

**MINUTES**  
**ROCKWALL CITY COUNCIL**  
**Monday, August 17, 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 Council Members David White, Mike Townsend, Scott Milder, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Manager Frank Garza. Councilmember John Hohenshelt was absent from the meeting.

**II. WORK SESSION**

1. Hold work session with representative(s) of STAR Transit to hear annual report of services provided to the Citizens of Rockwall, industry updates, and funding, and take any action necessary.

Councilmember Townsend, who is the city's representative on the STAR Transit board, briefed the council on this agenda item. He indicated that the county is the entity that actually holds the contract with STAR transit, and the City of Rockwall has traditionally provided some level of funding to the organization in the past for public transportation. He shared that there were some recent changes in Federal funding.

Omega Hawkins, Executive Director, Kim Britton, and Ashley Ando with Stat Transit made a presentation to the City Council. They stated that STAR has been providing transportation services in Rockwall since 2005. She stated that about 4,000 rides were provided in 2005. Approximately 18,000 rides were provided in 2010, and 29,000+ rides were provided in 2014. She anticipates that over 30,000 rides will be provided in the year 2015. The presentation gave an overview of STAR Transit's operations, number of rides in Rockwall County, and the current funding levels. STAR representatives further discussed the funding changes that the Federal government is implementing in April 2016 and how it will affect transportation service. Based on the 2010 census, Rockwall County's designation has changed from rural to urban. They then discussed the levels of funding under an urban designation and stated that there is still an abundance of funding for capital expenditures, but funding for operation of transit providers has changed under the new urban designation to a 50/50 match.

Additional information was provided for the next fiscal year. STAR proposes adding an 8th bus to the operation in Rockwall County. STAR Transit currently anticipates FY16 cost of service will average \$50.76 per hour or \$812,160.00 to provide transportation services in Rockwall County. STAR Transit will cover the 1st six months (Sept '15-April '16) of the local portion in FY16 only - \$203,040 and stated that by April 2016; a 50% operating local match will be needed from a source or sources within Rockwall County. It was estimated that based on ridership, the City of Rockwall share would be 84.96% or in \$172,502 in FY2016. STAR Transit needs partners from Rockwall County to provide 12 months of local match in FY17 and beyond. Following the presentation, a there was a series of questions and answers between their staff and council members.

51 **The Council took no action following this work session item.**

- 52  
53 2. Hold work session to discuss the June 21, 2015 flooding event, including impacts on homes  
54 and roadways, and take any action necessary.

55 **Mayor Pruitt called for a brief break at 5:07 p.m. The meeting was called back to order at**  
56 **5:13 p.m.**

57  
58 **City Engineer Tim Tumulty and Civil Engineer Jeremy White came forth and provided a**  
59 **presentation to Council recapping this flood event. They provided details related to**  
60 **twenty-three houses that flooded, nineteen roadway closures, and 5 other flood related**  
61 **issues. The council took no action concerning this work session item.**

62  
63 **Mayor Pruitt then read the below listed discussion items into the public record before**  
64 **recessing the public meeting into Executive Session at 5:40 p.m.**

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66 **III. EXECUTIVE SESSION.**

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

- 70  
71 1. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of  
72 the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).  
73 2. Discussion regarding (re)appointments to city regulatory boards, commissions, and  
74 committees including the Building and Standards Commission, Planning & Zoning  
75 Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)  
76 3. **From Public Meeting Agenda: Action Item 2. MIS2015-004** - Discuss and consider the  
77 approval of a special request by David Smith on behalf of the owner Jose Contreras for a  
78 waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit  
79 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new  
80 manufactured home to be located within the floodplain on a 0.17-acre property identified as  
81 Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned  
82 Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses,  
83 located at 142 Rene Drive, and take any action necessary.

84  
85 **IV. ADJOURN EXECUTIVE SESSION**

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87 **Executive Session was adjourned at 6:00 p.m.**

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89 **V. RECONVENE PUBLIC MEETING**

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91 **Mayor Pruitt reconvened the public meeting at 6:03 p.m.**

92  
93 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

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95 **No action was taken as a result of Executive Session.**

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97 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE**

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

100  
101 **VIII. OPEN FORUM**  
102

103 **Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to**  
104 **come forth and speak. There being no one, he then closed the Open Forum.**  
105

106 **IX. CONSENT AGENDA**  
107

- 108 1. Consider approval of the minutes from the August 3, 2015 regular city council meeting,  
109 and take any action necessary.
- 110 2. Consider approval of an interlocal cooperation agreement for governmental services  
111 relating to a school resource officer program between the City of Rockwall and The  
112 Rockwall Independent School District, and take any action necessary.
- 113 3. Consider authorizing the City Manager to enter into an agreement with the Texas  
114 Department of Transportation (TxDOT) under the City Pride Program for installation of  
115 signage at the intersection of SH-205 and Yellow Jacket Lane, and take any action  
116 necessary.
- 117 4. Consider approval of a resolution authorizing signatories for financial transactions, and  
118 take any action necessary.
- 119 5. Consider authorizing the City Manager to execute an interlocal Purchasing Agreement  
120 with the City of Allen for the purchase of materials, supplies and services and take any  
121 action necessary.
- 122 6. Consider approval of the additional expense (\$33,005.56 to be funded out of  
123 Engineering Dept. General Fund Budget) associated with providing higher level of  
124 protection from roadway inundation during storm event greater than a 25-year storm  
125 associated with the design and construction of a 100-year storm sewer system for FM  
126 549 from SH 205 to SH 276, and take the necessary action.
- 127 7. Consider awarding a contract for unit pricing for road marking material and striping  
128 services to Road Master Striping LLC through the City of Midlothian Cooperative  
129 Agreement to be funded through the General Fund Street Department Operating  
130 Budget, Street Repair and Maintenance, and take any action necessary.
- 131 8. Consider approval of a resolution allowing a temporary partial closure of FM 740 from  
132 Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on  
133 Sunday, October 18, 2015 from 6:00 AM to 1:00 PM, and take any action necessary.
- 134 9. **P2015-034** - Consider approval of a request by Joanne Vuckovic of the Pregnancy  
135 Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource  
136 Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T.  
137 Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned  
138 Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses,  
139 situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and  
140 take any action necessary.

141 **Councilmember Milder made a motion to approve the entire Consent Agenda (#1, 2, 3, 4,**  
142 **5, 6, 7, 8, and 9). Councilmember White seconded the motion, which passed by a vote of**  
143 **6 ayes with 1 absent (Hohenshelt).**  
144

145 **X. APPOINTMENTS**  
146



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

150 **Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed**  
151 **the Council on recommendations of the Commission relative to planning-related items**  
152 **on tonight's city council meeting agenda.**

- 153 2. Appointment with Casey Kelly representing the Rockwall Girls Softball  
154 Association (RGSA) to hear proposal concerning partnering with the city,  
155 and take any action necessary.

156 **Casey Kelly**  
157 **7136 Harlan Drive**  
158 **Rockwall, TX**  
159

160 **Mr. Kelly came forth and clarified that he does not actually represent the RGSA. Instead,**  
161 **he is a concerned parent. He expressed that Andy and his staff who work for the city on**  
162 **the softball program do a wonderful job. However, he is concerned that kids are missing**  
163 **out on opportunities to play, generally indicating that these opportunities are fewer than**  
164 **perhaps they could otherwise be at this point if the city and RGSA were partnered in**  
165 **some way.**  
166

167 **Councilmember Townsend offered a brief history of past discussions regarding RGSA**  
168 **partnering with the city regarding girls' softball. He indicated that RGSA previously**  
169 **refused to partner with the city even after having participated in lengthy discussions with**  
170 **the city council's youth sports subcommittee and with staff. However, Councilmember**  
171 **Townsend indicated that the city's offer still stands, and he and the council**  
172 **subcommittee are still willing to sit down with RGSA's representatives to again discuss**  
173 **this possibility.**  
174

175 **Mr. Kelly expressed concern about non-Rockwall kids having to pay \$95 / season**  
176 **compared to \$55 / season for Rockwall residents' kids. He shared that umpires not**  
177 **showing up coupled with scheduling problems posed a lot of concerns last season. He**  
178 **personally would like to see girls from other cities come into Rockwall to play with**  
179 **Rockwall teams regardless of who pays the taxes to provide for them to play on fields.**  
180

181 **Mayor Pruitt encouraged Mr. Kelly to have RGSA representatives schedule an**  
182 **appointment with city representatives to further discuss these issues if they so desire.**  
183 **The council took no action on this item.**  
184

## 185 **XI. ACTION ITEMS**

186

- 187 1. **Z2015-016** - Discuss and consider approval of an **ordinance** for a  
188 request by Stacey McVey of Double Eagle Properties on behalf of the  
189 owner 308 ON 276 LP for a zoning change from an Light Industrial (LI)  
190 District to a Planned Development District for Single Family 10 (SF-10)  
191 and General Retail (GR) District land uses, on a 316.315-acre tract of  
192 land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100,  
193 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)  
194 District, located at the northeast corner of the intersection of Rochelle  
195 Road and SH-276, and take any action necessary. **(2nd Reading)**  
196 **(requires 3/4 majority vote)**

Councilmember White made a motion to approve Z2015-016. Mayor Pro Tem Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 15-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' & EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Hohenshelt).

2. **MIS2015-004** - Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

Mayor Pruitt made a motion to table this item until the next council meeting. Councilmember Townsend seconded the motion, which passed unanimously of those present (Hohenshelt absent).

3. Discuss and consider authorizing the city manager to execute a 380 Agreement with First Texas Homes for Use Taxes, and take any action necessary.

Councilmember White made a motion to approve the agreement as presented. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

4. **SP2015-016** - Discuss and consider a request by Wayne Mershaw of Mershaw Architects on behalf of Rex Walker of Life Springs Church for the approval of variances to the articulation and residential screening requirements as stipulated by the Unified Development Code in conjunction with an approved site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.



Planning Director Ryan Miller provided background information related to this agenda item, explaining that both of these variances will require a simple majority vote of Council. The Architectural Review Board did desire for the applicant to make some modifications to the horizontal articulation. The applicant made some adjustments, and a revised rendering was emailed out to ARB members. One ARB member did e-mail back to provide input on the updated articulations, indicating that he/she was not satisfied with the adjustments that were made. He explained that the church property has about 90' of separation from the adjacent residential area. In lieu of a 6' masonry wall requirement, the applicant is asking for a variance to plant about 17 live oak trees for screening instead at the rear of the property. Mr. Miller stated that the P&Z Commission did recommend approval of the proposed variances.

Mike Mershawn  
Mershawn Associates  
2313 Ridge Road

Mr. Mershawn came forth, indicating he is happy to answer any questions of Council.

Councilmember Milder asked for clarification regarding P&Z's recommendation. Mr. Miller indicated that P&Z did unanimously recommend approval of this item.

Councilmember Milder made a motion to approve the variance related to residential screening as presented. Councilmember White seconded the motion, which passed unanimously of those present (Hohenshelt absent).

Regarding the horizontal articulations, Councilmember White made a motion to approve those variances. Mayor Pruitt seconded the motion, which passed by a vote of 5 in favor, 1 against (Milder) and 1 absent (Hohenshelt). Councilmember Milder expressed some concern about the ARB seemingly not being on board with this particular variance request.

5. Discuss and consider adding a staff position and vehicle in the Street Department Budget to provide additional roadway cleanup services, and take any action necessary.

Indication was given that Councilmember Milder requested this agenda item. He generally expressed concerns about the overall cleanliness of streets and roadways within the city, including post-crash debris cleanup, which he recently learned is supposed to be the responsibility of the responding wrecker service. Brief comments were made related to streets/roadway clean up after weather/storm events.

At the request of Councilman Milder, Mr. Crowley indicated that the city has been operating with the same number of Street Department employees since 1998, clarifying, however, that the budget for that department has increased over time, and a lot of contractual work has taken place.

Councilman Milder suggested that the Council consider adding a new staff position and truck in the Streets Department during the upcoming budget work session discussions.

6. Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural

Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

After brief comments from Mr. Crowley, Councilmember White made a motion to appoint the following individuals to serve on the city's ART Commission: Jane Braddock, Betty Hoaglund, and Doug Agee (Kathleen Morrow and David Sweet were previously appointed in January of 2015). Councilmember Townsend seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Councilmember Townsend made a motion to re-appoint to the Park Board (through August 2017) Mr. Ray Harton, Mr. Larry Denny and Mr. Bob Lewis. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Councilmember Milder made a motion to reappoint Alan Dennard to the Board of Adjustments (BOA) (through August of 2017). Councilmember White seconded the motion, which passed unanimously of Council (Hohenshelt absent).

7. Discuss and consider continuation and oversight associated with the annual 4th of July parade, and take any action necessary.

Mr. Crowley provided brief comments on this item. Councilmember Townsend made a motion to direct the Parks & Recreation Department to provide oversight to the annual Fourth of July Parade. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Mr. Crowley indicated that, although there is not a City Manager's report on tonight's agenda, at the approval of City Attorney Frank Garza, Assistant City Manager Mrs. Smith will provide a brief statement regarding concerns associated with the City of Rockwall providing water to the RCH Water Supply Corporation for residents of McLendon Chisholm. Mrs. Smith went onto explain, in general, that the City of Rockwall supplies wholesale water to the RCH Water Supply Corporation. Through that agreement, Rockwall can provide 2.1 million gallons per day; however, RCH's single 8" pipe is not adequate to bring that much water into their system. After lengthy investigating, it was determined that a 16" pipe will need to be designed and constructed before these supply issues can sufficiently be remedied. Unfortunately, there is no short-term fix to help address these problems sooner.

## **XII. 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 purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

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

Council did not go back into Executive Session following the close of the public meeting.

347  
348 **XIV. ADJOURNMENT**  
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350 **Mayor Pruitt adjourned the meeting at 6:47 p.m.**  
351

352 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
353 **THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2015.**  
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\_\_\_\_\_  
357 **Jim Pruitt, Mayor**

358 **ATTEST:**

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360   
\_\_\_\_\_  
**Kristy Cole, City Secretary**

