

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 04, 2019 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmembers John Hohenshelt and Bennie Daniels were absent from the meeting. Mayor Pruitt read the discussion items listed below into the record before recessing the meeting to go into Executive Session at 5:00 p.m.

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 legal advice concerning road construction facility agreement(s), pursuant to § Section 551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to § Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned Executive Session at 5:34 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council members being present (Daniels and Hohenshelt were absent).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MACALIK

Councilmember Macalik delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

1. Shriners Hospitals for Children "Flip it Forward for Kids" Day

Mayor Pro Tem Fowler came forth and read and presented this proclamation to several Shriner's who were present to receive it. A fundraising event will be held on March 12 at the local I.H.O.P. restaurant, and everyone was encouraged to attend.

VIII. OPEN FORUM

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

IX. CONSENT AGENDA

1. Consider approval of the minutes from the February 19, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-001** - Consider approval of an **ordinance** for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary **(2nd Reading)**.
3. **A2018-005** - Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an **ordinance** for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary **(2nd Reading)**.
4. Consider authorizing staff to execute an amended "First Responder Organization (FRO) Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall Fire Department, and take any action necessary.
5. Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of \$103,142.34 with McMahon Contracting, L.P. for the E. Boydston Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.
6. Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of D-Day in the amount of \$1,300, and take any action necessary.
7. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary **(1st Reading)**.

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (items # 1, 2, 3, 4, 5, 6, and 7). Councilman Johannesen seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL ORDINANCE NO. 19-12

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, BY AMENDING ARTICLE IV, PERMISSIBLE USES TO AMEND THE LAND USE STANDARDS FOR GUEST QUARTERS/SECONDARY LIVING UNITS, AND TO ADD A LAND USE FOR BARN OR AGRICULTURAL ACCESSORY BUILDINGS ; 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. 19-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (2 absent (Daniels and Hohenshelt)).

X. ACTION ITEMS

1. Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard fence to be located at 318 Cooper Court, and take any action necessary.

Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt).

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - January 2019

Fire Dept Monthly Report - January 2019

GIS Division Monthly Report - January 2019

Harbor PD Monthly Report - January 2019

Internal Operations Department Monthly Report - January 2019

Police Department Monthly Report - January 2019
Recreation Monthly Report - January 2019
Rockwall Animal Adoption Center Monthly Report - January 2019
STAR Transit Monthly Report - January 2019

2. City Manager's Report

City Manager Rick Crowley indicated that as of today, the NTMWD has begun its approximately 30 day maintenance program (not adding ammonia to the disinfection program, continuing to provide the same amount of chlorine). Any questions that the public may have may be addressed by the city manager, the assistant city managers, the supervisor over water operations, or the city engineer. Mayor Pruitt clarified that the same amount of chlorine will be present in the city's water system; however, the smell may be more noticeable to residents/water users over the course of the next thirty days or so. Mayor Pruitt briefly mentioned that the city council and staff recently attended "Rockwall County Days" in Austin to meet with our legislators, and it was a successful visit. He went on to point out that the City passed an order on tonight's Consent Agenda to cancel the May election since none of the incumbents drew any opponents. Also, the school district is able to cancel its election as well. So, those monies will be saved this year.

XII. EXECUTIVE SESSION

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:17 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF MARCH, 2019.

ATTEST:


Kristy Cole, City Secretary




Jim Pruitt, Mayor