Councilmember Milder expressed concern about this large of an expenditure amount being placed on Consent for approval. He asked for some clarification regarding the expenditure. City Engineer Tim Tumulty indicated that this expense is related to hiring a consultant and sub-consultant to install thirty-eight meters within the sanitary sewer storm system, meters that will stay in place for forty-five (45) days. As it rains, these meters will help monitor what is really getting into the sanitary sewer system. The data will be plugged into a model, and the Environmental

Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) will be for this information any time they look at a city's sewer system. Mr. Crowley indicated that the money to fund this item will be taken out of revenue bonds.

Councilmember White made a motion to approve Consent Agenda item #11. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**X. 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.

Chairman of the Planning and Zoning Commission, Craig Renfro, came forth and provided brief information concerning recommendations of the Commission relative to items on tonight's city council meeting agenda. The Council took no action concerning this appointment item.

2. Appointment with representatives of Republic Waste to make presentation of annual downtown improvement fund donation, and take any action necessary.

**Rick Bernas  
Republic Services / Allied Waste  
171 Pelican Cove Drive  
Rockwall, TX**

Mr. Bernas indicated that Republic is making two donations to the city this year. One check is money that will go toward the downtown project, and the second one is for a scholarship program that has been ongoing for many years. He stated that, over the years, more than \$120,000 has been donated to the city. Tonight, they are donating \$12,000 to the City of Rockwall.

The council accepted the check and thanked the company for what it does for the city. No action was taken.

**XI. PUBLIC HEARING ITEMS**

1. **Z2015-003** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorborg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. **(1st Reading) - [Postponed to the March 16, 2015 City Council Meeting]**

Mayor Pruitt announced that the applicant for this item has requested postponement until the March 16, 2015 city council meeting. No discussion took place, and no action was taken.



- 248  
249           2.       **Z2015-005** - Hold a public hearing to discuss and consider approval of an  
250                   **ordinance** for a City initiated request for the purpose of designating the  
251                   Historic Downtown Courthouse as a Local Landmark per the designation  
252                   procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the  
253                   Unified Development Code, being a 0.918-acre parcel of land identified  
254                   as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas,  
255                   zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and  
256                   take any action necessary. **(1st Reading)**

257   Planning Director, Robert LaCroix, provided background information related to this  
258   agenda item. He indicated that the city is bringing forth this item for consideration on  
259   behalf of the city's Historic Preservation Advisory Board. It is related to designating the  
260   courthouse on the historic downtown square as a local landmark property. City staff has  
261   received positive support for this designation from the Rockwall County Historic  
262   Foundation, the Rockwall County Historic Commission and the Rockwall County  
263   Commissioners Court. The ultimate goal will be to seek entry of the courthouse into the  
264   National Registry. He explained that this designation will, in essence, result in a zoning  
265   change. One-hundred and fifty-five notices were sent out to property owners located  
266   within 500' of the subject property. Six notices were received back in favor of the request.  
267   Also, the Planning & Zoning Commission has unanimously recommended approval of  
268   this request.

269   Mayor Pruitt asked if there are other properties that are designated as historic in the area.  
270   Mr. LaCroix explained that there are about eight properties in and around the area that are  
271   also designated as historic.

272   Councilmember Townsend asked if this designation will inhibit any future updates to the  
273   courthouse. Mr. LaCroix generally indicated that, no, this would not be inhibited.

274   Mayor Pro Tem Lewis asked for clarification regarding if approval of this item will result in  
275   any additional restrictions. Mr. LaCroix indicated that, no, it will not result in any more  
276   restrictions beyond those that may already be in place. He indicated that the Rockwall  
277   courthouse, like most all other courthouses in Texas, have to go through the Texas  
278   Historic Commission for approval of various things. Those rules were already in place,  
279   and approval of this designation this evening will not result in any further rules.

280   Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and  
281   speak. There being no one indicating such, Mayor Pruitt then closed the public hearing.

282   Councilmember Milder made a motion to approve Z2015-005. Councilmember White  
283   seconded the motion. The ordinance was read as follows:

284                                   CITY OF ROCKWALL  
285                                   ORDINANCE NO. 15-  
286

287       AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
288       TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE  
289       NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED  
290       SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN  
291       ZONING BY IN ACCORDANCE WITH THE PROCEDURES OF ARTICLE V,  
292       SECTION 6.2 HISTORIC OVERLAY DISTRICT FOR THE PURPOSE OF  
293       DESIGNATING A LANDMARK DISTRICT ON PROPERTY KNOWN AS THE  
294       HISTORIC DOWNTOWN COURTHOUSE, BEING A 0.918-ACRE PARCEL  
295       OF LAND IDENTIFIED AS ROCKWALL O T ADDITION, AND LOCATED AT  
296       101 EAST RUSK STREET, AND MORE SPECIFICALLY DEPICTED IN

EXHIBIT 'A' AND EXHIBIT 'B' 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.

## **XII. ACTION ITEMS**

1. **Z2015-004** - Discuss and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. **(2nd reading)**

Councilmember White made a motion to approve Z2015-004. Councilmember Townsend seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 15-07  
SPECIFIC USE PERMIT NO. S-133**

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) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, 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.

Mayor Pruitt indicated that he was opposed to this item upon first reading. He expressed that he believes this location is located within an important corridor along IH-30, and he is not comfortable with it being placed so near to the other two car dealerships in the area. He believes car dealerships in this area should be more spread out.

The motion passed by a vote of 5 ayes to 2 nays (Pruitt and Milder).

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. (2nd Reading)

**Mayor Pro Tem Lewis made a motion to approve Z2014-040. Councilmember White seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 15-08  
SPECIFIC USE PERMIT NO. S-134**

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. SP2014-034** - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan 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.

**Planning Director Robert LaCroix provided background information related to this agenda item, indicating that the applicant is asking for certain waivers and variances related to building placement, landscape requirements, parking setback requirements, parking garage design standards, and an increased building height.**

**Regarding the variances, these are standard variances to the Unified Development Code on things like building materials and masonry requirements. The applicant would like to put stone on the building, but it is a cultured stone with a limestone base. The stone looks very good, and it looks very similar to real stone. It is the same type of material**



397 that was utilized on the Trend Tower. In addition, the applicant would like to utilize an  
398 efface type material on the remainder of the building. It is a product that would be  
399 applied in a three-part process. It is the same sort of higher grade efface material that  
400 was utilized on the Hilton Hotel. Mr. LaCroix went on to explain that the applicant would  
401 like to utilize alternative type trees that will be more of accent trees in lieu of canopy type  
402 trees.  
403

404 The Planning & Zoning Commission has recommended approval of these waivers and  
405 variances by a vote of 6 in favor with 1 against. The one dissenting vote pertained to  
406 concerns surrounding the alternative tree mitigation plan.  
407

408 Mr. Tom Kirkland, applicant, came forth and addressed the council. He explained that  
409 this particular site location presents several challenges related to development. For  
410 example, the need to have only surface level parking for, not only the hotel guests but  
411 also for the meeting space visitors, has posed challenges. He explained that regarding  
412 the building materials, a Tuscan type stone cladding will be utilized with a three part  
413 application process. Regarding the request related to tree mitigation, he explained that  
414 requiring canopy type trees would negatively impact the surface level parking availability  
415 by limiting the number of spaces. So, he is requesting to plant some alternative type  
416 trees that are smaller in size. The site will be heavily landscaped, though, he explained.  
417

418 Mayor Pruitt asked for clarification regarding the parking lot that comes from the Oar  
419 House. He asked if there is a requirement for that parking lot to adjoin with the parking  
420 lot on the hotel site. Mr. LaCroix explained that the applicant could include 'cross  
421 access' to the adjacent property (owned by Mr. Clements), and the council could require  
422 this. However, he explained that the existing plat on Mr. Clement's property does not  
423 show any sort of 'cross access' between it and the adjacent property on which the hotel  
424 will be located. This would have to be a mutual agreement between Mr. Clements and the  
425 applicant.  
426

427 Councilmember Milder made a motion to approve SP2014-034. Councilmember Daniels  
428 seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.  
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- 430 4. Discuss and consider a request from Mrs. Brandi Lewellwn with Sign Mart  
431 representing At Waters Edge for a setback variance for a monument sign  
432 located at 204 N Fannin St, and take any action necessary.

433 Building Official Jeffrey Widmer provided brief background information related to this  
434 agenda item. He generally explained that the applicant is making this request because  
435 placement of a sign in front of the building poses challenges related to the city's set back  
436 requirements due to the fact the 'front yard' is not very deep.  
437

438 Mayor Pro Tem Lewis made a motion to approve the variance request associated with a  
439 monument sign at 204 N. Fannin Street. Councilmember Townsend seconded the  
440 motion, which passed unanimously of council present.  
441

- 442 5. Discuss and consider authorizing the city manager to enter into an  
443 agreement with the Texas Parks and Recreation Foundation regarding  
444 future park land located within the Breezy Hill development, and take any  
445 action necessary.

Assistant City Manager Brad Griggs explained that the developer is prepared to dedicate the park land (11 acres) in accordance with the city's mandatory parkland dedication regulations. In addition, 19 acres will be donated to the city as open space (mainly heavily treed). He explained that the grant application is not until March 31. A Phase 1 environmental study (about \$9500) is required on all three parcels that will be dedicated. There will also be a \$300 annual fee on the property to the Foundation to manage the asset. This action would place the land in a trust for parks and wildlife grants.

Councilmember Townsend authorized the city manager to enter into an agreement with the Texas Parks and Recreation Foundation regarding future park land located within the Breezy Hill development. Councilmember Hohenshelt seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

6. Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for grant application submittal for the neighborhood park within Breezy Hill and take any action necessary.

Mr. Griggs indicated that this item corresponds to Action Item #5 and is related to a grant application which has a deadline of March 31. He explained that the city should know something regarding approval of its application and receipt of the grant sometime in August. Councilmember Milder pointed out that last year, the city council discussed investing \$9,000 to hire a consultant to assist with a similar grant application that did end up resulting in receipt of a \$400,000 grant.

Councilmember Townsend made a motion to approve the resolution. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XIII. 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 - January 2015
  - Fire Department Monthly Reports - January 2015
  - Harbor PD Monthly Report - January 2015
  - Internal Operations Department Monthly Report - January 2015.
  - Police Department Monthly Report - January 2015
  - Recreation Monthly Report - January 2015
  - Rockwall Animal Adoption Center Monthly Report - January 2015
2. City Manager's Report

Mayor Pruitt announced that the annual Citizens Fire Academy is coming up from March 17 through May 26. He encouraged anyone interested to apply to participate in this program.

City Manager Rick Crowley indicated that departmental reports have been included in council member packets, and staff stands prepared to answer any questions the council may have. There being none, Mayor Pruitt adjourned the public meeting (6:54 p.m.).



494 **XIV. EXECUTIVE SESSION**

95  
96 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**  
497 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**  
498 **CODE:**

- 499
- 500 1. Discussion regarding proposed Development Agreement with Lakefront  
501 Trail Rockwall Hotel pursuant to Section 551.071 (Consultation with  
502 Attorney).
  - 503 2. Discussion regarding possible claim or settlement agreement related to  
504 enforcing the city's sign ordinance regarding a billboard pursuant to  
505 Section 551.071 (Consultation with Attorney).
  - 506 3. Discussion regarding Rockwall Harbor Landing, Inc. vs. City of Rockwall  
507 pursuant to Section 551.071 (Consultation with Attorney)
  - 508 4. Discussion regarding right-of-way land acquisition located near Justin  
509 Road and John King Blvd. pursuant to Section 551.072 (Real Property)  
510 and status of Temunovic condemnation proceeding pursuant to Section  
511 551.071 (Consultation with Attorney).
  - 512 5. Discussion regarding Economic Development prospects and potential  
513 incentive agreement pursuant to Section 551.087 (Economic  
514 Development)
  - 515 6. Discussion regarding the position of Chief of Police pursuant to Section  
16 551.074 (Personnel Matters)

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

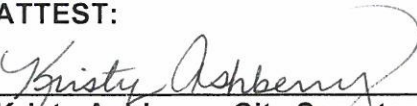
518  
519 **The Council did not reconvene in Executive Session following the close of the public**  
520 **meeting. See action taken as a result of the first Executive Session (at start of 6:00 p.m.**  
521 **public meeting).**

522  
523 **XVI. ADJOURNMENT**

524  
525 **The meeting was adjourned at 6:54 p.m.**

526  
527  
528 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
529 **THIS 16<sup>th</sup> day of MARCH, 2015.**

530  
531  
532 **ATTEST:**

533   
534 **Kristy Ashberry, City Secretary**  
535

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

