

2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, January 06, 2020 - 5:00 PM**

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

5  
6 **I. CALL PUBLIC MEETING TO ORDER**

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

12  
13 **II. EXECUTIVE SESSION.**

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

- 16 **1. Discussion regarding agreement between the City of Rockwall and Blackland Water Supply**  
17 **Corporation pursuant to Section §551.071 (Consultation with Attorney).**  
18 **2. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in**  
19 **the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).**  
20 **3. Discussion regarding legal issues pertaining to potential annexation/development in the**  
21 **Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).**  
22 **4. Discussion regarding land lease agreement of real property on city owned land at Yellow**  
23 **Jacket Park pursuant to Section §551.072 (Real Property)**  
24 **5. Discussion regarding possible acquisition of real property in the airport pursuant to Section**  
25 **§551.072 (Real Property) and Section §551.071 (Consultation with Attorney).**  
26 **6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,**  
27 **Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)**  
28 **regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

29  
30 **III. ADJOURN EXECUTIVE SESSION**

31  
32 **Council adjourned from Executive Session at 6:00 p.m.**  
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35 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

36 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members being present.**

37 **V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER**

38 **Councilman Hohenshelt delivered the invocation and led the Pledge of Allegiance.**

39 **VI. OPEN FORUM**

40 Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and  
41 speak at this time. He also stated that if anybody was here for a Public Hearing agenda item to please  
42 come forth and speak during that actual agenda item.

43 **Jim Turner**  
44 **1691 E. Old Quail Run Road**

45  
46 Mr. Turner thanked the Council for making 2019 a great year for Rockwall. He stated that Rockwall  
47 has a trash problem in construction areas. People who live north of 66 particularly along John King  
48 Blvd and 205 where the new neighborhoods are going in can see trash/litter scattered along the  
49 roadway. Mr. Turner read an excerpt from our codes regarding disposing of the trash and waste  
50 material. He also indicated the constructions sites are covered with trash, such as plastic fences,  
51 lumber, orange plastic bins, cups, lunches and other debris. He mentioned it seems that they just  
52 throw their trash anywhere. The contractor at these sites should be notified of these violations  
53 so we can keep Rockwall clean. The Mayor stated that Mr. Turner's concerns cannot be discussed  
54 tonight due to the particular topic not being specifically listed on the agenda. He told Mr. Turner  
55 that staff member Joey Boyd will continue to assist Mr. Turner by working with code enforcement  
56 to address the trash issues.

57  
58 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

59

60 **VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

61 Mayor Pro Tem Macalik indicated that no action was needed as a result of Executive Session.

62 **VIII. CONSENT AGENDA**

- 63 1. Consider approval of the minutes from the December 26, 2019 special city council meeting,  
64 and take any action necessary.
- 65 2. **P2019-048** - Consider a request by Anthony Loeffel of Kimley-Horn on behalf of Randy  
66 McCuiston of Rockwall 549/I-30 Partners, LP for the approval of a final plat of Lot 1, Block A;  
67 Lot 1, Block B; Lot 1, Block C; and Lot 1, Block D, Rockwall Commercial Addition being a  
68 106.215-acre tract of land identified as a portion of Lot 1, Block C and Lot 1, Block D, Rockwall  
69 Commercial Park Addition; Tracts 5 & 6 of the A. J. Lockhart Survey, Abstract No. 134; and  
70 Tract 5 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas,  
71 zoned Agricultural (AG) District and Light Industrial (LI) District, situated within the IH-30  
72 Overlay (IH-30 OV) District and the FM549 Overlay (FM-549 OV) District, situated at the  
73 northwest corner of the IH-30 Frontage Road and N. FM-3549 [Stodghill Road], and take any  
74 action necessary.
- 75 3. **P2019-049** - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of  
76 Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City  
77 of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition  
78 being a 3.338-acre tract of land identified as existing City right-of-way for West Street &  
79 Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5,  
80 Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown  
81 (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the  
82 southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street  
83 (i.e. SH-66), and take any action necessary.

84 4. **P2019-050** - Consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf  
85 of Justin Webb of Horizon Road Self-Storage, LLC Sandra McMullen for the approval of a replat  
86 for Lots 24 & 25, Rainbo Acres Addition being an 8.733-acre tract of land identified as a portion  
87 of Lots 22 & 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned  
88 Commercial (C) District, addressed as 259 Ranch Road, and take any action necessary.

89 **Mayor Pruitt asked the Council if there was any item the City Council wanted removed from the Consent**  
90 **Agenda. With no reply from the Council, Mayor Pro Tem Dana Macalik made a motion to approve all**  
91 **the Consent Agenda items, as presented (#s 1, 2, 3, and 4). Prior to seconding the motion for the**  
92 **approval of all of the items on the Consent Agenda, Councilmember Trowbridge asked Mr. Miller if**  
93 **Consent Agenda item # 3 - P2019-049 was the agreement to be addressed when the Council reconvenes**  
94 **in the Ex. Session. Mr. Miller confirmed that, yes, it is related to the same property. Councilmember**  
95 **Trowbridge stated he was not ready to make a decision on Consent Agenda item # 3. Mayor Pruitt**  
96 **stated Consent Agenda item #3 will be discussed when Council reconvenes into Ex. Session.**

97 **Mayor Pro Tem Dana Macalik then made a motion to approve Consent Agenda items, as presented,**  
98 **minus item #3 (motion to approve item #s 1, 2, and 4), Mr. Trowbridge seconded the motion which**  
99 **passed by a vote 7 ayes to 0 nays.**

100 **Mayor Pruitt then recognized Human Resources Director Cheryl Dunlop for her 20 years of service to**  
101 **the City of Rockwall. Mr. Mayor went on to read a letter from Mrs. Dunlop expressing her gratitude to**  
102 **everyone at the City of Rockwall with whom she has worked. He also recited the reading of plaque,**  
103 **named "Our Town" which Mrs. Dunlop dedicated to the City of Rockwall. Mr. Mayor asked everyone**  
104 **to join him in congratulating and sending well wishes to Mrs. Dunlop on her retirement.**

#### 105 **IX. APPOINTMENT ITEMS**

106 1. **Appointment with representatives of this year's Leadership Rockwall class to hear about "The**  
107 **Big Event: Rockwall County" project, and take any action necessary.**

108 **Fire Chief Kenneth Cullins came forth on behalf of this year's Leadership Rockwall class and proceeded**  
109 **to make a presentation about the "The Big Event", Leadership by Action, Rockwall County, which he**  
110 **explained is an event that will be held on Saturday April 18, 2020. Chief Cullins presented an outline of**  
111 **the project, groups for solicitation, schedule of events, deadlines for projects, volunteer submissions,**  
112 **and sponsorships levels opportunities. He also introduced the website [www.bigeventrockwall.com](http://www.bigeventrockwall.com),**  
113 **which was set up for project and volunteer submissions.**

114  
115 2. **Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss**  
116 **and consider the possibility of changing the city's regulations pertaining to residential**  
117 **retaining walls, including material and height restrictions, and take any action necessary.**

118  
119 **Ms. Mayer, of Renew Fence & Construction spoke about the retaining wall she installed for Rockwall**  
120 **citizen, Ms. Harvey, at her home at 506 Shore Trail Drive. Mr. Jeffrey Widmer gave a brief statement to**  
121 **the Council that Ms. Mayer appeared before the City Council meeting approximately 90 days ago, asking**  
122 **the Council to consider relaxing the City's current retaining wall standards. The wall was constructed**  
123 **using treated wood, which is not an acceptable retaining wall material according to city standards.**

124

125 Mr. Widmer pointed out that the city has received complaints from nearby residents who are aware of  
126 our standards and have expressed their unhappiness with the wall's appearance. He shared that  
127 following Ms. Mayer's appearance before the Council, city management and staff met with her to  
128 discuss the situation. Ms. Mayer was told that a permit could not be issued for the wall she built, due  
129 to its non-compliance with the City's standard. Ms. Mayer was asked to obtain a permit and construct  
130 a code compliant wall for the resident. In addition, staff communicated with the resident, Ms. Amy  
131 Harvey, to express this information and to answer her questions.

132  
133 Ms. Mayer has requested an appointment with council to ask for reconsideration of the current  
134 retaining wall standards, essentially to relax the adopted standards so that wood products could be  
135 utilized in the construction of retaining walls.

136  
137 Indication was given that wood was an acceptable material until city council amended the city's  
138 retaining wall standards in 2014, prohibiting the use of wood products and other specific methods and  
139 clarifying acceptable wall types. Mr. Widmer's (staff's\_ presentation in the meeting packet included  
140 photos of the wall that Ms. Mayer built and detailed information on the prohibitions and standards of  
141 building a retaining wall. This information is located on the City's website and is also provided as a  
142 handout to customers. Mr. Widmer answered any questions that the Council had.

143  
144 Mrs. Harvey, the homeowner, came forth and stated that she did not get a permit from the City to build  
145 the wall. Councilmember Fowler pointed out to Ms. Mayer that she also did not properly install the  
146 poles on the retaining wall fence. The poles should have been installed inside the fence, not on the  
147 outside. Ms. Mayer's then presented pictures and an engineering report regarding the retaining wall on  
148 the City Council Conference room screen for the City Council to review (she did not send to the City  
149 Council prior to the meeting, so they were not able to read the information in advance). Ms. Mayer  
150 stated it was her fault that she did not obtain the required permit prior to constructing the retaining  
151 wall.

152  
153 After reviewing the engineering report, Councilmember Hohenshelt stated that data within the report  
154 equated to no analysis of the wall that was built - there was no testing of the wall and no plans were  
155 submitted. So his conclusion is that Ms. Mayer just took the engineer's word for it that the wall was  
156 done correctly.

157  
158 None of the Council wanted to pursue this topic further. Indication was given that if Ms. Mayer needs  
159 additional information, she should meet with Mr. Widmer. She should obtain the ordinance, and she  
160 will have to abide by those guidelines.

161  
162 **X. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**  
163 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**  
164 **MATTERS.**

- 165  
166 **1. Departmental Reports**  
167 Building Inspections Monthly Report - November 2019  
168 GIS Monthly Report - November 2019  
169 Harbor PD Monthly Report - November 2019

- 170 Internal Operations Department Monthly Report - November 2019
- 171 Recreation Monthly Report - November 2019
- 172 Rockwall Animal Adoption Center Monthly Report - November 2019
- 173 Rockwall Fire Department Monthly Report - November 2019
- 174 Rockwall Meals on Wheels Senior Services Quarterly Report
- 175 Rockwall Police Departmental Monthly Report - November 2019
- 176 STAR Transit Monthly Report - November 2019
- 177 STAR Transit Quarterly Report

178 **2. City Manager’s Report**

179 Mr. Crowley stated that some of the City Councilmember have gotten authorization to work with  
180 administration to do some revamping to the departmental monthly reports and bring them up to date.  
181 They have really evolved over time with hot issues/topics that the City Council wants reported. Mayor  
182 Pruitt noted that many of those reports are already different from before. Mr. Crowley stated if there  
183 are any ideas or questions regarding updating the reports, please contact him. Councilmember  
184 Trowbridge stated he and Councilmember Daniels have already met regarding the departmental  
185 reports and will continue to work on this issue.

186  
187 Mr. Mayor did not have any other comments regarding the City. Mr. Mayor then brought before the  
188 Council that Texas Municipal League president has asked the Mayor as serve on the TML policy  
189 committee to work on the advocacy strategy for the next legislative session. Mayor Pruitt stated that  
190 he and Mr. Crowley have been working on this project. If there are any specific issues that the Council  
191 wants to see legislatively done, please contact Mayor Pruitt. Mr. Crowley stated he would send a list  
192 of items that he and the Mayor have already come up with. He welcomes any further input from the  
193 City Council.

194  
195 Mayor Pruitt recessed the public meeting at 7:04 p.m. to go back into Executive Session at 7:06 p.m. to  
196 discuss and address Consent Agenda Item #3, as stated below and associated with Ex. Session item #2:

- 197 **3. P2019-049** - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of  
198 Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City  
199 of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition  
200 being a 3.338-acre tract of land identified as existing City right-of-way for West Street &  
201 Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5,  
202 Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown  
203 (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the  
204 southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street  
205 (i.e. SH-66), and take any action necessary.

206  
207 **XI. EXECUTIVE SESSION**

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

- 210 **1.** Discussion regarding agreement between the City of Rockwall and Blackland Water Supply  
211 Corporation pursuant to Section §551.071 (Consultation with Attorney).
- 212 **2.** Discussion regarding legal issues pertaining to an approved 380 Development Agreement in  
213 the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).

- 214 3. Discussion regarding legal issues pertaining to potential annexation/development in the  
215 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).  
216 4. Discussion regarding land lease agreement of real property on city owned land at Yellow  
217 Jacket Park pursuant to Section §551.072 (Real Property)  
218 5. Discussion regarding possible acquisition of real property in the airport pursuant to Section  
219 §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).  
220 6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
221 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
222 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)  
223

224 **XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

225 Council came out of Executive Session at 7:35 p.m. and took no action as a result of Executive Session.

226 **XIII. ADJOURNMENT**

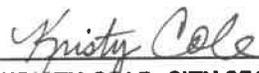
227 Mayor Pruitt adjourned the public meeting at 7:35 p.m.

228 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21<sup>st</sup> DAY OF**  
229 **JANUARY, 2020.**

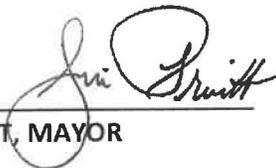
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ATTEST:

235  
236

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



  
\_\_\_\_\_  
JIM PRUITT, MAYOR

2  
3 **ROCKWALL CITY COUNCIL REGULAR MEETING**

4 **Tuesday, January 21, 2020 - 4:00 PM**

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

6  
7 **I. CALL PUBLIC MEETING TO ORDER**

8 **Mayor Pro Tem Dana Macalik called the public meeting to order at 4:04 p.m. with the following council**  
9 **members and staff being present: Mayor Pro Tem Dana Macalik; Councilmembers Patrick Trowbridge,**  
10 **John Hohenshelt and Kevin Fowler; City Manager Rick Crowley and Assistant City Managers Joey Boyd**  
11 **and Mary Smith; and the city’s legal counsel, Patrick Lindner. Mayor Pro Tem Macalik then read the**  
12 **following Executive Session item into the public record before recessing the meeting at 4:05 p.m. to go**  
13 **into Executive Session:**

- 14  
15 **9. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071**  
16 **(Consultation with Attorney).**

17 **Mayor Jim Pruitt joined the meeting (Executive Session at 4:08 p.m.). Councilmember Bennie Daniels**  
18 **joined the meeting at 4:18 p.m.**

19  
20 **Council came out of Executive Session at 4:20 p.m., and Mayor Pruitt reconvened the public meeting to**  
21 **address the following work session items.**

22  
23 **II. WORK SESSION**

- 24 **1. Hold a work session to discuss Article VIII, Landscape and Fence Standards, of the Unified**  
25 **Development Code (UDC), and take any action necessary.**

26 **Mayor Pruitt provided brief, introductory comments pertaining to fence standards throughout the city.**  
27 **Ryan Miller, Director of Planning & Zoning, then came forth and briefed Council on this work session**  
28 **item. Extensive discussion ensued pertaining to residential fence standards and associated landscaping.**  
29 **Council took no action pertaining to this work session item.**

- 30  
31 **2. Hold a work session to discuss the Unified Development Code (UDC), and take any action**  
32 **necessary.**

33 **Mr. Miller then briefed the board on this work session item. He indicated that staff would like to pull**  
34 **the UDC out of Municode and maintain it separately from the city’s Code of Ordinances that Municode**  
35 **codifies and maintains on behalf of the city. Council took no action pertaining to this work session item**  
36 **at this time.**

37 **Mayor Pruitt then read the below listed discussion items (minus No. 9) into the record before recessing**  
38 **the public meeting to go into Executive Session at 5:12 p.m.**

39 **III. EXECUTIVE SESSION.**

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

- 42 1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply  
43 Corporation (WSC) and RCH WSC pursuant to Section §551.071 (Consultation with Attorney).  
44 2. Discussion regarding legal issues pertaining to potential annexation/development in the  
45 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).  
46 3. Discussion regarding possible acquisition of real property in the vicinity of Ridge Road and  
47 Glen Hill Way pursuant to Section §551.072 (Real Property) and Section §551.071  
48 (Consultation with Attorney).  
49 4. Discussion regarding possible sale of real property in the vicinity of SH-205 and Pecan Valley  
50 Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
51 Attorney).  
52 5. Discussion regarding a settlement agreement between the City of Rockwall and Dietz  
53 Engineers, LLC for damage at Breezy Hill Park Pavilion pursuant to Section §551.071  
54 (Consultation with Attorney).  
55 6. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in  
56 the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).  
57 7. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
58 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
59 Attorney).  
60 8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
61 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
62 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)  
63 9. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071  
64 (Consultation with Attorney).

65 **IV. ADJOURN EXECUTIVE SESSION**

66

67 **Council adjourned from Executive Session at 5:56 p.m.**

68

69 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

70 **Mayor Pruitt reconvened the meeting at 6:00 p.m. with all seven council members being present.**

71 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

72 **Councilman Daniels delivered the invocation and led the Pledge of Allegiance.**

73 **VII. PROCLAMATIONS**

74 **1. Hometown Hero Dr. Stan Lowrance**

75 **Mayor Pruitt said a few words and then presented Dr. Lowrance with a proclamation and plaque,**  
76 **proclaiming him as the city's first 'Hometown Hero' for the free dental work he has done to help**  
77 **veterans. Dr. Lowrance then shared some kind words about his family, the Council and the Rockwall**  
78 **community.**

79

80 **VIII. OPEN FORUM**

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

83

84

85

86 **IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

87 **Regarding item #5, Mayor Pro Tem Macalik moved to authorize the City Manager to go into a settlement**  
88 **agreement between the City of Rockwall and Deets Engineering, LLC for the damage at the Breezy Hill**  
89 **park pavilion. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

90

91 **X. CONSENT AGENDA**

92 **1. Consider approval of the minutes from the January 6, 2020 regular city council meeting, and**  
93 **take any action necessary.**

94 **2. Consider authorizing the City Manager to execute an agreement with NTMWD, approving the**  
95 **City of Rockwall's participation in the Sabine Creek Wastewater Treatment Plant Feasibility**  
96 **and Master Plan Study in the amount of \$161,207 and amend the Sewer Operations Budget**  
97 **for said amount, and take any action necessary.**

98 **3. Consider authorizing the City Manager to execute a contract with Baseball Nations to utilize**  
99 **Leon Tuttle Athletic Complex for five weekend tournaments during the 2020 baseball season,**  
100 **and take any action necessary.**

101 **4. Consider awarding a bid to Waukesha Pearce Industries and authorizing the City Manager to**  
102 **execute a Contract for Generator Preventative Maintenance Services in the amount of**  
103 **\$54,831.89 to be funded out of the General and Water Sewer Funds, and take any action**  
104 **necessary.**

105 **5. P2020-001 - Consider a request by Adam Buczek of Windsor Homes Cumberland, LLC for the**  
106 **approval of a replat for Lot 12, Block C, Ridgecrest Addition, being a 0.503-acre parcel of land**  
107 **identified as Lot 1, Block C, Ridgecrest Addition, City of Rockwall, Rockwall County, Texas,**  
108 **zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses,**  
109 **addressed as 405 Fox Hollow Drive, and take any action necessary.**

110 **6. SP2019-043 - Consider a request by Clay Cristy of ClayMoore Engineering, Inc. on behalf of**  
111 **Brian Berry of Milestone Electric, Inc. for the approval of an alternative tree mitigation**  
112 **settlement agreement in conjunction with an approved amended site plan for a multi-tenant**  
113 **office complex on a 9.52-acre tract of land identified as Lot 18 and the south portion of Lot**  
114 **19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)**  
115 **District, addressed as 407 Ranch Trail, and take any action necessary.**

116 **7. P2019-049 - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of**  
117 **Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City**

118 of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition  
119 being a 3.338-acre tract of land identified as existing City right-of-way for West Street  
120 & Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-  
121 5, Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown  
122 (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the  
123 southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street  
124 (i.e. SH-66), and take any action necessary.

125 **Mayor Pro Tem Macalik removed Consent Agenda item #7 and then moved to approve Consent Agenda**  
126 **items 1, 2, 3, 4, 5, and 6. Councilmember Trowbridge seconded the motion, which passed unanimously**  
127 **of those present.**

128 **XI. APPOINTMENT ITEMS**

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

131 **Eric Chodun, Chairman of the P&Z, came forth and briefed Council on recommendations of the**  
132 **Commission relative to planning-related items on tonight's meeting agenda. Council took no action**  
133 **regarding this agenda item.**

134 2. Appointment with the Friends of the Library to request a waiver of rental fees at the The  
135 Center for a fundraiser event, and take any action necessary.

136 **Milly Cundy**  
137 **1370 Southern Pines**  
138 **Rockwall, TX**  
139

140 **Ms. Cundy came forth, indicating that she is coming forth to make a request on behalf of the Friends of**  
141 **the Library fundraising committee. She generally explained that this request is pertaining to a play that**  
142 **is slated to be held in May and will serve as a fundraiser for the Library. She explained that Friends of**  
143 **the Library is a 501(c)(3) non-profit organization, so any fees that would be charged for use of The Center**  
144 **would eat into profits that would otherwise be able to be utilized for the library and literacy programs.**  
145 **She explained that they would like to utilize The Center (free of charge) Thurs. night for practice and**  
146 **Friday night for the actual play / presentation. Three to five hours on Thurs. evening and 3-4 hours**  
147 **(maximum) would be needed on Sat. evening. General questions and answers took place pertaining to**  
148 **city-related costs associated with manning the facility, clean-up, etc. associated with this event. Mayor**  
149 **Pruitt expressed concern about potentially approving this request because a lot of other non-profit**  
150 **groups have expressed a desire to have fees waived at Harry Myers Community Center, for example.**  
151 **He has concerns about potentially waiving the fees for the FOL but not for other non-profit groups.**  
152

153 **City Manager Rick Crowley pointed out that the City may wish to consider viewing this particular**  
154 **request a little differently than some of the other non-profit organizations that come forth and ask for**  
155 **waivers. The reason being, the Library has meeting space that the City might have a need for in the**  
156 **future. So Council may want to consider approving this request with the understanding that at some**  
157 **point in the future, the City may call upon the Library for use of its meeting space (free of charge).**  
158

159 **Following brief, additional comments, Councilman Trowbridge moved to approve waiver of the fees.**  
160 **Councilmember Daniels seconded the motion. Councilmember Daniels asked questions pertaining to**

161 the possibility of play attendees staying the night at local hotels/motels in Rockwall. Following brief,  
162 additional comments, the motion passed unanimously of Council (7 ayes to 0 nays).

163  
164

165 **XII. PUBLIC HEARING ITEMS**

166 **1. Z2019-026** - Hold a public hearing to discuss and consider a request by Timothy Bates of Plano  
167 Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of an  
168 **ordinance** for a Specific Use Permit (SUP) for an existing marina allowing boat sales, storage  
169 and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E.  
170 Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural  
171 (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located  
172 at the western terminus of Henry M. Chandlers Drive, and take any action necessary (**1st**  
173 **Reading**).

174 **Planning Director Ryan Miller provided background information pertaining to this agenda item. The**  
175 **subject property, known as Chandlers Landing Marina, is within the city limits of the City of Dallas, but**  
176 **per the interlocal agreement with the *City of Dallas for regulation of the takeline* -- the City of Rockwall**  
177 **is responsible for zoning and enforcement actions in this area. The applicant is requesting approval of**  
178 **a Specific Use Permit (SUP) that would supersede the existing Conditional Use Permit [*i.e. Ordinance***  
179 ***No. 02-50*], and would re-establish a screening fence for the repair facility as depicted on the concept**  
180 **plan in the attached SUP draft ordinance under *Exhibit 'B'*. Additionally, the SUP is removing the**  
181 **provisions contained in the current CUP with regard to parking and/or storage of recreational vehicles**  
182 **(RV's) on the subject property, and establishing defined area's for boat sales and dry storage. On**  
183 **December 27, 2019, staff notified 173 property owners and occupants within 500-feet of the subject**  
184 **property. Staff also notified the Chandler's Landing, the Cabana's at Chandler's Landing, Match Point**  
185 **Townhomes, and the Spyglass Homeowners Association (HOA's), which are the only**  
186 **HOA/Neighborhood Associations within 1,500-feet of the subject property participating in the**  
187 **Neighborhood Notification Program. At the time this report was written, staff had received a signed**  
188 **protest with 148 signatures, three (3) notices and, six (6) additionally, staff had received one (1) notice**  
189 **in favor of the applicant's request. The Planning & Zoning Commission did recommend denial of this**  
190 **request. So, potential approval of this request tonight will require a super majority vote of Council in**  
191 **order for it to pass.**

192 **Jason Breland**  
193 **1 Harborview Drive**  
194 **Chandlers Landing**  
195 **Rockwall, TX**

196  
197 **Mr. Breland came forth and shared that he would like to amend his SUP request in order to better**  
198 **accommodate the neighborhood residents' concerns and needs.**

199  
200 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this**  
201 **time.**

202  
203 **Chip Imrie**

204 **323 Harbor Landing Drive**  
205 **Rockwall, TX**

206  
207 **Mr. Imrie shared that he lives within the 500' notice zone associated with this SUP request. He**  
208 **expressed, generally, that he is not in favor of this SUP being approved. Chandlers Landing Board of**  
209 **Directors is also not in favor of this request being approved.**

210  
211 **Trey Chaney**  
212 **305 Harborview Drive**  
213 **Rockwall, TX**

214  
215 **Mr. Chaney shared that the applicant is not even in compliance with the current requirements. He is**  
216 **generally not in favor of this request being approved by Council this evening.**

217  
218 **Jeff Macalik**  
219 **6102 Volunteer**  
220 **Rockwall, TX**

221  
222 **He expressed that he is the Chairman of the Chandler's Landing Homeowners Association**  
223 **Environmental Committee. The Committee, he indicated, is overwhelmingly in opposition of this**  
224 **request being approved by Council.**

225  
226 **Mr. Imrie came forth again and expressed additional disagreement with the possibility of this SUP**  
227 **request being approved this evening.**

228  
229 **Janie Chaney**  
230 **305 Harborview Drive**  
231 **Rockwall, TX**

232  
233 **Ms. Chaney came forth and expressed concern about the huge boats / yachts that are parked between**  
234 **her home and the lake. She has concerns about safety issues and believes the big boats are eyesores.**  
235 **She is against the Council approving this request this evening.**

236  
237 **Bruce Paton**  
238 **10 Intrepid**  
239 **Rockwall, TX**

240  
241 **Mr. Paton came forth and shared some potential options that the Council may wish to consider relative**  
242 **to this SUP request this evening. He handed out a paper showing the pros and cons of each option.**

243  
244 **Shan Cromeens**  
245 **307 Harborview**  
246 **Rockwall, TX**

247  
248 **Mr. Cromeens shared that he is building a home and also rents a boat slip. He has concerns about boats**  
249 **staying in this area for weeks or months after they're built. He has concerns about parking being**  
250 **inadequate. He has concerns about his views being blocked. He is not in favor of this request.**

251  
252 **Councilmember Johannesen moved to deny Z2019-026. Councilmember Trowbridge seconded the**  
253 **motion, which passed unanimously of Council (7 ayes to 0 nays).**

254



300 Mayor Pruitt indicated that a work session was held earlier this afternoon about this item. He then  
301 opened the public hearing, asking if anyone would like to come forth and speak at this time. There being  
302 no one indicating such, he then closed the public hearing. Pruitt then moved to approve Z2019-028.  
303 Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

304  
305 **CITY OF ROCKWALL**  
306 **ORDINANCE NO. 20-XX**

307  
308 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
309 **AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF**  
310 **ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 04-***  
311 ***38* AND ALL SUBSEQUENT AMENDMENTS AND ADOPTING THE REVISED UNIFIED**  
312 **DEVELOPMENT CODE (UDC) DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE;**  
313 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO**  
314 **THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A**  
315 **SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR**  
316 **AN EFFECTIVE DATE.**

317  
318 **The ordinance passed by a vote of 7 ayes to 0 nays.**

319  
320 **XIII. ACTION ITEMS**

- 321 **1. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020**  
322 **Census and take any action necessary.**

323 **Councilman Bennie Daniels provided brief comments pertaining to this agenda item, encouraging**  
324 **everyone to spread the word about the Census to friends, neighbors and community organizations.**  
325 **Also, if anyone would like a presentation given about the Census efforts, Daniels asked that he or she**  
326 **please contact Joey Boyd, Assistant City Manager.**

327  
328 **XIV. EXECUTIVE SESSION**

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

- 331 **1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply**  
332 **Corporation (WSC) and RCH WSC pursuant to Section §551.071 (Consultation with Attorney).**  
333 **2. Discussion regarding possible acquisition of real property in the vicinity of Ridge Road and**  
334 **Glen Hill Way pursuant to Section §551.072 (Real Property) and Section §551.071**  
335 **(Consultation with Attorney).**  
336 **3. Discussion regarding legal issues pertaining to potential annexation/development in the**  
337 **Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).**  
338 **4. Discussion regarding possible sale of real property in the vicinity of SH-205 and Pecan Valley**  
339 **Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with**  
340 **Attorney).**  
341 **5. Discussion regarding a settlement agreement between the City of Rockwall and Dietz**  
342 **Engineers, LLC for damage at Breezy Hill Park Pavilion pursuant to Section §551.071**  
343 **(Consultation with Attorney).**  
344 **6. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in**  
345 **the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).**

- 346 7. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
347 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
348 Attorney).
- 349 8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
350 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
351 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- 352 9. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071  
353 (Consultation with Attorney).

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

355 Council did not convene in Executive Session following the close of the public meeting agenda. Please  
356 see action taken above, at the start of the 6:00 p.m. meeting.  
357

358 **XVI. ADJOURNMENT**

359 Mayor Pruitt adjourned the meeting at 7:14 p.m.  
360  
361

362 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF**  
363 **FEBRUARY, 2020.**

364  
365  
366  
367  
368

ATTEST:

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

369  
370

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, February 03, 2020 - 4:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Mayor Pro Tem Dana Macalik joined the meeting / Executive Session at 4:07 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 notice of potential claim pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
3. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding possible Right of Way acquisition of real property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
5. Discussion regarding possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
6. 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 from Executive Session at 5:30 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

42 V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESSEN

43 Councilman Johannesen delivered the invocation and led the Pledge of Allegiance.

44

45 VI. OPEN FORUM

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

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

49 No action was taken as a result of Executive Session.

50 VIII. CONSENT AGENDA

51 1. Consider approval of a resolution calling the May 2, 2020 General Election for the purpose of  
52 electing city council members for Places 2, 4, and 6, and take any action necessary.

53 2. Consider approval of the minutes from the January 21, 2020 regular city council meeting, and  
54 take any action necessary.

55 3. Consider authorizing the City Manger to execute the water storage facilities relinquishment  
56 agreement with City of Heath and NTMWD in the amount of \$556,538 with funds from the  
57 Sewer Operations budget and take any action necessary.

58 4. Consider authorizing the City Manager to execute an advance funding agreement with Texas  
59 Department of Transportation, for the Justin Road and FM 3549 intersection improvements,  
60 and take any action necessary.

61 5. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, &  
62 Carter, L.L.P., to perform the engineering design services for the Heath Street Pump Station  
63 Improvements in an amount not to exceed \$288,134., to be funded from Water and Sewer  
64 bond funds, and take any action necessary.

65 6. **Z2019-027** – Consider request by Raymond Jowers of Jowers, Inc. for the approval of an  
66 ordinance extending a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30  
67 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No.  
68 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated  
69 within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action  
70 necessary (**2<sup>nd</sup> Reading**).

71 7. **Z2019-028** – Consider the approval of an ordinance amending the Unified Development Code  
72 (UDC), and take any action necessary (**2<sup>nd</sup> Reading**).

73 8. **P2020-002** – Consider a request by Michael Hunter of the Rockwall Housing Development  
74 Corporation for the approval of a replat of Lot 1, Block A, RHDC Addition being a 0.11-acre  
75 parcel of land currently identified as a portion of Lot 4, Block H, Sanger Brothers Addition, City  
76 of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, located at the  
77 northwest corner of the intersection of E. Bourn Street and Peters Colony, and take any action  
78 necessary.

79 9. **P2020-003** – Consider a request by Dub Douphrate of Douphrate and Associates, Inc. on  
80 behalf of Bob and Pam Hawley for the approval of a replat for Lot 7, Block A, Maverick Ranch

81 Addition being a 1.55-acre parcel of land currently identified as Lot 5, Block A, Maverick Ranch  
82 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial © District, addressed  
83 as 196 & 216 Ranch Road, and take any action necessary.

84 **10. P2020-004** – Consider a request by Anna C. Blackwell of Carrillo Engineering, LLC on behalf of  
85 Eddie Martin of Retail Partners, LLC for the approval of a replat for Lots 29 & 30, Block A, Lake  
86 Ridge Estates Addition being a 1.1755-acre parcel of land identified as Lot 26 of the Lake Ridge  
87 Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road  
88 Retail Subdistrict of Planned Development District 32 (PD-32), located within the Scenic  
89 Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take any action  
90 necessary.

91 **11. P2020-005** – Consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Gene  
92 Cooper of Howell MTN RE, LLC for the approval of a preliminary plat for a 39.53-acre tract of  
93 land identified as Lot 1, Block A, Rockwall Hospital Addition and Tract 18 of the J. D. McFarland  
94 Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial ©  
95 District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest  
96 corner of the intersection of SH-276 and SH-205, and take any action necessary.

97 **Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10**  
98 **and 11). Councilmember Trowbridge seconded the motion. The ordinances were read as follows:**

99  
100 **CITY OF ROCKWALL**  
101 **ORDINANCE NO. 20-01**  
102 **SPECIFIC USE PERMIT NO. S-212**

103  
104 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
105 **AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE**  
106 **CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO**  
107 **GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW OUTSIDE STORAGE IN A LIGHT**  
108 **INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A**  
109 **4.4317-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY,**  
110 **ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE**  
111 **SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL**  
112 **CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO**  
113 **THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY**  
114 **CLAUSE; PROVIDING FOR A REPEALER**

115 **CITY OF ROCKWALL**  
116 **ORDINANCE NO. 20-02**

117  
118 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**  
119 **THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, AS HERETOFORE**  
120 **AMENDED, BY SUPERSEDING *ORDINANCE NO. 04-38* AND ALL SUBSEQUENT**  
121 **AMENDMENTS AND ADOPTING THE REVISED UNIFIED DEVELOPMENT CODE (UDC)**  
122 **DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE**  
123 **NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**  
124 **OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**  
125 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

126  
127 **The motion passed by a vote of 7 ayes to 0 nays.**

128  
129 **IX. APPOINTMENT ITEMS**

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

132 **This item was not addressed by Council.**

133

134 **X. PUBLIC HEARING ITEMS**

135 1. Hold a public hearing to discuss and consider extending a moratorium on accepting and  
136 reviewing subdivision plats for commercial property situated within the City's Extraterritorial  
137 Jurisdiction (ETJ), and take any action necessary.

138 **Planning Director Ryan Miller provided background information pertaining to this agenda item. The**  
139 **public was notified of this public hearing via our website and the Rockwall Herald Banner. He explained**  
140 **that no ordinance is needed regarding this extension – simply a motion of Council will suffice.**

141

142 **Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this**  
143 **time.**

144

145 **Glen Hinkley**  
146 **12300 Park Central Drive**  
147 **Dallas, TX 75251**

148

149 **Mr. Hinkley shared that he has been a property owner in Rockwall County since 1971. He has about**  
150 **2,000 acres of land located in Rockwall's ETJ. He shared that TX Local Gov't Code Chapter 212**  
151 **subdivision regulation authority does not allow cities to regulate subdivisions in the ETJ in a manner**  
152 **that is different than they regulate subdivisions in the city limits. He indicated that treating ETJ owners**  
153 **different than in-city owners lacks both due process and equal protection and – in doing so – runs afoul**  
154 **of important constitutional principles. He believes cities have no authority to make ETJ platting more**  
155 **difficult than in-city platting by adopting a moratorium on accepting and reviewing plats on ETJ**  
156 **property. He cautioned that if Rockwall continues down this path, no one should be surprised if those**  
157 **state legislators who are focused on protecting property rights further restrict municipal authority. Mr.**  
158 **Hinkley stated that Rockwall's moratorium is an attempted end-run around the state's limitation of**  
159 **annexation authority that should not be tolerated. If Rockwall's city council votes to treat ETJ owners**  
160 **differently than in-city owners, they are acting outside the scope of their authority and inconsistent**  
161 **with their oath of office that requires them to honor Texas law.**

162

163 **City Attorney Frank Garza pointed out that it is a state law that requires the city to enter into an**  
164 **interlocal agreement with the County; however, under the current circumstances, the City is not able**  
165 **to do so. Furthermore, under the moratorium statute, if a developer wishes to do so, he may still bring**  
166 **forth a development proposal, and, depending on what that developer requests, the city may waive the**  
167 **moratorium.**

168

169 **Indication was given that the County has engaged Freese & Nichols to aid them in updating their**  
170 **subdivision guidelines.**

171

172 Councilman Trowbridge moved to approve the extension of the moratorium for an additional ninety  
173 days. Councilman Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.  
174

175 **XI. ACTION ITEMS**

176 1. Discuss and consider an amendment to the fence standards contained in Article VIII,  
177 Landscape and Fence Standards, of the Unified Development Code, and take any action  
178 necessary.

179 Planning Director Ryan Miller provided background information pertaining to this agenda item.  
180 Indication was given that no action will be taken this evening. Rather, an ordinance will be brought back  
181 at a later date for Council consideration.  
182

183 **XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**  
184 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**  
185 **MATTERS.**

186

187 **1. Departmental Reports**

- 188 Building Inspections Monthly Report - December 2019
- 189 Finance Department Quarterly Report - Quarter ended December 2019
- 190 Sales Tax Historical Collections -December 2019
- 191 Water Consumption Statistics - December 2019
- 192 Fire Department Monthly Report - December 2019
- 193 PARD Monthly Report - December 2019
- 194 Rockwall Police Activity Report December 2019

195 **2. City Manager's Report**

196

197 Indication was given that some changes have been made to monthly reports. Councilman Trowbridge  
198 commented that he likes the new financials-related report(s). No action was taken concerning this  
199 agenda item.  
200

200

201 **XIII. EXECUTIVE SESSION**

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

- 204 1. Discussion regarding notice of potential claim pursuant to Section §551.071 (Consultation  
205 with Attorney)
- 206 2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant  
207 to Section 551.087 (Economic Development) and possible land purchase pursuant to Section  
208 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
- 209 3. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown,  
210 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
211 Attorney).

- 212 4. Discussion regarding possible Right of Way acquisition of real property in the vicinity of  
213 downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation  
214 with Attorney).  
215 5. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
216 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
217 Attorney).  
218 6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
219 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
220 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)  
221

222 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

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

224 **XV. ADJOURNMENT**

225 Mayor Pruitt adjourned the meeting at 6:19 p.m.  
226

227 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18<sup>th</sup> DAY OF**  
228 **FEBRUARY, 2020.**

229  
230  
231  
232  
233

ATTEST:

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

234  
235

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 18, 2020 - 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 5:01 p.m. with the following council members and staff present: Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Trace Johannesen and Bennie Daniels; City Manager Rick Crowley; Assistant City Managers Mary Smith and Joey Boyd; and city legal counsel, Patrick Lindner. Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:03 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 possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and 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 from Executive Session at 5:28 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilman Trowbridge delivered the invocation and led the Pledge of Allegiance.

### VI. PROCLAMATIONS

1. Hometown Hero - Claudette Hatfield

38 Mayor Pruitt called forth Mrs. Claudette Hatfield and honored her with this proclamation and an  
39 associated plaque for the many contributions she has made to the City of Rockwall over the years.

40 **2. Shriners - National Pancake Day Proclamation**

41 Mayor Pruitt called forth members of the Hellah Shriners group and read and presented them with  
42 this proclamation. Indication was given that his fundraising event will be held at the local IHOP  
43 restaurant in Rockwall on Tuesday, February 25, and everyone is invited to participate.

44  
45 Mayor Pruitt then called for a brief break to take photos in the foyer with Mrs. Hatfield and the  
46 Shriners (at 6:15 p.m.). He reconvened the meeting at 6:17 p.m.

47

48 **VII. OPEN FORUM**

49 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth  
50 and speak at this time.

51

52 **Jim Turner**  
53 **1691 Old E. Quail Run**  
54 **Rockwall, TX**

55

56 Mr. Turner shared that he has previously come forth to express concerns about development along  
57 John King Boulevard. He is concerned about a playground that was placed within a few feet of John  
58 King Boulevard along a roadway curve. He does not believe this is of benefit to Rockwall. He urged  
59 the Council to not necessarily approve everything that a developer proposes. He wants Council to be  
60 sure it is doing the right thing for both now and in the future. He shared that just because something  
61 is in the code, does not mean a developer cannot be told 'no.'

62

63 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

64

65 He then reordered the agenda to address Action Item #2.

66

67 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

68 Council took no action as a result of Executive Session.

69 **IX. CONSENT AGENDA**

70 **1.** Consider approval of the minutes from the February 3, 2020 regular city council meeting,  
71 and take any action necessary

72 **2.** Consider awarding a project to Air Cleaning Technologies, authorizing a budget amendment  
73 and the City Manager to execute a contract for purchase and installation of a Vehicle  
74 Exhaust Ventilation System in all Fire Stations in the amount of \$208,100, with \$183,455 to  
75 be funded by a FEMA Grant with a local Fire Equipment Fund match of \$18,345, and take  
76 any action necessary.

- 77 3. Consider approval of the professional engineering services contract for Birkhoff, Hendricks  
78 and Carter, L.L.P. to perform the construction bidding and contract administration service  
79 for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount  
80 not to exceed \$38,170.00, to be paid for out of Water and Sewer Fund, and take any action  
81 necessary.
- 82 4. Consider awarding a bid to SLM Landscape, authorizing the City Manager to execute a  
83 Contract for Annual Grounds Maintenance Services in the amount of \$552,214.28 to be  
84 funded out of the General Fund Parks Operations Budget, and amending the Parks budget  
85 by \$48,750, and take any action necessary.
- 86 5. Consider authorizing the City Manager to execute a Facility Use Agreement pertaining to ball  
87 fields between the City of Rockwall and Lake Pointe Church, and take any action necessary.
- 88 6. Consider approval of the Rockwall Police Department's 2019 Racial Profiling Report, and  
89 take any action necessary.
- 90 7. **P2020-006** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners  
91 Jeff Kennemer and Robert Witte of Saddle Star South Holdings, LLC, William Thrailkill of CDT  
92 Rockwall/2017 LLC, and Gwendolyn Reed for the approval of a Master Plat/Open Space Plan  
93 for the Saddle Star South Subdivision containing 176 single-family residential lots on a  
94 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey,  
95 Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
96 District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-  
97 205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King  
98 Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any  
99 action necessary.

100 **Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, and 7).**  
101 **Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

102  
103 **X. APPOINTMENT ITEMS**

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

106 **This item was not addressed by Council, as the Chairman was not present.**

- 107 2. Appointment with Brad Helmer of Heritage Christian Academy (HCA) to provide an updated  
108 on HCA's capital campaign, and take any action necessary.

109 Brian McKinney with HCA was present on behalf of Mr. Helmer, who he stated was out of town  
110 watching his son pitch at Baylor. Mr. McKinney provided an update to Council regarding fundraising  
111 efforts associated with raising money to build permanent structures (in place of the temporary,  
112 portable buildings). He shared that it is an ongoing effort. Council took no action following Mr.  
113 McKinney's comments.

114

115 **XI. PUBLIC HEARING ITEMS**

116 **1. A2019-001** - Hold a public hearing to discuss and consider an **ordinance** regarding a petition  
117 from more than 50% of the property owners for the annexation of a 41.39-acre tract of land  
118 situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located  
119 on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill  
120 Road [FM-3549], and take any action necessary **(1st Reading)**.

121 Planning Director, Ryan Miller provided background information pertaining to this agenda item. On  
122 December 2, 2019, the City Council adopted Resolution No. 19-27 directing staff to proceed with the  
123 annexation process for a 41.39-acre tract of land adjacent to Cornelius Road. This direction came in  
124 response to a petition submitted on November 19, 2019 by Barbara Lee (a resident in the 41.39-acre  
125 tract of land) indicating that a majority of the property owners in the annexation area supported  
126 annexation. Based on this direction and in accordance with Subchapter C- 4, Annexation of Areas  
127 with Population of Less than 200 by Petition, of Chapter 43, Municipal Annexation, of the Texas Local  
128 Government Code, the City Council held a public hearing on December 26, 2019. On January 27,  
129 2020, Barbara Lee ted a subsequent petition indicating that more than 50% of all registered voters in  
130 the annexation area were in favor of annexation. A public hearing is scheduled for tonight's meeting,  
131 and a subsequent public hearing is slated for the March 2, 2020 council meeting.

132

133 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this  
134 time.

135

136 Barbara Lee  
137 668 Cornelius Road  
138 Rockwall, TX

139

140 Mrs. Lee shared that she is very much in favor of this annexation.

141

142 F. W. "Woody" Barton Jr.  
143 1209 Marilyn Jayne  
144 Rockwall, TX

145

146 Mr. Barton shared that they are all in favor of this annexation, and they are looking forward to it.

147

148 Steve Curtis  
149 2130 FM 1141  
150 Rockwall, TX

151

152 Mr. Curtis came forth and shared that he is not directly impacted by this annexation; however, he still  
153 has concerns about a fairly large area of land being forced into annexation. He went on to share that  
154 he believes this sort of annexation should be tested in court.

155  
156 There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed the  
157 public hearing.

158  
159 Following brief questions and answers between Councilman Trowbridge and staff, Mayor Pruitt  
160 moved to approve this request. Mayor Pro Tem Macalik seconded the motion. The ordinance was  
161 read as follows:

162 **ROCKWALL, TEXAS**  
163 **ORDINANCE NO. 20-\_\_\_**

164  
165 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
166 **GRANTING A PETITION FOR ANNEXATION AND PROVIDING FOR THE**  
167 **EXTENSION OF MUNICIPAL BOUNDARY LIMITS TO INCORPORATE SUCH**  
168 **PROPERTY INTO THE CITY OF ROCKWALL, TEXAS WITH THE ANNEXATION OF A**  
169 **41.39-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1-19, MAYTONA RANCH**  
170 **ESTATES ADDITION AND TRACTS 22-01, 22-02, 22-6 & 22-07 OF THE W. M.**  
171 **DALTON SURVEY, ABSTRACT NO. 72, ROCKWALL COUNTY, TEXAS, WHICH SAID**  
172 **TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS**  
173 **OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND**  
174 **PROVIDING FOR AN EFFECTIVE DATE.**

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

176  
177 It was announced that an additional public hearing will be held on March 2, 2020 regarding this same  
178 request for voluntary annexation.

179

180 **XII. ACTION ITEMS**

181 **1. MIS2020-001** - Discuss and consider a request by Russell Martin of HFRPI, LLC for the  
182 approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an  
183 approved site plan for a strip retail center on a 1.1755-acre parcel of land identified as Lot  
184 26 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated  
185 within the Ridge Road Retail Subdistrict of Planned Development District 32 (PD-32), located  
186 within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take  
187 any action necessary.

188 Planning Director Ryan Miller provided background information pertaining to this agenda item.

189

190 Mr. Russell Martin (applicant)

191 182 Smallwood Drive

192 Westwood Village, TX

193  
194 Mr. Martin came forth and stated that he believes this is a 'win-win' for both the City and The Harbor  
195 District. He generally urged Council to approve the site plan and proposed Alternative Tree Mitigation  
196 Settlement Agreement.

197  
198 Indication was given that the proposed monument feature is not lit. Mayor Pruitt shared that it  
199 would be nice if the City redid the existing "Harbor District" sign(s) to match this one, as they are old  
200 and in disrepair. Brief discussion took place regarding the 18" base being removed from the proposed  
201 sign. Councilmember Fowler thinks the base should be left to make it more elevated; however, he  
202 does not care if the bench aspect is eliminated, and he does not care if the sign is or is not lit.

203  
204 Councilmember Trowbridge moved to approve the alternative tree mitigation agreement as  
205 presented; however, regarding the sign associated with the site plan (the "Harbor District" entry sign),  
206 he would like for the 18" base to remain part of it. Councilmember Johannesen seconded the motion,  
207 which passed by a vote of 7 ayes to 0 nays.

208  
209 2. Discuss and consider an update to the Parks & Open Space Master Plan and private  
210 amenities, and take any action necessary.

211 Mayor Pruitt pointed out that the subdivision that Mr. Turner was speaking of during tonight's Open  
212 Forum was approved a long time ago. Sometime thereafter, Council took action to drastically  
213 increase setbacks for developments along John King. He went on to explain that the park in question  
214 is a park owned by the Homeowner's Association (HOA) of that particular subdivision, and the city has  
215 no control over where that park is/was placed. The developer was vested and had rights to do with  
216 his land what he wanted to do with it. Pruitt expressed extreme dissatisfaction with Mr. Turner for a  
217 previously posted Facebook comment he made in which he suggested that the mayor and council  
218 members are crooks. Following Mayor Pruitt's comments, Council addressed the Consent Agenda  
219 items.

220 Concerning this agenda item, Joey Boyd, Assistant City Manager, reminded Council of upcoming public  
221 input meetings that are scheduled in the coming days to solicit input regarding updates to this plan.  
222 Council took no action concerning this agenda item at this time.

223 **XIII. EXECUTIVE SESSION**

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

- 226 1. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
227 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation  
228 with Attorney).
- 229 2. Discussion regarding an existing 380 Agreement for property in the vicinity of downtown,  
230 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
231 Attorney).

232 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of  
233 Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District  
234 (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

235 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

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

237 **XV. ADJOURNMENT**

238 Mayor Pruitt adjourned the meeting at 6:55 p.m.

239

240 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2<sup>nd</sup> DAY OF**  
241 **MARCH, 2020.**

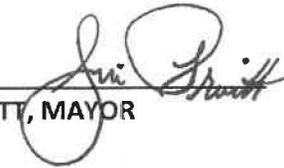
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243

244

245 **ATTEST:**

246

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

247

248

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 02, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. with the following council members and staff being present: Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Trace Johannesen, and Bennie Daniels, City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza.

Mayor Pruitt read the following discussion items into the record and then recessed the public meeting to go into Executive Session at 5:01 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 City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. 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 from Executive Session at 5:50 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

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

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

### VI. PROCLAMATIONS

#### 1. Census Day Proclamation

Mayor Pruitt read the proclamation for Census Day, which is April 1, 2020. He encouraged everyone in Rockwall to take part and be sure to be counted in the Census numbers.

35 **VII. OPEN FORUM**

36 **Mayor Pruitt asked if anyone would like to come forth and speak during this time.**

37

38 **Peter Flores**  
39 **2080 Belfry Court**  
40 **Rockwall, TX**

41

42 **Mr. Flores came forth and generally indicated that he and his friend, Mr. Clark, are here to encourage**  
43 **the city to take a closer look at local cemeteries and their upkeep.**

44

45 **Dick Clark**  
46 **2090 Birkdale Lane**  
47 **Rockwall, TX**

48

49 **He explained that eight of the twenty-five cemeteries in Rockwall County are located within the city**  
50 **limits of Rockwall. He went on to individually speak about these cemeteries and the status and**  
51 **condition of each one.**

52 **Mayor Pruitt shared that Council is not allowed to have dialogue about this topic because it is not listed**  
53 **as a discussion item on tonight's public meeting agenda. He indicated that a discussion item will be**  
54 **placed on the next city council meeting agenda to discuss these matters further.**

55

56 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

57 **Indication was given that no action was needed as a result of the pre-meeting Executive Session. See**  
58 **below for action taken as a result of an Executive Session that took place towards the end of the**  
59 **meeting.**

60 **IX. CONSENT AGENDA**

- 61 **1. Consider approval of the minutes from the February 18, 2020 regular City Council meeting,**  
62 **and take any action necessary.**
- 63 **2. Consider approval of an ordinance cancelling the May 2, 2020 General Election, and take any**  
64 **action necessary. (1st Reading)**
- 65 **3. Consider awarding a bid to Caldwell Country Chevrolet and Pursuit Safety and authorizing the**  
66 **City Manager to execute Purchase Orders for a new Police Pursuit Tahoe in the amount of**  
67 **\$54,625 to be funded out of the General Fund, Police Patrol Operations Budget, and take any**  
68 **action necessary.**
- 69 **4. P2020-007 - Consider a request by John Arnold of BH Phase XI, LTD on behalf of the owners**  
70 **Cory Knowlton and Chuck Sinks for the approval of a Final Plat for Lots 1-4, Block A, Breezy**  
71 **Hill Lane Addition being a 23.13-acre tract of land identified as Tract 33-1 & 33-02 of the J.**  
72 **Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned**  
73 **Agricultural (AG) District, situated at the terminus of Breezy Hill Road, and take any action**  
74 **necessary.**

- 75 5. **P2020-008** - Consider a request by Tom Martin of the Skorburg Co. on behalf of Tom Lynch of  
76 Pacesetter Homes, LLC for the approval of an Amending Plat for the Gideon Grove Subdivision  
77 consisting of 71 single-family residential lots on a 29.182-acre tract of land identified as  
78 Gideon Grove – North Addition, Abstract No. 13, City of Rockwall, Rockwall County, Texas,  
79 zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor  
80 Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail  
81 Run Road and John King Boulevard, and take any action necessary.
- 82 6. **P2020-009** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of  
83 John Hammerbeck and Tony Scalise of Rockway Partners, LLC for the approval of an  
84 Conveyance Plat for Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2 being a 9.941-acre  
85 tract of land identified as Lots 6, 7 & 20, Block A, La Jolla Pointe Addition, Phase 2, City of  
86 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic  
87 Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the  
88 intersection of Carmel Circle and Laguna Drive, and take any action necessary.

89  
90 **Mayor Pruitt indicated that items #3 and #5 were being pulled for further discussion.**

91  
92 **Councilmember Trowbridge moved to approve Consent Agenda items #1, 2, 4 and 6. Mayor Pro Tem**  
93 **Macalik seconded the motion. The ordinance was read as follows:**

94  
95 **CITY OF ROCKWALL, TEXAS**  
96 **ORDINANCE NO. 20-\_\_\_\_\_**

97  
98 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**  
99 **TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF**  
100 **CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND**  
101 **CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE**  
102 **MAY 2, 2020 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD;**  
103 **REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT**  
104 **THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A**  
105 **SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE**  
106 **MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE**  
107 **PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.**

108  
109 **The motion passed by a vote of 7 ayes to 0 nays.**

110  
111 **Councilmember Trowbridge asked for and received clarification regarding Consent Agenda items #3 and**  
112 **#5. Following the questions and answers, Councilman Trowbridge moved to approve Consent Agenda**  
113 **items #3 and #5. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0**  
114 **nays.**

115  
116 **X. PUBLIC HEARING ITEMS**

- 117 1. **A2019-001** - Hold a public hearing to discuss and consider an **ordinance** regarding a petition  
118 from more than 50% of the property owners for the annexation of a 41.39-acre tract of land  
119 situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located

120 on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill  
121 Road [FM-3549], and take any action necessary (2nd Reading).

122 Ryan Miller, Planning Director, provided brief background information concerning this agenda item.  
123 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this  
124 time. There being no one indicating such, he then closed the public hearing.

125 Trowbridge moved to approve A2019-001. Councilman Hohenshelt seconded the motion. The  
126 ordinance was read as follows:

127 CITY OF ROCKWALL  
128 ORDINANCE NO. 20-03

129  
130 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
131 TEXAS, GRANTING A PETITION FOR ANNEXATION AND PROVIDING FOR  
132 THE EXTENSION OF MUNICIPAL BOUNDARY LIMITS TO INCORPORATE  
133 SUCH PROPERTY INTO THE CITY OF ROCKWALL, TEXAS WITH THE  
134 ANNEXATION OF A 41.39-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1-  
135 19, MAYTONA RANCH ESTATES ADDITION AND TRACTS 22-01, 22-02, 22-  
136 6 & 22-07 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, ROCKWALL  
137 COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND  
138 ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL,  
139 TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN  
140 EFFECTIVE DATE.

141  
142 The motion passed unanimously of those present (7 ayes to 0 nays).

143 2. Hold a public hearing to discuss and consider extending a moratorium on accepting and  
144 reviewing subdivision plats for residential property situated within the City' s Extraterritorial  
145 Jurisdiction ( ETJ), and take any action necessary.

146  
147 Planning Director, Ryan Miller provided background information pertaining to this agenda item. Mayor  
148 Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.

149  
150 Mr. Glen Hinkley  
151 12300 Park Central Drive  
152 Dallas, TX 75251

153  
154 Mr. Hinkley shared that TX Local Gov't Code Chapter 212 subdivision regulation authority does not  
155 allow cities to regulate subdivisions in the ETJ in a manner that is different than they regulate  
156 subdivisions in the city limits. He indicated that treating ETJ owners different than in-city owners lacks  
157 both due process and equal protection and – in doing so – runs afoul of important constitutional  
158 principles. He believes cities have no authority to make ETJ platting more difficult than in-city platting  
159 by adopting a moratorium on accepting and reviewing plats on ETJ property. He cautioned that if  
160 Rockwall continues down this path, no one should be surprised if those state legislators who are  
161 focused on protecting property rights further restrict municipal authority. Mr. Hinkley stated that  
162 Rockwall's moratorium is an attempted end-run around the state's limitation of annexation authority  
163 that should not be tolerated. If Rockwall's city council votes to treat ETJ owners differently than in-city

164 owners, they are acting outside the scope of their authority and inconsistent with their oath of office  
165 that requires them to honor Texas law.

166  
167 There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed the  
168 public hearing.

169  
170 At 6:27 p.m., Mayor Pruitt called for a brief break and recessed the meeting. He then called it back to  
171 order at 6:29 p.m.

172  
173 Mayor Pruitt indicated that the council would like to ask several questions to the city attorney regarding  
174 this topic (in Executive Session). For now, however, Council will address Action Item #1. (See notes  
175 below for action taken out of Executive Session).

176

177 **XI. ACTION ITEMS**

- 178 1. Discuss and consider a request by Peg Pannell Smith of the Coldwell Banker Commercial NRT  
179 on behalf of the owner of the property David Lowrey of Lowalk, LLC for the approval of an  
180 exception and/or exemption to the temporary commercial moratorium in accordance with  
181 the requirements of Ordinance No. 19-44, and take any action necessary.

182

183 Planning Director, Ryan Miller provided background information pertaining to this agenda item. The  
184 applicant and her representative then came forth and addressed the Council.

185 Peg Pannel Smith  
186 Coldwell Banker Realtors  
187 Rockwall, TX

188

189 Robert LaCroix  
190 4517 Scenic Drive  
191 Rowlett, TX

192

193 Ms. Smith indicated that the seller is retaining 2 acres, and the buyer is purchasing just over 10 acres.  
194 The buyer wants to build warehouses on the property. Mr. LaCroix shared that this property is currently  
195 being utilized as a wrecking / salvage yard. So, the sale of this land would actually result in this property  
196 being cleaned up.

197

198 Following additional, brief discussion, Councilman Johannesen moved to approve this  
199 exception/exemption. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6  
200 ayes with 1 nay (Trowbridge).

201

- 202 2. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020  
203 Census and take any action necessary.

204 Assistant City Manager Joey Boyd briefed the Council on this agenda item, reminding everyone that  
205 Census Day is April 1, 2020. Councilman Daniels shared that the Census is called for by the U.S.  
206 Constitution, and it occurs once every ten years (in years that end in a zero). Councilman Daniels  
207 provided several facts related to the Census. No action was taken as a result of this brief discussion.

208 **XII. CITY MANAGER’S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**  
209 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**  
210 **MATTERS.**

211

212 **1. Departmental Reports**

213 Building Inspections Monthly Report - January 2020

214 Fire Department Monthly Report - January

215 Parks & Recreation Department Monthly Report - January 2020

216 Sales Tax Historical Collections -January 2020

217 Water Consumption Statistics - January 2020

218 **2. City Manager’s Report**

219

220 **Brief comments took place concerning some upcoming events in the community. No action was taken**  
221 **regarding these agenda items.**

222

223 **XIII. EXECUTIVE SESSION**

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

226 **1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071**  
227 **(Consultation with Attorney).**

228 **2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,**  
229 **Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)**  
230 **regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

231

232 **Mayor Pruitt shared that Council needs to adjourn into Executive Session to discuss Public Hearing Item**  
233 **#2 (regarding extending a moratorium). Council then convened in Ex. Session from 6:49 p.m. until 7:07**  
234 **p.m.**

235

236 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

237 **Mayor Pruitt called the meeting back to order and moved to extend the City’s residential moratorium**  
238 **for a period of 120 days, requesting that the County give the City an answer by April 14 regarding the**  
239 **county’s subdivision regulations. He continued stating that if the County should fail to address this**  
240 **issue by April 14, then the City may have to reconsider the boundaries of the Extraterritorial Jurisdiction**  
241 **(ETJ). Councilmember Trowbridge seconded the motion, which passed unanimously of those present.**

242

243 **XV. ADJOURNMENT**

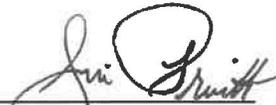
244 **Mayor Pruitt adjourned the meeting at 7:10 p.m.**

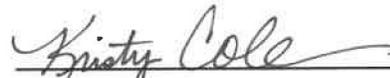
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246 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16<sup>th</sup> DAY OF  
247 MARCH, 2020.

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250  
251  
252

ATTEST:

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

253   
254 KRISTY COLE, CITY SECRETARY



# MINUTES



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 16, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 6:00 p.m. with the following council members and staff being present: Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Trace Johannesen, and Bennie Daniels, City Manager Rick Crowley, Assistant City Manager Joey Boyd. City Attorney Frank Garza was absent from the meeting.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

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

### III. PROCLAMATIONS

1. Hometown Hero - Marilyn King
2. Autism Awareness Day
3. Medal of Honor Day

Mayor Pruitt introduced our next Hometown Hero, Marilyn King, explaining that this recognition will be postponed until a later meeting because of everything going on with the COVID-19 virus outbreak.

The mayor then read into the record the proclamation for Autism Awareness Month.

Pruitt provided comments of encouragement to parents pertaining to RISD extending Spring Break for an additional week and perhaps for the remainder of this school year.

Next, he read the proclamation for Medal of Honor Day.

### IV. OPEN FORUM

Kristy Cole read the comments submitted via email by Ms. Tamara Hurd.

“Many of our neighboring cities and counties are being proactive in an effort to flatten the curve of COVID-19, including closing restaurants and bars (excluding drive-thru/carry outs). What is Rockwall doing to do its part?”

Tamara Hurd  
2908 Panhandle Dr, Rockwall, TX 75087”

There being no further public comments, Mayor Pruitt then closed Open Forum.

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

35 See action taken at the end of the meeting (as Council did not convene in Executive Session prior to the  
36 start of the 6:00 p.m. meeting agenda).

37 VI. CONSENT AGENDA

- 38 1. Consider approval of the minutes from the March 2, 2020 regular City Council meeting, and  
39 take any action necessary.
- 40 2. Consider approval of an ordinance cancelling the May 2, 2020 General Election, and take any  
41 action necessary. (2nd Reading)
- 42 3. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, &  
43 Carter, L.L.P., to perform the Risk and Resilience Analysis and the Emergency Response Plan  
44 for the City of Rockwall's water system in an amount not to exceed \$79,570.00, to be funded  
45 out of the Water and Sewer Fund, and take any action necessary.
- 46 4. Consider approval of a professional engineering services contract with Volkert, Inc., to  
47 perform the utility relocation analysis for the construction of Interstate 30 in an amount not  
48 to exceed \$52,315.00, to be funded out of the Water and Sewer Fund, and take any action  
49 necessary.
- 50 5. Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a  
51 contract for the Manhole Rehabilitation Project totaling \$125,000 to be funded out of the  
52 Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
- 53 6. P2020-010 - Consider a request by Rob Whittle for the approval of a Replat for Lot 24, Block  
54 E, Chandlers Landing, Phase 16 Addition being a 0.16-acre parcel of land identified as Lot 16,  
55 Block E, Chandlers Landing, Phase 16 Addition, City of Rockwall, Rockwall County, Texas,  
56 zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 295  
57 Victory Lane, and take any action necessary.
- 58 7. P2020-011 - Consider a request by Jim Ziegler of Pegasus Ablon for the approval of a Replat  
59 for Lots 10, 11, & 12, Block A, Harbor-Rockwall Addition being a 6.119-acre parcel of land  
60 identified as Lot 9, Block A, Harbor-Rockwall Addition, City of Rockwall, Rockwall County,  
61 Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-  
62 30 OV) District, located at the southwest corner of the intersection of Lakefront Trail and the  
63 IH-30 frontage road, and take any action necessary.

64

65 Councilmember Daniels pulled Consent Agenda item #4 for discussion. Councilmember Daniels moved  
66 to approve the Consent Agenda, less item #4 (#s 1, 2, 3, 5, 6 and 7). Councilman Trowbridge seconded  
67 the motion. The ordinance was read as follows:

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82

**CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 20-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE MAY 2, 2020 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.**

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

84  
85 **Regarding Consent Agenda item #4, Councilmember Daniels sought clarification on this expenditure.**  
86 **Mrs. Williams clarified that this is related to 'utility conflicts,' if there are any. The State will reimburse**  
87 **the city – if there are any – but the city has to pay for this upfront and then be reimbursed. Mayor Pruitt**  
88 **moved to approve Consent Agenda item #4. Councilman Daniels seconded the motion, which passed**  
89 **unanimously of those present (7 ayes to 0 nays).**

90  
91 **VII. APPOINTMENT ITEMS**

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

94  
95 **This item was not addressed by Council.**

- 96  
97 **2. Appointment with Kevin Post of the NRA Foundation regarding waiving a the fees for renting**  
98 **The Lone Star Room at The Center on July 18th for their 3rd annual fundraising event, and**  
99 **take any action necessary.**

100 **This item was not addressed by Council.**

101 **VIII. PUBLIC HEARING ITEMS**

- 102 **1. Z2020-001 - Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan**  
103 **Contractors on behalf of the owner David Choate for the approval of an ordinance for a Zoning**  
104 **Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre**  
105 **parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County,**  
106 **Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action**  
107 **necessary (1st Reading).**

108 **Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices**  
109 **were sent out to adjacent property owners and residents located within 500' of the subject property.**  
110 **One notice was received back in favor. There were no homeowners associations (HOAs) to notify.**

111 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and address the  
112 Council at this time. There being no one indicating such, he then closed the Public Hearing.

113  
114 Councilman Hohenshelt sought and received clarification regarding this request and the anticipated,  
115 future request that the applicant will be submitting.

116  
117 Hohenshelt moved to approve Z2020-001. Councilmember Trowbridge seconded the motion. The  
118 ordinance was read as follows:

119 CITY OF ROCKWALL

120 ORDINANCE NO. 20-XX

121 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
122 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO.*  
123 *20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS  
124 TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG)  
125 DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A ONE (1) ACRE  
126 PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION,  
127 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844  
128 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN  
129 *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;  
130 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO  
131 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR  
132 A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
133 PROVIDING FOR AN EFFECTIVE DATE.

134  
135 The motion passed by a vote of 7 ayes to 0 nays.

136  
137 **2. Z2020-002** - Hold a public hearing to discuss and consider a request by Reese Baez on behalf  
138 of the owner Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP)  
139 for Residential Infill in an Established Subdivision for the purpose of constructing a single-  
140 family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of  
141 Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702  
142 Parks Avenue, and take any action necessary (1st Reading).

143 Planning Director, Ryan Miller provided background information pertaining to this agenda item. He  
144 indicated, in part, that notices were sent out to adjacent land and property owners (115 of them)  
145 located within 500' of the subject property, and the Caruth Lakes HOA was also notified. Two notices in  
146 favor and two notices and four emails in opposition were received by staff related to this request. The  
147 Planning & Zoning Commission has recommended approval of this item.

148 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this  
149 time.

150 Alison Odom  
151 405 N. Fannin Street  
152 Rockwall, TX  
153

154 Ms. Odom came forth and shared that she wore her downtown Rockwall shirt today, and she has lived  
155 near downtown Rockwall since 2002. She feels it is important to note that there likely may be a 3rd  
156 item coming forth for placement of a structure on two, existing lots. She went on to quote the UDC,  
157 specifying the need for things to be visually and architecturally similar. She believes that the homes  
158 being proposed are 2,600 sq. Ft. and 2,200 sq. Ft., which she feels are too large. She generally feels like  
159 the Council should deny this SUP. She acknowledged that the applicant likely also loves downtown;  
160 however, she believes that approval of these two requests would result in structures that will not be  
161 visually similar to existing homes in the area. She believes that two or three homes on this/these lots  
162 would not be visually similar. She urged the Council to deny these requests.

163  
164 Jeff Carroll  
165 Carroll Architects  
166 750 E. Interstate 30<sup>SEP</sup> Rockwall, TX  
167

168 Mr. Carroll came forth and shared that he is not the architect on this particular item - he is, however,  
169 the architect for the house associated with the next agenda item. He clarified that the square footage  
170 given for each of these homes includes the garage, porch, patio, etc. The actual square footage of these  
171 two houses is less than what has been specified within the request. He went on to compare the square  
172 footage of these two homes with the square footage of other, nearby homes, which he pointed out  
173 have similar square footages. He believes the 'craftsman' style of these two homes will fit in with the  
174 architecture of other, existing, nearby homes in this downtown area. He asked that Council consider his  
175 comments as part of their approval of these two requests this evening.

176  
177 Jay Odom  
178 405 N. Fannin St.  
179 Rockwall, TX  
180

181 Mr. Odom shared data from the remainder of the street (number of stories, sq. Footage, lot size, lot  
182 frontage size, etc). He expressed that he lives in this area and has a business in this area. So he has a  
183 specific interest in these two requests. He spoke briefly about tearing down homes versus improving  
184 existing homes. He believes that these homes will be favorable in some ways; however, he has concerns  
185 about density, and he believes that approval of these requests would set a precedence of 'tear down'  
186 and 'build new' as far as future homes and requests are concerned. He believes the density being this  
187 high is related to 'making money.' He thinks these homes would look better on larger lots, rather than  
188 putting them on two, separate, narrow lots. He went on to express that the data he has shared supports  
189 non-support / non-approval of these two requests this evening. He generally spoke in opposition of  
190 approval of these two requests.

191  
192 Elizabeth Trowbridge  
193 601 Parks Avenue  
194 Rockwall, TX  
195

196 Mrs. Trowbridge came forth and shared that she is completely in agreement with the sentiments  
197 previously expressed by the Odoms. She went on to share that the density concerns her. She pointed  
198 out that the proposed house are 150% larger than the other, nearby homes. Also, the density is notably  
199 larger. She wants something visually similar to other homes in the neighborhood. She has concerns  
200 about these homes being torn down in favor of developers coming in and building "McMansions." She  
201 generally spoke in opposition of these items tonight.  
202

203 **Reese Baez**  
204 **102 S. Goliad**  
205 **Suite 108**  
206 **Triton General Contractor**

207  
208 **Mr. Baez shared that Mr. Carroll pointed out that the square footages shown are not the actual square**  
209 **footage of the homes being proposed to be built. The square footages given include non-air conditioned**  
210 **spaces. Also, at least one of the homes that was torn down was not historic – it was built in the 1980s,**  
211 **so it's not truly a historic house. He shared that both of the applicants will be living in the houses – they**  
212 **are not building them to turn around and sell them. He generally spoke in favor of approval of these**  
213 **requests this evening.**

214  
215 **Mark Fuqua**  
216 **604 Parks Avenue**  
217 **Rockwall, TX**

218  
219 **Mr. Fuqua came forth and shared that he echoes the Odom's and Mrs. Trowbridge's concerns. He lives**  
220 **two doors down from these proposed homes. He has concerns about these houses taking up a lot more**  
221 **lot size than other, existing homes nearby. He is not in favor of older homes being torn down with**  
222 **massive houses being built in their place. He believes these homes are so large in comparison to the lot**  
223 **size. He does not have a problem with some of the houses being torn down; however, he does have a**  
224 **problem with the proposed size of the homes. He is generally not in favor of approval of these two**  
225 **requests.**

226  
227 **Jim Turner**  
228 **1691 E. Quail Run Road**  
229 **Rockwall, TX**

230  
231 **City Secretary Kristy Cole read Mr. Turner's comments (submitted via email) aloud. Mr. Turner has**  
232 **concern about the size of these homes in comparison to the lot size and the size of the nearby homes.**  
233 **He generally spoke in opposition of approval of these two requests.**

234  
235 **Taylor & Price Pointer**  
236 **602 Williams St.**  
237 **Rockwall, TX**

238  
239 **The Pointers wrote, expressing concern about the two homes to be placed on two of three lots on the**  
240 **old address of 702 Parks. They asked that the owner of the land build only the proposed two houses**  
241 **on the land that is available (so use the three lots as just two). Under the Unified Development Code,**  
242 **which was recently updated to protect established neighborhoods with no HOA, building only two**  
243 **houses spaced appropriately on the land available would remain "architecturally and visually similar or**  
244 **complementary to existing housing in the established subdivision." If three houses must be approved,**  
245 **we ask that they match the surrounding houses by decreasing the square footage to about 1600 sq ft**  
246 **to, again, match the neighborhood. They believe that approval of these requests may set a precedence**  
247 **that will encourage investors to buy homes, tear them down, and built large, newer homes. They**  
248 **believe this would change the look and charm of Old Town. They indicated that huge homes on small**  
249 **lots do NOT preserve the integrity of Old Town. They asked Council to please deny the SUP, or request**  
250 **the owner to build three smaller homes.**

251

252 Council and staff further discussed the nature of this SUP request and sought and received some  
253 clarification regarding language included in the existing Unified Development Code (UDC) related to  
254 homes needing to be architecturally and visually similar to nearby structures.  
255

256 Mr. Miller clarified that the only factors Council may consider when deciding to approve or disapprove  
257 this request is whether or not it is architecturally and visually similar to nearby structures. Clarification  
258 was given that the two dissenting votes related to the Planning & Zoning Commission recommending  
259 approval of the request were related to height concerns (but the height is conforming, per Mr. Miller).  
260

261 Mr. Crowley, City Manager, further clarified that some recent legislative changes were made related to  
262 building materials.  
263

264 Councilmember Hohenshelt clarified that we are talking about land coverage ratios....we regulate the  
265 "foot print" (the lot coverage ratio). Clarification took place regarding square footage numbers being  
266 discussed and shared this evening. The lot coverage ratio and height are both in compliance with our  
267 requirements. So the only thing to consider is visual similarity of these homes as compared to ones  
268 nearby.  
269

270 Pruitt asked if anyone would like to make a motion at this time. He (Pruitt) then moved to deny this  
271 SUP request because it is difficult to decide if this proposed home is "visually similar" to other, nearby  
272 structures. Councilmember Daniels seconded the motion. It was pointed out that Councilman  
273 Trowbridge has recused himself from this agenda item tonight. Following additional discussion  
274 regarding the 'ramifications of denial' and a clarification of the motion to deny this request, the motion  
275 to deny failed by a vote of 2 in favor (of denial) (Pruitt and Johannesen) and 4 against (Daniels, Fowler,  
276 Hohenshelt, Macalik) and 1 recusal (Trowbridge).  
277

278 Councilman Hohenshelt then moved to approve the SUP request. Councilmember Macalik seconded  
279 the motion. Mayor Pruitt asked if anyone else would like to speak. There being no one indicating such,  
280 he then closed the public hearing. The ordinance was read as follows:  
281

282 CITY OF ROCKWALL  
283 ORDINANCE NO. 20-XX  
284 SPECIFIC USE PERMIT NO. S-1XX

285 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
286 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC)  
287 [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL  
288 COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A  
289 SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
290 *ESTABLISHED SUBSIVISION* TO ALLOW THE CONSTRUCTION OF A  
291 SINGLE-FAMILY HOME ON A 0.161-ACRE PARCEL OF LAND, IDENTIFIED  
292 AS LOT 8, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL  
293 COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'*  
294 OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;  
295 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO  
296 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR  
297 A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
298 PROVIDING FOR AN EFFECTIVE DATE.

299 The motion passed by a vote of 4 in favor with 2 against (Pruitt and Johannesen) and 1 recusal  
300 (Trowbridge).



345 OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;  
346 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO  
347 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR  
348 A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
349 PROVIDING FOR AN EFFECTIVE DATE.

350 The motion to approve passed by a vote of 4 in favor, 2 against (Pruitt and Johannesen), and 1 recusal  
351 (Trowbridge).  
352

353 4. **Z2020-004** - Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on  
354 behalf of the owners Arturo and Jeaniffer Osornio for the approval of an ordinance for a  
355 Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of  
356 constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A,  
357 Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7)  
358 District, situated within the Southside Residential Neighborhood Overlay (SRO) District,  
359 addressed as 705 Peters Colony, and take any action necessary (1st Reading).

360 Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices  
361 were sent out (121 notices) to property owners within 500' of the subject property, and one notice in  
362 opposition was received back by the city.

363 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There  
364 being none, he closed the public hearing.

365 Councilman Hohenshelt asked and received brief clarification regarding this request.

366 Councilman Hohenshelt moved to approve the item. Councilman Trowbridge seconded the motion. The  
367 ordinance was read as follows:

368 CITY OF ROCKWALL  
369 ORDINANCE NO. 20-XX  
370 SPECIFIC USE PERMIT NO. S-XXX

371 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
372 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC)  
373 [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL  
374 COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A  
375 SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
376 *ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTIN OF A  
377 SINGLE-FAMILY HOME ON A 0.11-ACRE PARCEL OF LAND, IDENTIFIED  
378 AS LOT 1, BLOCK A, SANGER ADDITION, CITY OF ROCKWALL,  
379 ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN  
380 *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL  
381 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE  
382 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;  
383 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A  
384 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
385

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



431 **Rockwall, TX**

432  
433 **Mr. Wright came forth and shared that he had previously, personally come forth to ask for approval of**  
434 **a detached garage. He pointed out that the square footage of what Mr. Givens is proposing does fall**  
435 **within the same size of square footage of other detached garages that council has previously approved**  
436 **in the past. He urged Council to use the same methodology of previously approved requests of this**  
437 **nature in order to compare ‘apples to apples.’ Mr. Wright generally spoke in favor of Council approving**  
438 **Mr. Givens’ request this evening. He did, however, point out what he suspects are the real reasons why**  
439 **his previously requested detached garage was denied by Council in the past (because it was proposed**  
440 **to be a metal building). If this is all about square footage, he urged Council to approve Mr. Givens’**  
441 **request this evening.**

442

443 **Jeff Barron**

444 **2324 Saddlebrook Lane**

445 **Rockwall, TX**

446

447 **Mr. Barron shared that he has only lived in this neighborhood for about 3 years. He went on point out**  
448 **that they live near the county, not ‘in’ the county, and he has concerns about a metal building being**  
449 **approved within the city limits. He does not believe that a metal building like this and of this size will**  
450 **aesthetically look appealing and fit in with the surrounding neighborhood. He believes this metal**  
451 **building will deteriorate faster than if it were brick. He urged Council not to approve this request**  
452 **tonight.**

453

454 **Joyce Whisenhunt**

455 **2381 Saddlebrook**

456 **Rockwall, TX**

457

458 **This neighborhood began being built in 2001. She and her husband moved into their home in 2002. This**  
459 **is a subdivision of about 45 homes, and it is a horseshoe shaped neighborhood that is surrounded by**  
460 **the County, yet it is in the city. She shared that she believes the Givens are very nice people, and she**  
461 **acknowledged they maintain their property very well. She and her husband acknowledge that the**  
462 **Council cannot regulate building material any longer due to recent, new State law. However, she has**  
463 **concerns about the large size of the proposed structure.**

464

465 **Mayor Pruitt called for a brief break and recessed the meeting at this point (7:40 p.m.).**

466 **He called the meeting back to order at 7:50 p.m.**

467

468 **Mrs. Whisenhunt came forth again to address Council. She showed a handout of information she**  
469 **gathered on her own regarding detached garages that she obtained from the Central Appraisal District**  
470 **website. She shared that there are 9 detached garages in the neighborhood, but she only has**  
471 **information on 7 of them. All of them, she pointed out, are brick, and they all match the existing homes’**  
472 **structures. She generally spoke in opposition to approval of this request this evening.**

473

474 **Lee Harvey**  
475 **2361 Saddlebrook Lane**  
476 **Rockwall, TX**

477

478 **He shared that he moved into this neighborhood back in 2012. He explained that the neighborhood**  
479 **does not have an HOA, so the residents rely heavily on the City to help protect them. He pointed out**  
480 **that several neighbors are in opposition of this request. He generally expressed concern about the**  
481 **Council possibly approving this request this evening. He spoke in opposition of this request.**

482

483 **Kevin Berger**  
484 **2364 Saddlebrook Lane**  
485 **Rockwall, TX**

486

487 **Mr. Berger came forth and expressed he agrees with those other neighbors who have expressed**  
488 **opposition to this being approved. He is against it and believes one that is smaller and less obtrusive**  
489 **would be more desirable.**

490

491 **Steve and Kristi Arenas**  
492 **2377 Saddlebrook Lane**  
493 **Rockwall, TX**

494

495 **The Arenas' indicated that they are opposed to the 30'x40' oversized metal building (detached garage)**  
496 **being proposed within their neighborhood. It will not conform to the overall appearance of their**  
497 **community, and will be an eyesore to the neighborhood. They went on to ask Council to vote against**  
498 **all oversized metal buildings (detached garages) within their lovely neighborhood.**

499

500 **Steve Griffin**  
501 **2348 Saddlebrook Ln.**  
502 **Rockwall, TX**

503

504 **Mr. Griffin wrote in support of the applicant's proposed accessory building. He believes it is the right of**  
505 **the property owner to build whatever structure they feel they need in order to protect their property.**  
506 **He does not believe Mr. Givens will build a big, ugly structure, but – rather – one that has character,**  
507 **features and enhancements that will coordinate with the rest of his beautiful property. He generally**  
508 **spoke / wrote in favor of the Council approving Mr. Givens' request this evening.**

509

510 **Patti Muggeo**  
511 **2317 Saddlebrook Lane**

512

513 **Mrs. Muggeo wrote in opposition of approval of this request this evening. She realizes that State law**  
514 **has recently changed, but metal buildings can still be regulated. She urged Council to vote against**  
515 **oversized metal buildings in her neighborhood**

516

517 **Mr. Willard Thomas**  
518 **2337 Saddlebrook Lane**  
519 **Rockwall, TX 75087**

520  
521 **Mr. Thomas wrote in favor of approval of this request, stating he has no problem with this proposal.**

522  
523 **One e-mail that did not provide a name or address was read by Mrs. Cole. The email stated that she**  
524 **and her husband are NOT in opposition. In fact, they may appreciate receiving the builder's information**  
525 **because they may want to build one for themselves.**

526  
527 **One, additional e-mail from someone who desired to remain anonymous was read by Mrs. Cole, with**  
528 **the writer generally stating that they are in support of Council approving Mr. Givens' request this**  
529 **evening.**

530  
531 **Mayor Pruitt then read some of the emails he received concerning this Public Hearing item this evening.**

532  
533 **Shawn and Wendy Minich**  
534 **(no address given)**

535  
536 **The couple expressed concern about the size and metal material of the proposed structure. They**  
537 **generally wrote in opposition of the request, urging Council to deny it.**

538  
539 **Dawn Defebaugh**  
540 **2380 Saddlebrook Lane**  
541 **Rockwall, TX**

542  
543 **Mrs. Defebaugh wrote, expressing concern about the large size of the structure being proposed. She**  
544 **wrote in opposition of its approval.**

545  
546 **Martha Griffey**  
547 **2325 Saddlebrook Lane**  
548 **Rockwall, TX**

549  
550 **Ms. Griffey indicated concerns related to the large size and outside appearance (metal) of the proposed**  
551 **building. She pointed out that there are larger detached garages in the neighborhood; however, they**  
552 **are bricked. She is generally opposed to approval of this request.**

553  
554 **Kevin & Debbie Berger**  
555 **2364 Saddlebrook Lane**  
556 **Rockwall**

557  
558 **Mr. and Mrs. Berger wrote, generally expressing opposition to this request being approved this evening.**  
559 **They pointed out several neighbors are in opposition of approval of this request. She believes it will**

560 not be aesthetically pleasing and will decrease the property values. They are opposed to approval of  
561 this request.

562

563 Mr. and Mrs. Harvey  
564 2361 Saddlebrook Lane

565

566 The Harveys wrote an email that Mayor Pruitt read, generally expressing opposition to this proposed  
567 metal building being approved this evening.

568

569 There being no one else wishing to come forth and speak and no other e-mailed, public comments to  
570 be read, Mr. Givens - the applicant - then came forth to address the Council concerning his request. Mr.  
571 Givens generally expressed that he is asking for this detached garage in an effort to get all of his vehicles  
572 out of the outdoor elements and 'under cover' to protect them from the elements and possible theft  
573 associated with them. He shared that he plans to put a 'porch' on the metal structure, which is solely in  
574 an effort to make it look better - he is not going to go out and sit on the porch of this structure. Mr.  
575 Givens shared aerial photographs he obtained from Google Earth that shows comparisons of existing  
576 structures in the neighborhood as compared to the size of the structure he is proposing to build. He  
577 went on to show a couple of photos of a building that is very similar to the one he would like to build.  
578 He pointed out that it will have a 30 year paint warranty, and it will be welded - not bolted. He does not  
579 believe that this building will decrease property values. In fact, he believes that any realtor will agree  
580 that accessory buildings only increase the value of a property. He expressed that the metal building he  
581 is proposing will not deteriorate over time. He works hard to maintain his property in a nice condition.  
582 If he had the money to brick it, he would; however, he cannot afford to do so. He asked Council to  
583 consider approving his request to build this detached garage this evening.

584

585 At the request of Councilman Trowbridge, Mr. Givens provided some clarification regarding the size of  
586 the structure, pointing out that it will take up less than 3% of his one acre lot's yard.

587

588 Clarification took place regarding the recent State law changes associated with disallowing a city to  
589 regulate building materials. Mr. Miller clarified that materials can be considered in this instance because  
590 the request was a Specific Use Permit (SUP), which allows the City Council to review all aspects of a  
591 proposal. If it were attached to the home, the material could not be regulated / considered by Council.

592 Councilmember Johannesen spoke, generally expressing a conundrum associated with the decision  
593 related to either approval or denial of this particular request this evening.

594

595 Clarification took place related to potential 'denial' and 'denial with prejudice' associated with Council  
596 action on this request.

597

598 General discussion took place pertaining to previous accessory buildings / detached garages that had  
599 been approved by Council in the past.

600

601 Following the discussion, Councilman Trowbridge moved to approve Z2020-006. Councilmember  
602 Hohenshelt seconded the motion. The ordinance was read as follows:

603  
604 CITY OF ROCKWALL  
605 ORDINANCE NO. 20-XX  
606 SPECIFIC USE PERMIT NO. S-XXX  
607

608 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
609 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*]  
610 OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY  
611 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A  
612 *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE AND  
613 HEIGHT ON A ONE (1) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK  
614 B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL  
615 COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS  
616 ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A  
617 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS  
618 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;  
619 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
620

621 The motion failed by a vote of 2 ayes with 5 nays (Macalik, Hohenshelt, Pruitt, Daniels and Johannesen).  
622

623 Mayor Pruitt then moved to deny the request for an SUP associated with Z2020-006. Councilman  
624 Hohenshelt seconded the motion. The motion passed by a vote of 5 in favor with 2 against (Trowbridge  
625 and Fowler).  
626

627 7. Z2020-007 - Hold a public hearing to discuss and consider a request for the approval of an  
628 ordinance for a Text Amendment to amend Article 08, Landscape and Screening, of the  
629 Unified Development Code (UDC) for the purpose of changing the fence standards for existing  
630 and infill single-family and duplex properties, and take any action necessary (**1st Reading**).

631 Planning Director, Ryan Miller provided background information pertaining to this agenda item. Mayor  
632 Pruitt opened the public hearing. There being no one present to address the Council, he then closed the  
633 public hearing.

634 Councilman Trowbridge moved to approve Z2020-007. Councilmember Hohenshelt seconded the  
635 motion. The ordinance was read as follows:

636

637

638

639 CITY OF ROCKWALL  
640 ORDINANCE NO. 20-XX

641

642

643

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE  
CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION

644 **08.03(B), FENCE STANDARDS FOR EXISTING AND INFILL SINGLE-FAMILY AND**  
645 **DUPLEX PROPERTIES, OF ARTICLE 08, LANDSCAPE AND FENCE STANDARDS,**  
646 **AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY**  
647 **OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)**  
648 **FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING**  
649 **FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**  
650

651 **The motion passed by a vote of 6 ayes with 1 nay (Fowler).**

652 **8. Z2020-008 - Hold a public hearing to discuss and consider a request by Scott Mommer of Lars**  
653 **Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the**  
654 **approval of an ordinance for a Specific Use Permit (SUP) to allow the Rental, Sales and Service**  
655 **of Heavy Machinery and Equipment in conjunction with an existing general retail store on an**  
656 **11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of**  
657 **Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30**  
658 **Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary (1st**  
659 **Reading).**

660 **Mr. Miller, Planning Director provided background information pertaining to this agenda item. He**  
661 **explained that this is related to a desire for the local Home Depot to have outside storage and sales of**  
662 **heavy equipment. Mr. Miller pointed out that this the storage will be required to be screened. This is**  
663 **not a high visibility location - it is located next to an existing building at the South of the property that**  
664 **is currently a salon.**

665  
666 **Mayor Pruitt opened the public hearing and invited the applicant to come forth and speak at this time.**  
667

668 **Reese Beerhalter**  
669 **6308 Wincrest Drive**  
670 **Plano, TX**

671  
672 **Reese came forth, indicating he was happy to entertain any questions. There being no questions and**  
673 **no one else wanting to speak, Mayor Pruitt closed the public hearing.**  
674

675 **Councilman Johannesen moved to approve Z2020-008. Councilmember Hohenshelt seconded the**  
676 **motion. The ordinance was then read as follows:**

677  
678 **CITY OF ROCKWALL**  
679 **ORDINANCE NO. 20-XX**  
680 **SPECIFIC USE PERMIT NO. S-XXX**  
681

682 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**  
683 **UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL,**  
684 **ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT**  
685 **(SUP) TO ALLOW RENTAL, SALES, AND SERVICE OF HEAVY MACHINERY AND EQUIPMENT ON**  
686 **AN 11.389-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HOME DEPOT-ROCKWALL**  
687 **ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY**  
688 **DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;**

689 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS  
690 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A  
691 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
692

693 The motion passed by a vote of 7 ayes to 0 nays.  
694

695 Mayor Pruitt addressed Appointment Items next during the meeting.  
696

697 **IX. ACTION ITEMS**

698 1. Discuss and consider repealing Resolution No. 19-23 to adopt a new resolution to increase  
699 the number of members on the Comprehensive Plan Advisory Committee (CPAC), and take  
700 any action necessary.

701 Councilman Fowler shared that a citizen has come forth, expressing an interest in serving on this  
702 committee. So, the proposed resolution is to allow for an increase in the number of members allowed  
703 to serve on the CPAC. Mr. Miller shared that the word "minimum" was added to the resolution, so it  
704 now calls for a 'minimum of 7 members.' Councilmember Fowler moved to approve the resolution.  
705 Mayor Pruitt seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).  
706

707 At 8:56 p.m., Mayor Pruitt recessed the public meeting. He read the following discussion items into  
708 the public record for Executive Session.  
709

710 **X. EXECUTIVE SESSION**

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

- 713 1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071  
714 (Consultation with Attorney).  
715 2. Discussion regarding a Temporary Access License Agreement for Breezy Hill Road pursuant to  
716 § Section 551.071 (Consultation with Attorney).  
717 3. Discussion regarding possible acquisition of real property in the vicinity of the municipal  
718 airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with  
719 Attorney).  
720 4. Discussion regarding appointment of city council subcommittees and board liaisons pursuant  
721 to Section, §551.074 (Personnel Matters).  
722 5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
723 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
724 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

725 **XI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

726 Mayor Pruitt reconvened the public meeting at 9:09 p.m.

727 Pruitt moved to approve and authorize the execution of a temporary access license agreement for  
728 Breezy Hill Road. Trowbridge seconded the motion, which passed unanimously of those present (7 ayes  
729 to 0 nays).

730 Pruitt moved to appoint Travis Sales as the city's designated representative on the Rockwall County  
731 Open Space Alliance. Fowler seconded the motion, which passed unanimously of those present (7 ayes  
732 to 0 nays).

733 XII. ADJOURNMENT

734 The meeting was adjourned at 9:10 p.m.

735

736 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6<sup>th</sup> DAY OF  
737 APRIL, 2020.

738

739

740

741 ATTEST:

742

743

744

  
KRISTY COLE, CITY SECRETARY

  
JIM PRUITT, MAYOR



# MINUTES

## ROCKWALL CITY COUNCIL EMERGENCY MEETING

THURSDAY, MARCH 19, 2020 – 4:00 P.M.

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:01 p.m. (remotely, through joining by cell phone).

Present in person were Mayor Pro Tem Dana Macalik and Council Members Trace Johannesen, Bennie Daniels, Kevin Fowler, John Hohenshelt and Patrick Trowbridge. Also present were Assistant City Manager Mary Smith and (by cell phone) City Attorney Frank Garza and City Secretary Kristy Cole.

### II. OPEN FORUM\*

No one was present in person to speak; however, the City Secretary read comments aloud from the following individuals:

**Ben Weible**  
Trout Rd.  
Rockwall, TX

Mr. Weible submitted a lengthy statement via [publiccomments@rockwall.com](mailto:publiccomments@rockwall.com) in advance of the meeting. Ms. Cole, City Secretary, read his comments aloud. He generally expressed concern about 'government' dictating what actions are and are not appropriate for citizens to take related to the COVID-19 virus. He has concerns about the city's recent disaster declaration that was issued. He generally expressed disagreement with the government shutting down local businesses, as he believes individual businesses should make those decisions on their own, for themselves. He believes the economic impact of what may result may be quite concerning. He encouraged Council to reconsider its stance on 'backyard chickens.'

**Mona Garrison**  
(no address given)

Mrs. Garrison wrote via [publiccomments@rockwall.com](mailto:publiccomments@rockwall.com), generally expressing concern about restaurants, gyms, businesses, etc. being allowed to remain open at this time (while the COVID-19 virus is spreading). She urged the City to take appropriate measures to protect the public from the virus.

**Hal and Karen Hutchins**  
(no address given)

This public comment simply suggested that the city close bars and restaurants.

42 Ms. Shirley Moon wrote, expressing concerns about the COVID-19 virus. She believes that businesses  
43 need to be shut down and safety measures (such as gloves being used in restaurants and other related  
44 measures) need to be taken right away. She is concerned about hospitals potentially being  
45 overwhelmed. She has concerns about how schools may eventually reopen and how bus drivers will  
46 operate (especially since a lot of them are older, retired folks). She generally encouraged the public to  
47 band together to inhibit the spread of the virus.  
48

49 **III. DISCUSS AND CONSIDER EXTENSION AND/OR MODIFICATION OF MAYOR'S DECLARATION OF**  
50 **LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY, AND TAKE ANY ACTION**  
51 **NECESSARY.**

52 Mayor Pruitt thanked the city staff and city attorney for all of its assistance in getting to where we are  
53 today. Mayor Pruitt explained that he recently issued an emergency disaster declaration, and the  
54 Council needs to decide on modifications to that declaration at the meeting this evening. Pruitt went  
55 on to suggest that he believes it will be prudent to cancel all board and commission meetings until  
56 April 7. He reminded everyone that the Council will meet at its regular meeting on Monday, April 6,  
57 and – at that time – Council will be able to make some further decisions regarding this new disaster  
58 declaration that is being worked through this evening. It was pointed out that there are no  
59 enforcement provisions in the most recent declaration issued by the Governor.  
60

61 Discussion took place pertaining to enforcement provisions outlined in Section 13 of the proposed,  
62 updated declaration. Council also discussed cancelling all boards and commission meetings, including  
63 P&Z, until April 7. Online permitting and payments were discussed, with Mrs. Smith indicating that  
64 the City has already been doing online permitting for a while now. The declaration would just serve  
65 to remind and encourage people to utilize those online services. Discussion took place related to the  
66 planning-related “shot clock.” Pruitt indicated that he and the city attorney, Mr. Garza, have  
67 evaluated this matter extensively today, and they both believe the City would be able to defend itself  
68 if it were to be sued over a “shot clock” related plan submission. Pruitt shared that the Governor  
69 waived some of the Open Meetings Act provisions, and that has allowed the Council to meet how it is  
70 meeting this evening (with the mayor attending and participating by phone).  
71

72 Fowler shared that the Governor's declaration references “social gatherings” and the city's references  
73 “mass gatherings” of 50. He sought clarification from Council on this particular, proposed limitation.  
74 Pruitt suggested that Council considers following the Governor's language. Council decided that its  
75 draft declaration will be modified to reflect “social gathering” in place of anywhere where “mass  
76 gathering” appears and that it will be limited to 10 people (instead of 50 people).  
77

78 Discussion ensued pertaining to Section 9 of the draft, local declaration related to places of  
79 employment, office spaces, hotels, residential buildings, grocery stores, shopping malls, etc.  
80

81 Mrs. Smith shared that staff will be testing out video teleconferencing options tomorrow morning.  
82 Johannesen agreed that ‘virtual’ or ‘remote’ meetings will be critical so that business does not grind  
83 to a halt.  
84

85 Hohenshelt spoke to Section 11 in the proposed declaration, and Pruitt shared he is in favor of  
86 adopting the Governor's language (in general) and then adding fine / enforcement provisions. It was

87 pointed out that the Governor's new declaration provisions will go into effect at midnight tomorrow  
88 night. Council spoke about the language where it talks about "avoid" certain types of places. Fowler  
89 expressed that he interprets that to mean that we would essentially be shutting those types of places  
90 down.

91  
92 City Attorney Frank Garza spoke about the proposed language in Section 10, sharing that it is  
93 consistent with the Governor's declaration in that bars, restaurants, microbreweries, wineries,  
94 distilleries, etc. will be able to remain open as long as they have drive-in or drive-through services that  
95 allow for take out, delivery or drive-thru. Garza shared that the Governor's language may not be clear  
96 in the order document; however, in his press conference, he was clear that he is directing those types  
97 of business to close unless they have the ability to have pick up or drive-thru services.

98  
99 Hohenshelt shared that the language seems to be addressing the citizen – not the establishment.  
100 Garza again stated that the Governor – in his press conference – was very clear that he was ordering  
101 the closure of bars, restaurants, gyms, and any facility where there could be more than 10 people.  
102 However, he was allowing bars or restaurants to stay open as long as they have pick-up or delivery  
103 services. Garza acknowledged that the Governor's order states "shall avoid" and that in his press  
104 conference he indicated that they should outright close, so he knows that it is in fact confusing.

105  
106 Garza went on to brief Council on Section 14 and Section 15, generally stating that if anything is not  
107 included in the local declaration or if anything may be in conflict, then the Governor's proclamation  
108 shall control.

109  
110 Hohenshelt went on to ask Council if it would like to include Section 11 language that makes it very  
111 clear that those sorts of establishments are being ordered to close. He pointed out that the City has  
112 the opportunity to clarify what is otherwise vague in the Governor's order by keeping Section 11  
113 language in the local declaration.

114  
115 Pruitt expressed concern that the language in the Governor's order allows for "drive-thru massage  
116 parlors;" however, he does not believe that was the Governor's intention. General discussion took  
117 place briefly to this end.

118  
119 Hohenshelt suggested that restaurants may want to be separated out in the language from other  
120 places of business such as gyms. Garza pointed out that the draft Section 10 language addresses  
121 restaurants, and they are not addressed at all in Section 11 language.

122  
123 Trowbridge expressed some concern about shopping malls being called out to be closed, but places  
124 like gas stations and grocery stores are "wide open" and will have no restrictions placed on it.

125  
126 Macalik recapped the conversation, thus far, to her understanding. Sections 10 and 11 will be kept  
127 "as is." The phrase "mass gatherings" will be changed to "social gatherings." Sections 6, 7, 8, and 9  
128 will be changed as discussed. The new Sections 14 and 15 will be kept and will remain in force. In  
129 addition, online permitting and fees will be added, and the cancellation of boards & commissions thru  
130 April 7 will be added to the document. Pruitt clarified that the new declaration will be effective thru  
131 April 7. Pruitt shared that these provisions will be effective immediately through April 7 at 11:59 p.m.  
132 Smith clarified that the Governor's provisions become effective tomorrow night at midnight, so she  
133 questions making the new, local declaration effective immediately (i.e. will restaurants close  
134 tonight?). Pruitt pointed out that under the initial, local declaration, the 50% capacity rule is already

135 in place. Discussion ensued pertaining to when these new regulations would become effective.  
136 Hohenshelt pointed out that we probably have 80% compliance with these new provisions anyway,  
137 stating that most restaurants already have signs on their windows and have already transitioned to  
138 drive-thru, delivery or carry-out.

139  
140 Hohenshelt then moved to approve the declaration with the changes expressed being incorporated.  
141 Councilman Trowbridge seconded the motion, which passed by a vote of 6 ayes in person and 1 aye  
142 remotely (Pruitt, by cell phone).

143  
144 Pruitt provided brief, closing comments, generally acknowledging that the challenges being faced by  
145 the city and the public will essentially be fluid and ever-changing / evolving in the coming days and  
146 weeks. He stated that these circumstances are very serious, and he wishes everyone the best. Council  
147 encouraged citizens to support local restaurants and businesses by ordering take-out.

148  
149 **IV. ADJOURNMENT**

150 Pruitt adjourned the meeting at 4:45 p.m.

151  
152  
153 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6<sup>th</sup> DAY OF**  
154 **APRIL, 2020.**

155  
156  
157  
158 **ATTEST:**   
159 **JIM PRUITT, MAYOR**

160   
161 **KRISTY COLE, CITY SECRETARY**



# MINUTES



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 06, 2020 - 5:00 PM (Executive Session) 6:00 PM (Regular Mtg.)  
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER AND HOLD EXECUTIVE SESSION. (5:00 P.M.)

Mayor Pruitt called the meeting to order at 5:01 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Councilmembers Patrick Trowbridge, John Hohenshelt, Bennie Daniels, Kevin Fowler, and Trace Johannesen, as well as City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into 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 issues pertaining to potential development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding an Interlocal Cooperation Agreement between the City of Rockwall and Rockwall County 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)

### II. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:26 p.m.

### III. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 pm with all Council Members being present.

### IV. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

### V. PROCLAMATIONS

#### 1. Child Abuse Awareness & Prevention Month

Mayor Pruitt read the proclamation for Child Abuse Awareness & Prevention Month. Mayor Pruitt introduced Patricia Mejia, President/CEO of the Rockwall County Child Advocacy Center. Mrs. Mejia provided commentary pertaining to the importance of eradicating child abuse and increasing social awareness of this tragic reality. Mayor Pruitt pointed out that the lights on City Hall will be lit up 'blue' in recognition of Child Abuse Awareness Month throughout April.

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**VI. OPEN FORUM**

Mayor Pruitt asked if anyone would like to address Council at this time. There being no one indicating such, Mayor Pruitt then closed Open Forum.

**VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

No action was taken as a result of Executive Session.

**VIII. CONSENT AGENDA**

1. Consider approval of the minutes from the March 16, 2020 regular City Council meeting, and take any action necessary.
2. Consider approval of the minutes from the March 19, 2020 Emergency City Council meeting, and take any action necessary.
3. **Z2020-001** - Consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary **(2nd Reading)**.
4. **Z2020-004** - Consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony, and take any action necessary **(2nd Reading)**.
5. **Z2020-005** - Consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony, and take any action necessary **(2nd Reading)**.
6. **Z2020-008** - Consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of an **ordinance** for a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary **(2nd Reading)**.
7. Consider approval of an **ordinance** for the temporary reduction of the current 55 miles per hour speed limit along SH-66 to 45 miles per hour from MP 609.829 to MP 610.796 during construction of FM 3549, and take action as necessary. **(1st reading)**

- 84 8. Consider approval of an ordinance for the increase of the current 65 miles per hour speed limit  
85 along IH-30 to 70 miles per hour from MP 03.358 to MP 06.145, and take action as necessary.  
86 (1st reading)  
87 9. Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid  
88 by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance,  
89 and take any action necessary.  
90 10. Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid  
91 by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance,  
92 and take any action necessary.  
93 11. Consider approval of a resolution authorizing the City Manager to enter into Forbearance  
94 Agreements with local hoteliers regarding hotel occupancy taxes, and take any action necessary.

95 Councilman Daniels pulled item #8 for discussion. Councilmember Trowbridge pulled item #11 for  
96 discussion. Councilman Trowbridge then moved to approve the Consent Agenda, less items # 8 and 11 (#s  
97 1, 2, 3, 4, 5, 6, 7, 9, and 10). Mayor Pro Tem Macalik seconded the motion. The ordinances were read as  
98 follows:

99 CITY OF ROCKWALL  
100 ORDINANCE NO. 20-06

101 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
102 AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY  
103 OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN  
104 ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY 1 (SF-1)  
105 DISTRICT FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B,  
106 ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED  
107 AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'*  
108 OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A  
109 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS  
110 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;  
111 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
112

113 CITY OF ROCKWALL  
114 ORDINANCE NO. 20-07  
115 SPECIFIC USE PERMIT NO. S-213  
116  
117

118 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
119 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE  
120 CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS  
121 TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
122 *ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTIN OF A SINGLE-FAMILY  
123 HOME ON A 0.11-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, SANGER  
124 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE  
125 SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR  
126 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM  
127 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A  
128 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN  
129 EFFECTIVE DATE.

130 CITY OF ROCKWALL  
131 ORDINANCE NO. 20-08  
132 SPECIFIC USE PERMIT NO. S-214  
133

134 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
135 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF  
136 THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED,

137 SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
138 *ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTIN OF A SINGLE-FAMILY  
139 HOME ON A 0.11-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, SANGER  
140 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE  
141 SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR  
142 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM  
143 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A  
144 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN  
145 EFFECTIVE DATE.

146 CITY OF ROCKWALL  
147 ORDINANCE NO. 20-09  
148 SPECIFIC USE PERMIT NO. S-215  
149

150 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
151 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF  
152 THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED,  
153 SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW RENTAL, SALES, AND  
154 SERVICE OF HEAVY MACHINERY AND EQUIPMENT ON AN 11.389-ACRE PARCEL OF  
155 LAND, IDENTIFIED AS LOT 1, BLOCK A, HOME DEPOT-ROCKWALL ADDITION, CITY OF  
156 ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN  
157 *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS;  
158 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND  
159 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY  
160 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE  
161 DATE.

162 CITY OF ROCKWALL  
163 ORDINANCE NO. 20-XX  
164

165 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, ALTERING  
166 THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE  
167 PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY  
168 NO. 66 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF  
169 ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A  
170 FINE NOT TO EXCEED \$200.00 FOR THE VOILATION OF THIS ORDINANCE; AND  
171 PROVIDING FOR AN EFFECTIVE DATE.

172  
173 The motion passed by a vote of 7 ayes to 0 nays.  
174

175 Councilmember Daniels discussed item #8, generally expressing concern for increasing the speed limit  
176 along this stretch of IH-30, pointing out that several accidents per week happen along this stretch of the  
177 interstate. Discussion took place pertaining to the speed study and what, if anything, would happen if the  
178 City Council did not approve this ordinance to raise the speed limit. Councilmember Daniels made a motion  
179 to deny the ordinance to increase the speed limit. Mayor Pruitt seconded the motion. Chief of Police, Chief  
180 Geron then provided brief comments at the request of the mayor. He generally indicated the belief that  
181 changes in the accident counts will likely be negligible with a change in speed limit from 65 to 70 mph.  
182 Council asked staff to obtain additional information prior to the next city council meeting related to what  
183 will happen if the city council denies an ordinance to increase a speed limit. Councilmember Daniels then  
184 withdrew his motion, and the mayor withdrew his 'second.' Councilmember Johannesen moved to  
185 approve the speed zone ordinance. Councilmember Fowler seconded the motion. The ordinance was read  
186 as follows:

187 CITY OF ROCKWALL  
188 ORDINANCE NO. 20-XX  
189

190 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
191 ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER

192 THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON INTERSTATE  
193 NO. 30 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF  
194 ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY  
195 OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND  
196 PROVIDING FOR AN EFFECTIVE DATE.  
197

198 The motion to approve Consent Agenda item #8 passed by a vote of 7 ayes to 0 nays.  
199

200 Councilmember Trowbridge sought clarification regarding Consent Agenda item #11. Assistant City  
201 Manager Mary Smith explained that two hoteliers approached the city, asking if there is any way that they  
202 may be able to delay quarterly payments to the City. Councilmember Trowbridge pointed out that  
203 hoteliers have already collected the monies they are asking to delay paying to the City. Councilmember  
204 Hohenshelt weighed in, generally indicating that the businesses that have requested this have likely done  
205 so because of 'cash flow' concerns due to low occupancy rates caused by the ongoing COVID-19 pandemic.  
206 Trowbridge went on to express concerns about hoteliers delaying payment to the city for taxes they have  
207 already collected. Hohenshelt shared that if forbearances are granted, those who enter into agreements  
208 with the city will still have to ensure payment is made to the City by the end of this calendar year. Following  
209 the discussion, Councilmember Johannesen moved to approve Consent Agenda item #11. Councilmember  
210 Fowler seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.  
211

212 Following Consent Agenda, Mayor Pruitt read the proclamation for Child Abuse Prevention and Awareness  
213 Month.  
214

#### 215 IX. ACTION ITEMS

- 216 1. **Z2020-002** - Discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry  
217 for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an  
218 Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre  
219 parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County,  
220 Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action  
221 necessary (2nd Reading)

222 Indication was given that this item appears under "Action Items" this evening (instead of "Consent")  
223 because it did not receive unanimous approval at the last city council meeting. Councilmember Hohenshelt  
224 then moved to approve Z2020-002 and the associated ordinance. Mayor Pro Tem Macalik seconded the  
225 motion. The ordinance was read as follows:

226  
227 CITY OF ROCKWALL  
228 ORDINANCE NO. 20-10  
229 SPECIFIC USE PERMIT NO. S-216  
230

231 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
232 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF  
233 THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED,  
234 SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
235 *ESTABLISHED SUBSIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY  
236 HOME ON A 0.161-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 8, BLOCK D, FOREE  
237 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE  
238 SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR  
239 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE  
240 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING  
241 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING  
242 FOR AN EFFECTIVE DATE.

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The motion passed by a vote of 4 ayes, 2 nays (Pruitt and Johannesen), and 1 abstention (Trowbridge).

2. **Z2020-003** - Discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary **(2nd Reading)**.

Indication was given that this item appears under "Action Items" this evening (instead of "Consent") because it did not receive unanimous approval at the last city council meeting. Hohenshelt moved to approve this item. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-11  
SPECIFIC USE PERMIT NO. S-217**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBSIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.161-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 7, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 4 ayes, 2 nays (Pruitt and Johannesen), and 1 abstention (Trowbridge).

3. **Z2020-007** - Discuss and consider a request for the approval of an **ordinance** for a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties, and take any action necessary **(2nd Reading)**.

Mayor Pruitt moved to approve Z2020-007. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-05**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 08.03(B), *FENCE STANDARDS FOR EXISTING AND INFILL SINGLE-FAMILY AND DUPLEX PROPERTIES*, OF ARTICLE 08, *LANDSCAPE AND FENCE STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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.

295 **The motion passed by a vote of 6 ayes to 1 nay (Fowler).**

296

297 4. Discuss and consider a request by Art Anderson with Winstead on behalf of DR Horton for the  
298 approval of an exception and/or exemption to the temporary residential moratorium in  
299 accordance with the requirements of Ordinance No. 19-44, and take any action necessary.

300 **Mayor Pruitt shared that DR Horton has asked to postpone this item until the city is no longer dealing with**  
301 **the Coronavirus. So, this item was not addressed by Council at this time.**

302

303 5. Discuss and consider provisions related to enacting and/or extending an Emergency Disaster  
304 Declaration, and take any action necessary.

305 **Mayor Pruitt explained that he signed an updated, new declaration today, and he would like the council**  
306 **to consider voting to extend said declaration until April 30. He pointed out that one, minor modification**  
307 **was made to Section 7 compared to the draft that was included in tonight's meeting packet. Following**  
308 **brief discussion, Councilmember Trowbridge moved to approve the disaster declaration, as modified,**  
309 **including extending its expiration to April 30, 2020. Mayor Pro Tem Macalik seconded the motion, which**  
310 **passed by a vote of 7 ayes to 0 nays.**

311

312 **Mayor Pruitt then called upon Councilmember Daniels to share information he has gleaned as part of the**  
313 **countywide Corona Virus Task Force. Daniels provided extensive commentary, as did Mayor Pruitt.**

314

315 6. Discuss and consider the City's current financial position and projected future revenue impacts,  
316 and take any action necessary.

317 **Mayor Pruitt shared that the Rockwall County Central Appraisal District will be mailing out annual tax**  
318 **appraisals on April 15. He generally expressed concern about said notices going out because if a resident**  
319 **lives in a house that is appraised at \$200k - \$450k, his or her tax appraisal will reflect about a 15% increase**  
320 **over last years' appraisal. Mrs. Smith shared that she has concerns about the thousands of protests that**  
321 **are scheduled and held each and every year in the county. She has no idea how those protests would be**  
322 **safely held, especially considering the small space at the CAD offices, coupled with 'social distancing' that**  
323 **is necessary at this time. She went on to share her assessment of the economic outlook for the city. She**  
324 **generally explained that the city had such good sales tax revenues for the first six months of the fiscal year**  
325 **that if the city takes a 25% 'hit,' it will be ok. If it takes a 50% hit, the city will take a noticeable 'hit.'**  
326 **She went on to explain that it will be several months before we know what the actual impact(s) of this**  
327 **economic downturn will be. Council took no action concerning this agenda item.**

328

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

331

332 **Councilmember Daniels provided an update pertaining to the recent April 1<sup>st</sup> Census, as of April 3<sup>rd</sup>. He**  
333 **went on to share that the National response rate is at 43.9%, and Texas is at 39% (ranks 42). He went on**  
334 **to share that Rockwall County has a 50% response rate (which puts us at the #1 rank for counties in Texas).**  
335 **The City of Rockwall has a 50.5% response rate as of April 3. He went on to share that three tract within**  
336 **Rockwall are concerning as far as getting them to report their Census numbers. They generally include**  
337 **"Lake Rockwall Estates," "Old Town," and the "Southside" neighborhoods.**

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**1. Departmental Reports**

- Building Inspections Monthly Report - February 2020
- Fire Department Monthly Report - February 2020
- Parks & Recreation Department Monthly Report - February 2020
- Police Department Monthly Report - February 2020
- Sales Tax Historical Collections - February 2020
- Water Consumption Statistics - February 2020

**2. City Manager’s Report**

City Manager Rick Crowley indicated that ‘calls for service’ are ‘down’ in both the fire and police departments. He thanked the county’s Chamber of Commerce for the work it has been doing with local businesses, applauding it for choosing to represent ALL businesses in Rockwall (not just Chamber business members) during this difficult time.

**XI. 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 issues pertaining to potential development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding an Interlocal Cooperation Agreement between the City of Rockwall and Rockwall County 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)

**XII. 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.

**XIII. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:23 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20<sup>th</sup> DAY OF APRIL, 2020.

ATTEST:

  
KRISTY COLE, CITY SECRETARY



  
JIM PRUITT, MAYOR

# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 20, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Note: this meeting was held virtually, in its entirety by "Zoom."

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City attorney Frank Garza.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

### II. EXECUTIVE SESSION. (5:00 P.M.)

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 issues pertaining to development in the Harbor District pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors and a (re)appointment to the North TX Municipal Water District Board of Directors, pursuant to Section 551.074 (personnel matters)
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 from Executive Session at 5:28 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting (virtually) at 6:00 p.m., and all seven council members were present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

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

### VI. PROCLAMATIONS

1. "Happy 100th, Harvey!" Day

40 Mayor Pruitt read the above listed proclamation. Councilmember Fowler provided commentary related  
41 to Mr. Harvey Ladd and celebration of his 100<sup>th</sup> birthday.

42

43 **VII. OPEN FORUM**

44 Mayor Pruitt read the following comments into the record. They were submitted electronically in  
45 advance of the meeting to the [publiccomments@rockwall.com](mailto:publiccomments@rockwall.com) email address.

46

47 Valerie Fry  
48 Rockwall Resident  
49 1446 Memorial Dr  
50 Rockwall, TX 75087

51

52 Hello,

53 My question as I am sure will be the case of every taxpayer this year?? - Will the city council be helping  
54 citizens by at least keeping the tax rate the same as it was last year in light of the COVID-19 stay at home  
55 situations??

56

57 I know, speaking for myself, I am on the verge of a bankruptcy if this does not end soon! With the new  
58 increase with taxes this year (again) and the issues we had with all the raises, I am asking respectfully  
59 for the city council to take care of the citizens of Rockwall during our very trying time. And we will take  
60 care of you when we are back to our normal success. But this increase this year on top of everything is  
61 a huge slap in the face.

62

63 Thank you for your consideration.

64

---

65 Justin Cover  
66 9 Norman Trail  
67 Rockwall (County, not "city"), TX

68

69 Why no after all this virus mess are you going after more revenue? It's ridiculous that you mail this  
70 garbage out at this time. People are out of work paying extra for food to feed the family. The schools  
71 are closed they should return some of the savings to the taxpayers. WHY are you asking for more \$\$\$\$?

72

73 Mayor Pruitt then read the reply he had emailed Mr. Cover over the weekend, which stated as follows:  
74 I agree with you completely. We asked the Governor to stop the reappraisals for just the reasons you  
75 have expressed. Please see the letter sent by Rockwall County Mayors to the Governor. The City of  
76 Rockwall has absolutely nothing to do with the appraisals or the sending of these notices.

77

78

---

79 Thank you,  
80 Donna Fletcher  
81 821 Jackson St.  
82 Rockwall 75087

83

84 Mayor Pruitt, city council

85 I have noted many city and county servants that are getting substantial raises from last year's budget  
86 to the proposed 2020 budget. Approximately \$1.8 million dollars more for salaries. With these large  
87 raises, it appears their retirement funds increase as well, yet additional benefits.

88 Can you explain the raises so many in the budget are getting during this critical time for residents?  
89 I would ask that the maximum 3% be applied and review again next year.

90  
91 Mayor Pruitt then read the following reply he had written over the weekend to Mrs. Fletcher:

92  
93 Sorry we have not begun the process of a budget for the next year. That will happen in August. We will  
94 be looking at all compensation of City employees. Please note neither the City Council nor the Mayor  
95 have seen an increase in pay in at least the last 6 years I have been here. Council members make \$250  
96 per month, and the Mayor makes \$375 per month. You are thinking of the County that voted  
97 themselves a 20% pay raise. Please contact them at [Rockwallcountytexas.com](http://Rockwallcountytexas.com)

98  
99

100 Don Dyer  
101 1018 Ridge Rd  
102 Rockwall, TX 75087

103  
104 During the 4/20/2020 agenda item; Discuss and consider COVID-19 and its effect on business and  
105 personal health, and take any action necessary; will the City Council of Rockwall consider a Rockwall  
106 business stimulus grant to provide financial aid to small businesses that have sustained economic losses  
107 due to the COVID-19 pandemic?

108  
109 The Rowlett City Council has already established their ROBUST grant program that provides a maximum  
110 award total of \$10,000 per business for economic losses sustained as a result of the COVID-19 pandemic.  
111 Applicants may qualify for grant funds in two categories: Lease/Mortgage Assistance and Payroll  
112 Assistance.

113  
114 See <https://rowlettready.com/robust/> for more information.

115  
116 Mayor Pruitt asked if staff knows how other cities, such as Rowlett, are funding these types of programs.  
117 City Manager Rick Crowley indicated that he is not totally sure but he suspects it may be happening  
118 through an 'economic development corporation.'

119  
120 No further comments were read, and no one was present (virtually) to speak. So, Mayor Pruitt closed  
121 Open Forum.

122

123 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

124 Mayor Pro Tem Macalik moved to reappoint Larry Parks to serve an additional two-year term on the  
125 North Texas Municipal Water District (NTMWD) Board of Directors. Councilmember Fowler seconded  
126 the motion, which passed by a vote of 7 ayes to 0 nays.

127

128 **IX. CONSENT AGENDA**

129 1. Consider approval of the minutes from the April 06, 2020 regular City Council meeting, and  
130 take any action necessary.

- 131           2. Consider approval of an **ordinance** for the temporary reduction of the current 55 miles per  
132           hour speed limit along SH-66 to 45 miles per hour from MP 609.829 to MP 610.796 during  
133           construction of FM 3549, and take action as necessary. **(2nd reading)**
- 134           3. Consider approval of an **ordinance** for the increase of the current 65 miles per hour speed  
135           limit along IH-30 to 70 miles per hour from MP 03.358 to MP 06.145, and take action as  
136           necessary. **(2nd reading)**
- 137           4. Consider authorizing a mowing contract extension to Grass Kisser in the amount of \$129,000  
138           to be funded from the General Fund, Parks Operations Budget, and take any action necessary.
- 139           5. **P2020-012** - Consider a request by Steve Arze of Zaph & Ath Properties for the approval of a  
140           Replat for Lots 4 & 5, Block A, Landing Point Addition being a 4.88-acre tract of land identified  
141           as Lot 1, Block A, Landing Point Addition, City of Rockwall, Rockwall County, Texas, zoned  
142           Commercial (C) District, generally located north of the intersection of Airport Road and  
143           Industrial Boulevard, and take any action necessary.
- 144           6. **P2020-013** - Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf  
145           of Tom Kirkland of Lakefront Trail Rockwall Hotel, LP for the approval of a Final Plat for Lots 1  
146           & 2, Block A, Shoreline Marriott Addition being a 3.025-acre tract of land identified as Lot 1,  
147           Block A, Marriott Addition and Lot 5, Block A, Shoreline Plaza Addition, City of Rockwall,  
148           Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the  
149           IH-30 Overlay (IH-30 OV) District, addressed as 2601 Lakefront Trail and 2850 Shoreline Trail,  
150           and take any action necessary.
- 151           7. **P2020-014** - Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf  
152           of Dan Bobst of 101 Hubbard Dr., LLC for the approval of a Replat for Lot 2, Block B, Harbor  
153           District Addition being a 2.893-acre tract of land identified as Lot 1, Block B, Harbor District,  
154           City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32),  
155           situated within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest  
156           corner of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road, and take any  
157           action necessary.
- 158           8. **P2020-015** - Consider a request by Brian Wade of Raymond L. Goodson Jr., Inc. on behalf of  
159           Jason Linscott of Rockwall Regional Hospital, LLC for the approval of a Replat for Lot 24, Block  
160           A, Presbyterian Hospital of Rockwall Addition being a 23.0927-acre tract of land identified as  
161           Lots 6, 8, 9, 12 & 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall,  
162           Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR)

District land uses, addressed as 3142-3150 Horizon Road [FM-3097], and take any action necessary.

**9. P2020-016** - Consider a request by Ruben Segovia on behalf of Jose Valerio for the approval of a Replat for Lot 1, Block L, Lake Rockwall Estates East Addition being a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take any action necessary.

**10. P2020-017** - Consider a request by Priya Acharya, PE of Weir & Associates, Inc. on behalf of Worth Williams of Moore Worth Investments, LLC for the approval of a Replat for Lot 9, Block A, Lakeshore Commons Addition, being a 1.401-acre parcel of land currently identified as Lot 8, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1979 N. Goliad Street [SH-205], and take any action necessary.

**Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Johannesen seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 66 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VOILATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON INTERSTATE NO. 30 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

208

209 **X. ACTION ITEMS**

210 **1. MIS2020-006** - Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on  
211 behalf Northgate Rockwall LD LP for the approval of an Exception to the utility placement  
212 requirements for overhead utilities in conjunction with a single-family residential subdivision  
213 on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72,  
214 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for  
215 Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection  
216 of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.

217 **Planning Director Ryan Miller provided background information regarding this agenda item. He**  
218 **generally explained that there are power lines that need to be moved associated with this case because**  
219 **the applicant will be widening Clem Road to a “minor thoroughfare” width. He explained that City Code**  
220 **requires that anytime power line are moved, they are then required to be put underground. The**  
221 **applicant received an estimate from Farmers Electric Coop on placing the lines underground, and the**  
222 **cost was about \$500,000. So, the applicant is requesting an exception that would allow the power lines**  
223 **to remain above ground. Mr. Miller pointed out that all of the new lines would be placed underground,**  
224 **while all of the existing lines in need of relocation would remain above ground along Clem Road. As a**  
225 **compensatory measure, the applicant has agreed to build half of Clem Road along the entire length.**  
226 **The Planning & Zoning Commission has recommended approval of this request.**

227

228 **The applicant, Ryan Joyce, then spoke, thanking Council for its continued support of this project and**  
229 **the City of Rockwall. He provided brief clarification and reasoning regarding his request to relocate the**  
230 **power lines along Clem Road above ground. Furthermore, he mentioned that the adjacent property is**  
231 **willing to dedicate needed right-of-way to the city for the expansion of Clem Road.**

232

233 **Councilman Johannesen asked what the intent is regarding the requirement to bury power lines**  
234 **underground. Mr. Miller shared that it is because it is aesthetically more pleasing and because there is**  
235 **less of a chance of ‘loss of power’ during severe weather if the lines are underground. Following**  
236 **comments by Councilman Johannesen, he then moved to approve the exception regarding burying of**  
237 **power lines. Councilmember Fowler seconded the motion, which passed unanimously of those present**  
238 **(7 ayes to 0 nays).**

239

240 **2. Discuss and consider directing the City Manager to enter into an Interim Interlocal**  
241 **Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction (ETJ),**  
242 **and take any action necessary.**

243 **Planning Director Ryan Miller provided background information concerning this agenda item. He**  
244 **explained that the City of Rockwall is currently under a moratorium for acceptance of subdivision plats**  
245 **for residential / commercial projects in the city’s ETJ. This has been because Rockwall County is currently**  
246 **in the process of revising its subdivision requirements, and the city has been working with the county**  
247 **on updating this interlocal agreement (ILA) for some time now. The ILA that is in the meeting packet**

248 this evening is one that the County just adopted this past Friday. With this ILA, the variance process  
249 would revert from the County Commissioner's Court to the City of Rockwall City Council, which would  
250 help the city meet the "shot clock" requirements established by HB-3167. The city would continue to  
251 be the reviewing body for engineering plans, but all inspections would be done through a third party  
252 inspector at their own cost. In addition, we have established new subdivision regulations based on the  
253 county's previous regulations and Chapter 232 of the Texas Local Government Code. The only other  
254 thing this would change is the city would start accepting preliminary plats in the ETJ, which will  
255 necessitate a small change in our subdivision requirements, which will be brought back to Council if it  
256 moves forward with adoption of this ILA today.

257 Following brief discussion, Councilman Trowbridge moved to approve this item as presented.  
258 Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

259 3. Discuss and consider approval of a resolution nominating a candidate to fill a current vacancy  
260 on the Rockwall Central Appraisal District's Board of Directors, and take any action necessary.

261 Mayor Pruitt indicated that this item will be 'skipped' this evening and will appear on the next city  
262 council meeting agenda, pointing out that the Council has 45 days to take action on this.

263 4. Discuss and consider COVID-19 and its effect on business and personal health, and take any  
264 action necessary.

265 Mayor Pruitt began discussion of this item, in part indicating that he has abandoned (revoked) the  
266 Declaration that has been in place since the first part of April here locally. He expressed that he has  
267 done so because he believes Governor Abbott will be issuing additional Executive Orders regarding how  
268 he plans to reopen businesses, and we don't need to be in the way. Pruitt went on to explain that he  
269 does not understand why we are continuing with things staying closed and people staying at home if  
270 the initial intent of doing so was to avoid overwhelming the hospitals. The hospitals did not get  
271 overwhelmed and are not currently overwhelmed, so the mayor expressed that he is not sure why we  
272 are now trying to prevent people from getting COVID-19 when likely, inevitably they are going to  
273 contract it at some point anyway. Councilman Johannesen went on to express his concerns that  
274 'negative cases' and 'recovery numbers' are not really being tracked at all by the County, State or  
275 Nation.

276  
277 Mayor Pruitt went on to explain that the county's 'health authority,' Dr. Bonaquisti, and the city's  
278 'health authority,' Dr. Lynsch, are both unpaid, volunteers who have full-time, paid positions elsewhere  
279 (i.e. Bonaquisti works for Presbyterian Hospital). So, since neither the city nor Rockwall County has a  
280 designated, official health authority in place, it has been difficult to obtain numbers from the State  
281 regarding COVID cases. He suggested that the City begin researching the possibility of perhaps pairing  
282 up with a neighboring city who already has an official 'health authority' in place. For example, the City  
283 of Rowlett has paired up with the City of Garland, which does have a formal 'health authority' in place,  
284 so Rowlett has been able to get information on 'the numbers.' Brief discussion took place regarding  
285 what sorts of tasks a 'health authority' would perform outside of helping to manage a pandemic. The  
286 possibility of tackling this topic as a countywide effort was briefly discussed, with Mayor Pruitt generally  
287 indicating that the last two meetings of the County Emergency Services Corporation Board have been  
288 cancelled by Judge Sweet, and the City needs answers on this topic soon. Council generally agreed to

289 ask City Manager Rick Crowley to begin making some phone calls and exploring if the City of Rockwall  
290 can possibly team up with a neighboring city that already has a health authority in place.

291  
292 Councilman Fowler asked Mr. Crowley how cities like Rowlett are funding small business grants  
293 pertaining to COVID-19. Mr. Crowley shared that he is not sure how they are funding those efforts, but  
294 it is feasible that they may be funding them out of their economic development corporation.

295  
296 No action took place pertaining to this agenda item.

297  
298 5. Discuss and consider bulk / brush waste pick-up services, and take any action necessary.

299 Mrs. Smith, Assistant City Manager, updated council on this agenda item, indicating that Republic  
300 Waste has been trying to reshuffle routes and drivers to try and address additional bulk pick ups. A  
301 couple of drivers in boom trucks began picking up bulk in one corner of the city on Friday, and they are  
302 generally beginning to work through addressing all of it. Councilman Johannesen pointed out that  
303 residential trash has increased by 30% ever since everyone is staying home lately, so this surely caught  
304 Republic by surprise (it is unprecedented). He went on to generally ask the public to please respect that  
305 the city had some 'bigger fish to fry' and to please essentially have some grace for the City's recent  
306 communications related to bulk / brush pick ups this month in April.

307 No action was taken pertaining to this agenda item.

308 6. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020  
309 Census and take any action necessary.

310 Councilmember Bennie Daniels and Assistant City Manager Joey Boyd provided verbal updates  
311 concerning this agenda item. Daniels explained that U.S. Census 'field workers' were pulled out of the  
312 field due to COVID-19, so essentially everything related to the Census is now going to be delayed.  
313 Rockwall County continues to lead the state as far as its response rate is concerned (the rate is 57.9%  
314 for the County), and the City's self-response rate is at 56.7%. Mr. Boyd shared that contact was recently  
315 made with the local apartment complex managers, and all have agreed to send reminders out to their  
316 tenants, encouraging them to complete their Census responses. Also, last week all Rockwall residents  
317 should have received paper copies of their Census tally, so the hope is that the numbers will improve  
318 as those paper responses are received back. Council took no action pertaining to this agenda item.

319  
320 **XI. EXECUTIVE SESSION**

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

- 323 1. Discussion regarding legal issues pertaining to development in the Harbor District pursuant to  
324 Section §551.071 (Attorney/Client Consultation).
- 325 2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall  
326 Central Appraisal District Board of Directors and a (re)appointment to the North TX Municipal  
327 Water District Board of Directors, pursuant to Section 551.074 (personnel matters)

328 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
329 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
330 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

331 **XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

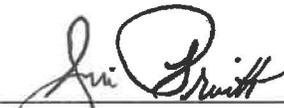
332 Council did not reconvene in Executive Session following the close of the public meeting agenda.

333 **XIII. ADJOURNMENT**

334 The meeting was adjourned at 6:57 p.m.

335  
336 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4<sup>th</sup> DAY OF MAY,  
337 2020.

338

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

339

340 ATTEST:

341

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY

342



# MINUTES



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 04, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER (5:00 PM)

Mayor Pruitt called the council meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Manager Joey Boyd. City Attorney Frank Garza joined Ex. Session by phone. (Note: City Council Place 6 is currently a vacant seat). Mayor Pruitt read the below listed discussion items into the record before recessing the meeting to go into Executive Session at 5:01 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 filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (personnel matters)
2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)
3. Discussion regarding legal issues on enforcement of Governor's Emergency Order and options on local Declaration, pursuant to Section §551.071 (Consultation with Attorney).
4. 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 from pre-meeting Ex. Session at 5:58 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 PM)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. All six council members were present (Note: Place 6 was a vacant Council seat at this time).

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

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

### VI. PROCLAMATIONS

1. Apraxia Awareness Day

39 Mayor Pruitt read this proclamation. Adam Halkuff, local Rockwall resident, then came forth and shared  
40 that he and his wife have a child who has Apraxia. He briefly explained some of the challenges the disorder  
41 has caused for their child and family. He thanked Mayor Pruitt for the proclamation, which helps spread  
42 awareness and a greater understanding.

43

44 **2. Chief Benny Gracy Memorial Day**

45 Mayor Pruitt called forth current Fire Chief, Kenneth Cullins. He then read the proclamation. Chief Cullins  
46 and Mayor Pruitt expressed their gratitude for former Rockwall Fire Chief, Benny Gracy, whose bravery  
47 resulted in him losing his life thirty-five years ago while attempting to save citizens trapped in a car in high  
48 flood waters.

49 **3. National Day of Prayer**

50 Mayor Pruitt explained that, while typically countywide prayer events are held in person to commemorate  
51 the National Day of Prayer on May 7, those events have unfortunately been cancelled due to the COVID-  
52 19 pandemic. However, some events will take place via "ZOOM." He then read the proclamation and  
53 encouraged everyone to pray for our city, state and nation every day, but in particular on May 7.

54 **VII. OPEN FORUM**

55 Mayor Pruitt explained how Open Forum is conducted and asked if anyone was present, either in person  
56 or virtually on "ZOOM," who would like to address the Council at this time. There being no one indicating  
57 such, Mayor Pruitt then closed Open Forum.

58 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

59 Council took no action as a result of Executive Session.

60 **IX. CONSENT AGENDA**

- 61 **1.** Consider approval of the minutes from the April 20, 2020 regular City Council meeting, and take  
62 any action necessary.
- 63 **2.** Consider a resolution denying approval of an amendment to the Distribution Cost Recovery  
64 Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with  
65 the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor  
66 on the City's behalf, and take any action necessary.
- 67 **3. P2020-018** - Consider a request by Matthew Gardner of Halff Associates on behalf of Reid  
68 Caldwell for the approval of a Replat for Lots 2 & 3, Block D, Ellis Centre, Phase Two Addition  
69 being a 0.7.02-acre parcel of land identified as Lot 1, Block D, Ellis Centre, Phase Two Addition,  
70 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the  
71 terminus of Alpha Drive, and take any action necessary.

72

73 Councilmember Hohenshelt moved to approve the entire Consent Agenda as presented (#s 1, 2, and 3).  
74 Councilman Johannesen seconded the motion, which passed unanimously of those present (6 ayes with  
75 Place 6 being vacant).

76

77 X. APPOINTMENT ITEMS

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

80 The Chairman was not present, and this item was not addressed by Council.

81 XI. PUBLIC HEARING ITEMS

82 1. Z2020-009 - Hold a public hearing to discuss and consider a request by Brian Parsons on behalf  
83 of J. R. Fleming Investments for the approval of an ordinance for a Specific Use Permit (SUP) for  
84 a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of land  
85 identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall  
86 County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110,  
87 and take any action necessary [1st Reading].

88  
89 Planning Director, Ryan Miller, provided background information concerning this agenda item. The  
90 applicant's letter requesting the SUP indicates the indoor motor vehicle showroom includes a private  
91 collection of antique and/or special interest vehicles. The business model is generally internet based -- not  
92 traditional auto sales -- with on hand inventory that is limited to the interior of the buildings showroom  
93 floor. In addition, the applicant has indicated that only five (5) to ten (10) vehicles will be sold per year.  
94 Additionally, the applicant's letter submitted with the SUP request indicates the area to be ~10,000 S.F.  
95 within a ~250,000 S.F. building. If approved, the SUP would be limited to the enclosed ~10,000 SF building  
96 area designated in the ordinance and addressed as 2610 Observation Trail, Suite 110. Per the Specific Use  
97 Permit (SUP) ordinance the proposed land use could not expand beyond Suite 110, within the ~228,000 SF  
98 building. On April 8, 2020, staff mailed 23 notices to property owners and residents within 500-feet of the  
99 subject property. As a note, there are no Homeowner's Associations (HOA's) or Neighborhood  
100 Organizations located within 1,500-feet of the subject property participating in the notification program.  
101 At the time this case memo was drafted staff had not received any notices regarding the applicant's  
102 request.

103  
104 Mayor Pruitt called up on the applicant to speak, and he then provided brief comments. Pruitt then opened  
105 the public hearing, asking if anyone would like to speak at this time. There being no one indicating such,  
106 Mayor Pruitt closed the public hearing.

107  
108 Following brief comments by Councilman Johannesen, who pointed out that this is not a 'traditional' car  
109 dealership, Councilmember Hohenshelt moved to approve Z2020-009. Mayor Pro Tem Macalik seconded  
110 the motion, and the ordinance was read as follows:

111 CITY OF ROCKWALL  
112 ORDINANCE NO. 20-\_\_\_\_\_  
113 SPECIFIC USE PERMIT NO. S-\_\_\_\_\_  
114  
115

116 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
117 AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF  
118 THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER  
119 AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) WITHIN

120 A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A *NEW AND/OR USED*  
121 *INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM* ON A 11.153-ACRE  
122 PARCEL OF LAND IDENTIFIED AS LOT 9, BLOCK D, ROCKWALL TECHNOLOGY  
123 PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND  
124 MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS  
125 ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A  
126 PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS  
127 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;  
128 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE  
129 DATE.

130 The motion passed by a vote of 6 to 0 (Place 6 was vacant).

131

132 2. **Z2020-010** - Hold a public hearing to discuss and consider a request by Edwin Echols for the  
133 approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that exceeds  
134 the maximum square footage and height on an 0.28-acre parcel of land identified as Lot 17, Block  
135 B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-  
136 10) District, addressed as 204 Lakehill Drive, and take any action necessary (**1st Reading**).

137

138 Planning Director, Ryan Miller, provided background information concerning this agenda item. He  
139 explained that the property owner and applicant -- Edwin Echols -- is requesting the approval of a Specific  
140 Use Permit (SUP) to construct an accessory building that exceeds the maximum square footage permitted  
141 for accessory buildings as stipulated by Subsection 07.04, Accessory Structure Development Standards, of  
142 Article 05, District Development Standards, of the Unified Development Code (UDC). The applicant has  
143 submitted an application, letter, and drawings requesting to build a 14-foot by 24-foot (*i.e.* 336 SF)  
144 accessory building with a six (6) foot by 14-foot (*i.e.* 84 SF) porch. The total building footprint of the  
145 accessory building will be 14-feet by 30-feet or 420 SF, and an additional parking space will be incorporated  
146 adjacent to the rear of the accessory building measuring six (6) feet by 14-feet. Per the drawings provided  
147 by the applicant the accessory building will have a pitched roof with a total height of 17-feet, 7-inches. The  
148 exterior of the accessory building will be clad in wood siding and the roof will utilize an asphalt shingle that  
149 is complimentary to the asphalt shingle used on the primary structure. The building will be situated at the  
150 rear of the subject property, 14-feet from the adjacent alleyway along the eastern property line, and six  
151 (6) feet from the northern property line. The accessory building will not be visible from any public right-  
152 of-way with the exception of the adjacent alleyway. On April 8, 2020, staff mailed 41 notices to property  
153 owners and occupants within 500-feet of the subject property. Staff also notified the Lakeside Village and  
154 Turtle Cove Homeowner's Associations (HOA), which are the only HOA/Neighborhood Organizations that  
155 are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At  
156 the time this report was drafted, staff received three (3) notices and two (2) online input forms (from the  
157 same address) in favor of the applicant's request and one (1) notice opposed to the applicant's request. In  
158 addition, on April 28, 2020, the Planning and Zoning Commission approved a motion to recommend  
159 approval of the Specific Use Permit (SUP) by a vote of 6-1, with Commissioner Logan dissenting.

160

161 Mayor Pruitt called upon the applicant, who briefly came forth and addressed the Council. Mayor Pruitt  
162 then opened the public hearing, asking if anyone would like to come forth and speak at this time. There  
163 being no one indicating such, Mayor Pruitt then closed the public hearing.

164

165 Councilman Daniels asked for clarification regarding if this current property owner or a future property  
166 owner could come forth at a later date and request to build an additional, 600+ square foot detached

167 garage on the property. Mr. Miller replied that, no – the SUP will limit the property to only just the one  
168 accessory structure since it exceeds the 144 square feet.

169  
170 Councilmember Fowler moved to approve Z2020-010. Mayor Pro Tem Macalik seconded the motion. The  
171 ordinance was read as follows:

172 CITY OF ROCKWALL

173 ORDINANCE NO. 20-  
174 SPECIFIC USE PERMIT NO. S-

175 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
176 AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*]  
177 OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY  
178 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN  
179 *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A  
180 0.28-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAKERIDGE  
181 PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE  
182 SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE;  
183 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT  
184 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH  
185 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A  
186 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

187  
188 The motion passed by a vote of 5 in favor with 1 against (Place 6 is currently vacant).

189  
190 3. **Z2020-012** - Hold a public hearing to discuss and consider a request by Ryszard M. Waszczuk of  
191 Richard Expo on behalf of Vartan Jizmejjan for the approval of an ordinance for a Specific Use  
192 Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a  
193 single-family home on a 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston  
194 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated  
195 within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 706 Sherman  
196 Street, and take any action necessary (**1st Reading**).

197  
198 Planning Director Ryan Miller provided background information related to this agenda item. He shared  
199 that this proposed home is located within an established subdivision that is 90% or more developed at this  
200 point. On April 8, 2020, staff mailed 87 notices to property owners and occupants within 500-feet of the  
201 subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within  
202 1,500-feet of the subject property participating in the Neighborhood Notification Program to notify. At the  
203 time this report was drafted, staff had received one (1) response in favor of the request and one (1)  
204 response in opposition to the request. On April 28, 2020, the Planning and Zoning Commission approved a  
205 motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.

206  
207 The applicant joined the meeting remotely / virtually by ZOOM. He indicated that this house has been  
208 designed with existing homes in mind. Following the applicant's brief comments, Mayor Pruitt opened the  
209 public hearing, asking if anyone would like to come forth and speak at this time. There being no one  
210 indicating such, he then closed the Public Hearing. Councilmember Johannesen moved to approve Z2020-  
211 012. Councilmember Daniels seconded the motion. The ordinance was read as follows:

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CITY OF ROCKWALL  
ORDINANCE NO. 20-  
SPECIFIC USE PERMIT NO. S-

219 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
220 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC)  
221 [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL  
222 COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A  
223 SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN*  
224 *ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A  
225 SINGLE-FAMILY HOME ON A 0.1030-ACRE PARCEL OF LAND, IDENTIFIED  
226 AS LOT 4, BLOCK 111, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL,  
227 ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED  
228 AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR  
229 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO  
230 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH  
231 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR  
232 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

233  
234 The motion passed by a vote of 5 ayes to 1 nay (Fowler) – (Place 6 is a vacant seat).

- 235  
236 4. **Z2020-014** - Hold a public hearing to discuss and consider a request by Alejandro Portocarrero  
237 for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an  
238 Established Subdivision for the purpose of constructing a single-family home on a 0.23-acre  
239 parcel of land identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall,  
240 Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses,  
241 addressed as 328 Harborview Drive, and take any action necessary **(1st Reading)**.

242  
243 Planning Director Ryan Miller provided background information for this agenda item. This proposed home  
244 is located within the Chandlers Landing subdivision, which is considered to be an 'existing subdivision' that  
245 is 90% or more built out. The applicant is proposing a more modern architecture, which is not uncommon  
246 within this subdivision – several are modern and many have an eclectic feel. The home does meet all the  
247 density and dimensional requirements of the city. One hundred fifteen (115) notices were sent out to  
248 adjacent property owners within 500' of the subject property. Four notices have been received in  
249 opposition to the request, which reasons having generally been stated as density, drainage and height  
250 related concerns. Miller explained that a city ordinance controls the height of these SF home structures,  
251 and this proposed home does meet those height restriction requirements. The Planning & Zoning  
252 Commission did vote (7-0) to recommend approval of this SUP by the City Council.

253  
254 Mayor Pruitt then called upon the applicant, who joined virtually by ZOOM and indicated he is happy to  
255 answer any questions that may arise. Pruitt then opened the public hearing, asking if anyone would like  
256 to come forth and speak at this time.

257  
258 Jeff Macalik, resident and homeowner who lives in Chandler's Landing, came forth to address the Council.  
259 He indicated he wanted to point out the "hold harmless agreement" that was included in the city council  
260 meeting packet for tonight's meeting. He shared that this property will have drainage challenges, and it  
261 will require an electrically powered sump pump in order to keep this home from flooding. He pointed out  
262 that if the pump fails, this house will flood.

264 There being no one else wishing to come forth and speak at this time, Mayor Pruitt closed the public  
!65 hearing.

!66  
!67 Councilmember Daniels asked for clarification and received affirmation from Mr. Miller that Council is only  
268 considering 'architecture' this evening and not 'drainage.'

269  
270 Council then called upon City Engineer/Director of Public Works, Amy Williams, who came forth and  
271 clarified that the 'hold harmless' documentation is for the protection of the city. The homeowner will need  
272 to install a sump pump for drainage purposes, and the homeowner essentially acknowledges that they are  
273 fully aware they are building a home below the curb line, which the City does not generally allow. She  
274 generally explained that the owner wants to build a two-story home, so – in order to meet the height  
275 restrictions – they are building the home down below the curb. Otherwise, if they were building a one-  
276 story home, they could construct it higher up. Councilman Daniels asked who would receive damage if the  
277 pump(s) failed. Ms. Williams indicated that the only damage that would result would be damage to this  
278 particular home itself – no adjacent homes or properties would be impacted. Lengthy, extensive discussion  
279 ensued pertaining to drainage concerns and the 'hold harmless' documentation. Ms. Williams mentioned  
280 that this particular neighborhood was initiated in the 1970s and many homes within Chandler's Landing  
281 are built below the curb line. Mr. Crowley gave indication that the 'hold harmless' documentation is  
282 important so that this current homeowner and any future home owners (should the property be sold and  
283 change hands) are aware that the city is not guaranteeing them that their house is not going to flood if the  
284 sump pump fails. Indication was given that this document could be filed with the County so that it is part  
285 of the official record of this property.

286  
!87 Following lengthy discussion, Councilmember Johannesen moved to approve Z2020-014. Hohenshelt  
!88 seconded the motion. The ordinance was read as follows:

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CITY OF ROCKWALL  
ORDINANCE NO. 20-\_\_  
SPECIFIC USE PERMIT NO. S-\_\_

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC)  
[ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL  
COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A  
SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN  
ESTABLISHED SUBSIVISION* TO ALLOW THE CONSTRUCTION OF A  
SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS  
LOT 24, BLOCK C, HARBOR LANDING, PHASE 2 ADDITION, CITY OF  
ROCKWALL, ROCKWALL COUNTY, 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.

309 The motion passed by a vote of 4 ayes to 2 nays (Macalik and Pruitt) (Place 6 is currently vacant).

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**XII. ACTION ITEMS**

1. Hold a Show Cause Hearing to discuss and consider repair, removal or demolition of a dangerous building located at 304 Shamrock Circle, legally described as Lot 12, in Block A, replat of the revised final plat of Chandlers Landing and take any action necessary.

Building Official Jeffrey Widmer provided brief background information concerning this agenda item, indicating that the current owner of the property – Loan Ranger Capital (LRC) - has been ordered to appear to show cause why the structure should not be repaired, removed or demolished. Loan Ranger Capital has lent money to two different builders to try and build this home. The original builder was foreclosed on and the deed was transferred back to Loan Ranger. At one time, the city had received calls from multiple builders and met several onsite to discuss what it would take to finish the home. Loan Ranger eventually sold the home to a realty group thereafter; however, the deed ended up being transferred back to Loan Ranger Capital again in November of 2019. Since November 1, city staff has been in close communication with LRC. LRC has now chosen to contract with a builder to have him obtain HOA approval and a city building permit and to move forward with complete the home entirely (landscaping and all), and then put the home on the market to sell it. Due to the considerable amount of time that has passed since the original building permit was issued, adjacent neighbors have concerns about if the home actually will end up being completed this time around.

Mayor Pruitt explained that this will be handled as a quasi-judicial process where evidence will be presented and evaluated prior to the Council making its determination regarding what will happen with this property. The city attorney, Frank Garza, briefed the Council on examples of what options the council has to consider related to the property (i.e. order it to be torn down; order that construction move forward and be completed within a certain amount of time). Mr. Garza shared that he is not sure the city has an ordinance in place that would allow fines to be assessed for failure to have the structure built. It could be deemed an 'unsafe' structure and ordered to be torn down, though. Or, Council could allot them a certain amount of time to get the construction completed. Council has quite a variety of options at its disposal.

Nik Petrik indicated that he and Zack Lofton from Loan Ranger Capital were present this evening (virtually / remotely by ZOOM).

Loan Ranger Capital, LLC  
2235 E. 6th ST. Suite 103  
Austin, TX. 78702

Mr. Petrik shared that his company has taken back this property at this point a couple of times already. So, at this point, they have hired a builder (AAA Home Builders) to move forward with construction and completion of this home. They indicated they are confident they can get the home complete in a matter of months once the plans are submitted and approved and HOA approval is obtained. He shared that his company has invested a lot of money in the property at this point, and they are anxious to get it completed and in a condition where it can be sold. Discussion took place related to Loan Ranger Capital's anticipated

356 timeline associated with getting the home completed and on the market. Mr. Petrik indicated that they  
357 submitted plans to the HOA's Environmental Committee on Friday and have been trying to get on the  
358 HOA's May agenda; however, it does not seem like that is going to be possible at this point. So they may  
359 not be on the HOA's agenda until June.

360

361 Randy Linnstaedter

362 321 Harbor Landing

363 Rockwall, TX

364

365 He indicated that he currently serves on the Chandlers Landing HOA Board. A little over three years ago,  
366 the Chandler's HOA approved construction of this home, and it was supposed to have been completed  
367 within a twelve month period. Plans for completion have been submitted five times in the last few months  
368 related to completion of this home; however, despite very clear communication regarding what is needed  
369 in order for the plans to be approved, many items are still lacking. The property has undergone two  
370 foreclosures and is now owned (again) by Loan Ranger Capital. Total fines assessed on this property by the  
371 HOA over the last three years are \$11,881.89 with about half of it being collected and about ¼ of it being  
372 lost during the two foreclosures and about ¼ of it "running up the meter" with Loan Ranger Capital as the  
373 current owner. The HOA's Environmental Committee and staff have spent literally hundreds of hours on  
374 this property over the last three years, with a lot of it being redundant and unnecessary due to the lack of  
375 organization and preparedness of the applicant. Mr. Linnstaedter stated that he and his HOA board are  
376 completely unanimous in their request that the Council order the total removal of this blight within the  
377 community.

378

379 Jeff Macalik

380 6102 Volunteer

381 Rockwall, TX

382

383 Mr. Macalik indicated that he is the current Chairman of the Chandlers Landing HOA's Environmental  
384 Committee. He did receive a submission late Friday evening from Sam Nassar, the builder that Loan Ranger  
385 Capital has engaged, and he has had an opportunity to do only a cursory review of the submission so far.  
386 One area that has not been detailed is what will be done to resolve the left corner of the house because  
387 the eave of the house actually extends past the property line onto the neighbor's property, which is a fire  
388 hazard. Mr. Macalik shared that he met with the builder on-site about two weeks ago and went over, in  
389 detail, what all would be needed for the next submission to the Committee. The submission generally did  
390 not give any sort of indication regarding what the exterior of the home is proposed to look like, even  
391 though Mr. Macalik requested such information as part of the submission. He indicated that brick is  
392 proposed to be utilized on the home, however, he is not sure how this will happen because there are no  
393 brick friezes present. The colors of the windows on the second story are different than the color of the  
394 windows on the lower floor (at the front of the home). Also, A/C vents and return lines are visible in an  
395 open area of the large basement patio; however, no indication of plans to enclose all of this were  
396 submitted. He stressed that these findings were arrived at just with a cursory review; however, he does  
397 still need to look at the submission in more detail. He went on to explain that the structure currently has  
398 no roofing material, doors or windows on the existing 3-story garage (with a living area on the 2<sup>nd</sup> and 3<sup>rd</sup>  
399 floors). There is decking on the roof but no roof materials. The water damage to the decking and flooring  
400 is extensive. Also, there is a very strong animal and / or mold odor emitting from the home (both buildings  
401 on the property). The zip wall sheathing has deteriorated on the outside of the property because large  
402 areas were never taped. So, there is swelling at a lot of the joints. Regarding the timeline for this property

403 getting on the agenda, Mr. Macalik generally indicated that the soonest this will be able to appear on the  
404 HOA Environmental Committee's agenda would be for the first Wednesday in June. Brief discussion  
405 ensued pertaining to the eave of the house extending over onto the adjacent property by about 4 – 6 inches  
406 and the smell that is emitting from the structures.  
407

408 **Mark Rangel**  
409 **306 Shamrock**  
410 **Rockwall, TX**  
411

412 Mr. Rangel shared that his home is right next door to this property. He spoke about "quality of life" living  
413 next to this dilapidated structure. He indicated that at least two bobcats have been living in the structure  
414 for about the last year or so. The roofline of this neighboring structure was built 18" too close to his own  
415 house. So, this is a fire danger, and there is no doubt that if the structure caught fire, it would jump to his  
416 own home and endanger it too. He generally expressed frustration with the builder not taking things  
417 seriously and seemingly not caring about submitting good, solid plans for approval. He is embarrassed  
418 when friends and family come to visit his home and have to see this same, unfinished, unsightly structure  
419 sitting in the same condition as it has been for the past three years right next door to his home. He went  
420 on to indicate that the property owner doesn't do basic things like mow the grass or rake the leaves. When  
421 the grass is high, Mr. Rangel indicated that he personally has to initiate contact with the city's code  
422 enforcement staff, city manager, and/or the mayor to request that the grass be mowed at this property.  
423 He continually has to do so about once every two weeks or so. He has no confidence that the property  
424 owner and builder will actually finish construction of the home and that it will aesthetically look good. If  
425 the property owner is allowed by Council to proceed with building, he encouraged Council to place a  
426 timeline on it and then impose heavy, heavy fines if the owner does not meet the timeline obligations  
427 associated with completing the build. He is frustrated because there has been no work done on the house  
428 since April 6, 2018. Mr. Rangel generally urged the Council to consider how they would feel if their own  
429 home were located next to this structure.  
430

431 Mayor Pruitt and Mr. Widmer expressed empathy for Mr. Rangel and the circumstances he has had to deal  
432 with over the last three years related to this structure.  
433

434 Mr. Petrik expressed regret and frustration over the prolonged timeline up until this point; however, he  
435 assured that they have personally been working diligently on this project ever since they took the property  
436 over again this past November (2019). He generally assured that they are taking this seriously and they are  
437 extremely motivated to get this construction completed as soon as possible. He also expressed confidence  
438 in his builder's ability to get things corrected, addressed, and finished in an expeditious amount of time  
439 once plans and paperwork get approved.  
440

441 Following additional, lengthy discussion regarding plan submissions, timelines, expectations, options  
442 related to Council options, etcetera, Councilmember Hohenshelt made a motion to declare that the home  
443 at 304 Shamrock Circle is a "dangerous building" and ordered that it require demolition. Mayor Pro Tem  
444 Macalik seconded the motion, which passed by a unanimous vote of Council (6 ayes to 0 nays with Place 6  
445 being a vacant seat).  
446

447 2. Discuss and consider a request by Tom Kirkland of Tekmak Development Company for the  
448 approval of an amendment to an existing facilities agreement allowing further delay of the

449 construction of Harbor Heights Drive in between Shoreline Drive and Lakefront Trail until January  
450 2021, and take any action necessary.

451

452 Planning Director Ryan Miller provided background information regarding this agenda item. On October  
453 2, 2015, the City Council approved a Facilities Agreement proposed by Tom Kirkland of TEKMAK  
454 Development Company allowing him to delay the construction of Harbor Heights Drive between  
455 Shoreline Drive and Lakefront Trail (see Exhibit 'A'). The construction of this roadway was required as  
456 part of the development of the Springhill Suites Hotel, which is located at 2601 Lakefront Trail. The terms  
457 of the agreement allowed Mr. Kirkland to delay the construction of the roadway until either [1] 2600  
458 Lakefront Trail (i.e. Lot 7, Block A, The Harbor – Rockwall Addition) was developed, or [2] until October 4,  
459 2018 (i.e. a period of 36-months from the execution of the facilities agreement). The agreement also  
460 stated that if the applicant failed to comply with the timeframes established in the agreement that it  
461 would result in the loss of the Hotel/Motel Tax Rebate granted to the property. This rebate was granted  
462 for a total of five (5) years, and will expire in July of 2022. To date, Harbor Heights Drive has not been  
463 constructed, no plans have been approved, and no permit has been issued for the roadway. Mr. Kirkland  
464 is now seeking approval from Council for an extension related to construction of said roadway.

465

466 Tom Kirkland  
467 613 Willow Springs  
468 Heath, TX

469

470 Mr. Kirkland came forth and provided clarification to Council regarding several factors that have  
471 contributed to his request to have more time to construct and finish the roadway. He shared that his  
472 revenue stream has dramatically dropped due to the COVID-19 pandemic, but he his hopeful that their  
473 occupancy will eventually bounce back and recover. He shared that at one point, he discovered the general  
474 contractor who was hired to complete construction of the hotel had stolen somewhere between \$500k to  
475 \$750k of money that had been wired to them for completion of the project. So, essentially, he was tied up  
476 in litigation for quite some time (almost two years), and – because of that distraction – he had forgotten  
477 about the facility agreement related to construction of this roadway. He generally asked Council to  
478 consider allowing him more time to complete the road.

479

480 Following additional discussion, Mayor Pruitt made a motion to approve a one year extension on the  
481 facilities agreement. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6 ayes (Place  
482 6 seat was vacant).

483

484 Mr. Crowley then told Mr. Kirkland that he does need to get with the city's Engineering Department to  
485 discuss where he stands on the engineering plans and what the next steps are in that regard. Mr. Kirkland  
486 generally indicated that he will do so.

487

488 3. Discuss and consider an ordinance amending the Code of Ordinances in Ch. 26 "Motor Vehicles  
489 & Traffic," Article VII. "Stopping, Standing or Parking," Section 26-505 "Prohibited in Specific  
490 Places" to include the prohibition of parking on Corporate Crossing and streets in the vicinity of  
491 Discovery Boulevard, and take any action necessary. (1st reading)

492

493 Phil Wagner, President / CEO of the Rockwall Economic Development Corporation spoke regarding this  
494 agenda item. He generally indicated that street parking within the Rockwall Technology Park is  
495 problematic. This ordinance would essentially prohibit all street parking within the park. Mr. Crowley, City  
496 Manager, clarified that, although the City does sometimes have vehicles towed, the City will not be towing

497 vehicles that violate these 'no parking' provisions within the Tech Park – the city will only issue citations  
498 for parking violations.  
499

500 Councilmember Hohenshelt moved to approve the ordinance, as presented. Councilman Johannesen  
501 seconded the motion. The ordinance was read as follows:

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CITY OF ROCKWALL  
ORDINANCE NO. 20-XX

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO PROHIBITED PARKING AS DEPICTED IN *EXHIBT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

519 The motion passed by a vote of 6 ayes to 0 nays (with Place 6 being vacant).

520

- 521 4. Discuss and consider approving an ordinance repealing Ordinance No. 19-44 and lifting the  
522 temporary moratorium on the acceptance and approval of residential and commercial  
523 subdivision plats in the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.  
524 (1st, only reading)

525

526 Planning Director Ryan Miller and Mayor Pruitt provided brief comments pertaining to this agenda item.  
527 Indication was given that the ordinance only requires one reading. This is being repealed since the City and  
528 County recently signed an interlocal agreement to address this matter.

529

530 Councilmember Hohenshelt moved to approve the ordinance as presented. Councilmember Fowler  
531 seconded the motion. The ordinance was read as follows:

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CITY OF ROCKWALL  
ORDINANCE NO. 20-

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING *ORDINANCE NO. 19-44* AND RETIRING THE TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

544 The motion passed by a vote of 6 ayes to 0 nays (Place 6 seat was a vacant seat).

545

546 5. Discuss and consider approval of a resolution to nominate a candidate to fill a vacancy on the  
547 Rockwall Central Appraisal District Board of Directors, and take any action necessary.

548  
549 **Mayor Pro Tem Macalik moved to submit the resolution, naming Lou Johnson as the city's nominee for**  
550 **filling the current vacancy. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6**  
551 **eyes to 0 nays (with Place 6 being a vacant seat).**

552  
553 6. Discuss and consider parking concerns at SH-66 boat ramp, and take any action necessary.

554  
555 **General discussion took place pertaining to parking at the SH-66 boat ramp. Indication was given that**  
556 **these concerns are likely occurring because our boat ramp is one of the only ones that is open, while other**  
557 **Lake Ray Hubbard boat ramps are closed. Councilmember Johannesen generally indicated that he does**  
558 **not want to be in the business of 'traffic coping' at the boat ramp. City Manager Rick Crowley talked about**  
559 **the possibility of installing a split rail fence over near the residential area of the boat ramp, which may help**  
560 **with some of the concerns. He shared that there is a gravel area that is actually state right-of-way that the**  
561 **city received permission to be utilized for parking. Making this area a hard surface and striping it for**  
562 **parking will be a little more costly. He shared that he has observed vehicles with boats/trailers parking in**  
563 **the area that's designed for 'cars only,' and he's seen cars/vehicles without boat trailers parked in the**  
564 **areas designed for vehicles with boat trailers. He is not sure if these issues will be temporary or if they will**  
565 **be more permanent in nature.**

566  
567 **XIII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT**  
568 **CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

569  
570 **1. Departmental Reports**

- 571 Building Inspections Monthly Report - March 2020
- 572 Finance Department Quarterly Report - Period Ended March 31, 2020
- 573 Fire Department Monthly Report - March 2020
- 574 Parks & Recreation Department Monthly Report - March 2020
- 575 Police Department Monthly Report - March 2020
- 576 Sales Tax Historical Collections - March 2020
- 577 Water Consumption Statistics - March 2020

578 **2. City Manager's Report**

579  
580 **Mayor Pruitt shared that there will be free State provided COVID-19 testing for grocery workers, first responders, or**  
581 **health care workers at Lake Pointe Church on Wednesday between 6 – 10 p.m. This is 'by appointment' only.**

582  
583 **Assistant City Manager Joey Boyd provided an update on the Census efforts. He shared details of the City of**  
584 **Rockwall's self response rate and the County's response rate. Rockwall County is currently ranked #1 as far as the**  
585 **response rate, statewide. When the Census workers are able to get out and start knocking on doors, the numbers are**  
586 **expected to rise even more. A final date for Census number collection will likely be in October.**

587  
588 **Mr. Crowley shared that the Governor has begun a phased approach to reopening businesses related to COVID-19.**  
589 **The city has been diligently working to comply with the governor's orders, and the city had very few complaints over**  
590 **the weekend as some businesses began to reopen.**

591

592 Mayor Pruitt shared that there is currently a vacancy on the Rockwall City Council (Place 6). Applications related to  
593 filling the vacancy will be accepted thru Friday, May 15 at 5:00 p.m. on the city's website. Thereafter, the Council will  
594 go through an interview process with prospective candidates.  
595

596 At 8:47 p.m., Mayor Pruitt recessed the public meeting to go into Executive Session again to address the following  
597 items.  
598

599 **XIV. EXECUTIVE SESSION**

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

- 602 1. Discussion regarding filling vacancy for City Council Member Place 6, pursuant to Section 551.074  
603 (personnel matters)  
604 2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall  
605 Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)  
606 3. Discussion regarding legal issues on enforcement of Governor's Emergency Order and options on  
607 local Declaration, pursuant to Section §551.071 (Consultation with Attorney).  
608 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,  
609 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)  
610 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)  
611

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

613 Mayor Pruitt reconvened the public meeting at 9:15 p.m. No action was taken as a result of Executive  
614 Session.  
615

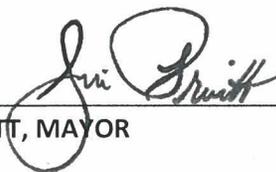
616 **XVI. ADJOURNMENT**

617 Mayor Pruitt adjourned the meeting at 9:15 p.m.  
618

619 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18<sup>th</sup> DAY OF MAY,  
620 2020.

621

622

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

623 ATTEST:

624

625

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



# MINUTES



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 18, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER (5:00 P.M.)

Mayor Pruitt called the meeting to order at 5:01 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza joined the meeting remotely / virtually by ZOOM. City Council, Place 6 was a vacant seat at this meeting

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 MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. 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)
2. Discussion regarding filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:55 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

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

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESEN

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

### VI. PROCLAMATIONS

1. Swearing in of Newly Elected City Council Members - Place 2 and Place 4

Matthew R. Scott, Association Judge of the Rockwall Municipal Court, administered the Oath of Office to each of the two Council Members (Hohenshelt and Johannesen).

**2. Public Works Week**

**Director of Public Works/City Engineer, Amy Williams and two of her staff members came forth at this time. Mayor Pruitt then read and presented this proclamation to them.**

**3. Live Saving Bar - Police Sergeant Michael Noland**

**Mayor Pruitt called forth Police Chief Max Geron and his command staff. Information about this award was read aloud, and Sgt. Noland was presented with this Life Saving award.**

**4. Police Commendation Bar - Police Officer Heather McAuley**

**Information about this award was read aloud, and Officer McAuley was presented with this Police Commendation award.**

**5. Meritorious Conduct Bar - Police Officer Mathew Joseph**

**Information about this award was read aloud, and Officer Joseph was presented with this Meritorious Conduct award.**

**VII. 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 called upon the City Secretary to read into the record public comments which were received via e-mail. Ms. Cole read them as follows:**

**Marco Herrera e-mailed, "The Pegasus food company, there some employees infected with covid 19, and they do not take security measures."**

**Danny C Akard wrote, "In regards to David Choate's building at 844 Zion hills circle, I have no problem with David building this building."**

**VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

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

**IX. CONSENT AGENDA**

- 1. Consider approval of the minutes from the May 4, 2020 regular city council meeting, and take any action necessary.**

**Councilmember Johannesen made a motion to approve the minutes. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present (6 ayes to 0 nays with Place 6 being a vacant seat).**

**X. APPOINTMENT ITEMS**

1. Appointment with members of City of Rockwall's Youth Advisory Council (YAC) to hear year end report and recognize graduating Seniors, and take any action necessary.

Members of the YAC came forward and briefed Council on the various activities with which they were involved over the course of the school year. Mayor Pruitt, Councilmember Fowler and City Secretary Kristy Cole then recognized each of the students for their participation in YAC this school year, and they honored the graduating seniors who were present.

2. NOTE - Jerry Welch from the Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to Planning related items on tonight's city council meeting agenda.

**XI. PUBLIC HEARING ITEMS**

1. **Z2020-011** - Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of an ordinance for a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage and height* on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent to adjacent property owners and residents within 500' of the property. Over 60 notices were sent, and the nearby homeowners associations were also notified. The Planning & Zoning Commission has recommended approval of this item by a vote of 7 ayes to 0 nays.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak.

Councilmember Fowler moved to approve Z2020-011. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.1865-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 5, BLOCK D, WATERSTONE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 5 ayes to 1 nay (Daniels) with Place 6 Seat being vacant.

2. **Z2020-016** - Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary (**1st reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. He explained that during the permit review process, the applicant was informed that the size of the carport and detached garage would require a Specific Use Permit (SUP), unless the plans were revised to reduce the size of the carport to 500 SF or less and either [1] reduce the detached garage to 625 SF or less, or [2] attach the entire structure to the primary structure. In late January 2020, the applicant submitted revised plans proposing to remove the carport and add an eight (8) foot awning attaching the structure to the primary structure. On February 7, 2020, the Building Inspections Department issued a building permit based on the revised plans; however, later the same day a Building Inspector reported that the applicant had already constructed the majority of the building based on the plans that were provided with the original building permit (i.e. a 2,400 SF detached garage with a 1,620 SF carport), and a Stop Work Order was issued by the Building Inspections Department. It should be noted, that at the time the Stop Work Order was issued, the Building Inspector noted that the detached garage was built with a secondary guest quarters (i.e. it incorporated air-conditioned space and plumbing). The Planning & Zoning Commission has recommend denial of this request. As such, its approval will require a super majority vote of Council this evening (5 of the 6 members would have to vote in favor of it in order for it to be approved). Notices were sent to 29 property owners and occupants within 500-feet of the subject property. There are no Homeowners Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the HOA/Neighborhood Notification Program. At the time this report was written, staff had not received any notices regarding the applicant's request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, Mayor Pruitt closed the public hearing and called the applicant forth to speak.

Chris Kehrer, Titan Contractors  
410 Normandy Lane  
Heath, TX

Mr. Kehrer came forth and read a prepared statement to the Council. He essentially profusely apologized for having not pulled the proper permits from the City of Rockwall prior to performing the work at this location.

Dave Choate  
844 Zion Hill Circle  
Rockwall, TX

Mr. Choate indicated that he is the owner of the home, and this structure is his 'fishing den.' He does a lot of fishing tournaments. No one will be living in this structure.

Councilmember Hohenshelt suggested that this item be tabled until a later date to allow the applicant time to come back with a more solid recommendation regarding what can be done to make this structure be as close to "in compliance" as possible.

City Attorney Frank Garza echoed Councilman Hohenshelt's suggestion that Council table this item and remand it back to the Planning & Zoning Commission due to a substantial change, if necessary.

Mayor Pruitt moved to table this until the June 15 city council meeting. Councilman Hohenshelt seconded the motion, which passed unanimously of those present.

## XII. ACTION ITEMS

1. Discuss and consider a request for street closure in downtown related to Rockwall Farmer's Market, and take any action necessary.

Joey Boyd, Assistant City Manager, briefed the Council on this agenda item. Essentially, they would like to close the 100 block of E. Kaufman Street for the Farmer's Market. Mayor Pruitt moved to approve the request to close the roadway each Saturday, as requested. Councilmember Johannesen seconded the motion. Claudette Hatfield was present in the audience. She thanked the Mayor and Council for allowing the Farmer's Market to be open this summer through September. The motion made passed by a vote of 6 ayes to 0 nays (Place 6 seat was vacant).

2. **MIS2020-008** - Discuss and consider a request by David Booth of DR Horton for variances to the City's Standards of Design and Construction Manual in accordance with the City's Interlocal Cooperation Agreement with Rockwall County for Subdivision Regulations in the City's Extraterritorial Jurisdiction (ETJ) on a ~1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located between FM-550 and S. FM-548, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. Councilmember Johannesen moved to deny this request. Councilmember Hohenshelt seconded the motion. Following brief comments, the motion passed by a vote of 6 ayes to 0 nays (with Place 6 being a vacant seat).

3. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 26 'Motor Vehicles & Traffic,' Article VII. 'Stopping, Standing or Parking,' Section 26-505 'Prohibited in Specific

Places' to include the prohibition of parking in the Rockwall Technology Park, including on Corporate Crossing and streets in the vicinity of Discovery Boulevard, and to allow for an exception during construction of construction-related vehicles, and take any action necessary. **(1st Reading)**

**Phil Wagner, Rockwall Economic Development Corporation (REDC)  
2610 Observation Trail, Suite 104  
Rockwall, TX**

**Mr. Wagner provided explanatory comments pertaining to this agenda item. Councilmember Hohenshelt moved to approve this ordinance and include a provision to exempt construction-related vehicles. Councilmember Johannesen seconded the motion. The ordinance was read as follows:**

**The motion passed by a vote of 6 ayes to 0 nays (with Place 6 being a vacant seat).**

4. **Z2020-009** - Discuss and consider a request by Brian Parsons on behalf of J. R. Fleming Investments for the approval of an **ordinance** for a Specific Use Permit (SUP) for a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of land identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110, and take any action necessary **(2nd Reading)**.

**Councilmember Fowler moved to approve this ordinance for Z2020-009. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-15  
SPECIFIC USE PERMIT NO. S-218**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM ON A 11.153-ACRE PARCEL OF LAND IDENTIFIED AS LOT 9, BLOCK D, ROCKWALL TECHNOLOGY PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 by a vote of 6 ayes to 0 nays with Place 6 being a vacant seat.**

5. **Z2020-010** - Discuss and consider a request by Edwin Echols for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.28-acre parcel of land identified as Lot 17, Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as

204 Lakehill Drive, and take any action necessary (2nd Reading).

This item was placed on "Action Items" due to it not having received unanimous approval at the last meeting. Councilman Hohenshelt moved to approve Z2020-010. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-16  
SPECIFIC USE PERMIT NO. S-219

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.28-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAKERIDGE PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 5 ayes, 1 nay (Daniels) and Place 6 being a vacant seat.

6. **Z2020-012** - Discuss and consider a request by Ryszard M. Waszczuk of Richard Expo on behalf of Vartan Jizmejian for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 706 Sherman Street, and take any action necessary (2nd Reading).

This item was placed on "Action Items" due to it not having received unanimous approval at the last meeting. Councilman Johannesen moved to approve Z2020-012. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-17  
SPECIFIC USE PERMIT NO. S-220

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1030-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 111, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 4 in favor, 2 against (Fowler and Hohenshelt) and 1 vacant seat (Place 6).

7. **Z2020-014** - Discuss and consider a request by Alejandro Portocarrero for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.23-acre parcel of land identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 328 Harborview Drive, and take any action necessary (2nd Reading).

This item was placed on "Action Items" due to it not having received unanimous approval at the last meeting. Councilman Johannesen moved to approve Z2020-014. Councilman Fowler seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-18  
SPECIFIC USE PERMIT NO. S-221**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBSIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK C, HARBOR LANDING, PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 4 ayes, 2 nays (Pruitt and Macalik), and 1 vacant seat (Place 6).

8. Discuss and consider participating with Rockwall County in the cost of design and construction of off-site sanitary sewer improvements, and take any action necessary.

Following questions and answers concerning this agenda item, Councilmember Daniels made a motion to approve the request in an amount not to exceed \$300,000 without prior council approval. Councilmember Hohenshelt seconded the motion, which passed by a vote of 5 ayes, 1 nay (Pruitt) and Place 6 seat being vacant.

**XIII. EXECUTIVE SESSION.**

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

1. 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)
2. Discussion regarding filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).

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

**Mayor Pruitt adjourned the meeting at 7:46 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1<sup>ST</sup> DAY OF JUNE, 2020.**

  
\_\_\_\_\_  
**JIM PRUITT, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 01, 2020 - 3:30 PM

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

### I. CALL PUBLIC MEETING TO ORDER (3:30 P.M.)

Mayor Pruitt called the meeting to order at 3:30 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 3:31 p.m.

A quorum of the Council came out of Ex. Session (Pruitt, Fowler, Daniels and Hohenshelt), and Mayor Pruitt briefly called the public meeting back to order at 5:42 p.m. He then read the following discussion item into the record before recessing the public meeting to go back into Ex. Session at 5:42 p.m.:

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)

### II. EXECUTIVE SESSION.

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

1. Discussion regarding filling vacancy for City Council Member Place 6 (interview applicants), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding annual selection of Mayor Pro Tem, pursuant to Section 551.074 (Personnel Matters)

### III. ADJOURN EXECUTIVE SESSION

Mayor and Council adjourned from Executive Session at 6:01 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02 p.m.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

### VI. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to address Council at this time. There being no one indicating such, he then closed Open Forum.

### VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pruitt indicated that Council will go back into Ex. Session at the end of the public meeting.

Mayor Pro Tem Macalik moved to authorize and direct the City Manager and City Attorney to negotiate definitive agreements, including a settlement agreement and an amendment to our current, mandatory contract with the North Texas Municipal Water District (NTMWD) to be presented to the City Council at a later date for final approval, as discussed in Executive Session. Councilmember Johannesen seconded the motion. Following lengthy, explanatory comments by Mayor Pruitt, the motion passed by a vote of 6 ayes to 0 nays (with 1 vacancy – Place 6).

Mayor Pro Tem moved to appoint Councilman Kevin Fowler as Mayor Pro Tem for the coming year. Mayor Pruitt seconded the motion, which passed unanimously of those present (6 ayes, 0 nays, and 1 vacancy (Place 6)).

#### VIII. CONSENT AGENDA

1. Consider approval of the minutes from the May 18, 2020 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 26 'Motor Vehicles & Traffic,' Article VII. 'Stopping, Standing or Parking,' Section 26-505 'Prohibited in Specific Places' to include the prohibition of parking in the Rockwall Technology Park, including on Corporate Crossing and streets in the vicinity of Discovery Boulevard, and to allow for an exception during construction of construction-related vehicles, and take any action necessary. **(2nd Reading)**
3. Consider approval of the East Fork Aerial Crossing Replacement Project and authorize the City Manager to execute a contract with Pittard Construction Company, Inc. in an amount of \$193,424.00, and take any action necessary.

Councilmember Hohenshelt moved to approve the Consent Agenda (#s 1, 2 and 3). Councilmember Daniels seconded the motion. The ordinance was read as follows:

#### CITY OF ROCKWALL ORDINANCE NO. 20-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO PROHIBITED PARKING AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) 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 ayes to 0 nays with 1 vacant seat (Place 6).

#### IX. ACTION ITEMS

1. **Z2020-011** - Discuss and consider a request by Marlyn Roberts for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an accessory building that exceeds the maximum square footage and height

on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary (**2nd Reading**).

**Planning Director Ryan Miller provided brief, explanatory comments pertaining to this agenda item. Councilmember Hohenshelt moved to approve this item (Z2020-011) and the associated ordinance. Councilmember Johannesen seconded the motion.**

The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-20  
SPECIFIC USE PERMIT NO. S-222**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.1865-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 5, BLOCK D, WATERSTONE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 5 ayes, 1 nay (Daniels) and 1 vacant seat (Place 6).**

2. Discuss and consider a request by Russell Phillips of Harbor Lake Pointe Investors, LLC for the approval of a resolution abandoning a 0.096-acre tract of the excess right-of-way adjacent to Summer Lee Drive and being directly adjacent to property identified as Lot 6A of the Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, and take any action necessary.

**Councilmember Hohenshelt recused himself from this agenda item and filed an affidavit of recusal with the City Secretary. Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant, Russell Phillips, then came forth and provided brief comments to Council pertaining to his request. Mayor Pruitt moved to approve the resolution as presented. Councilmember Macalik seconded the motion, which passed by a vote of 5 ayes with 1 recusal (Hohenshelt) and 1 vacant seat (Place 6).**

3. **MIS2020-009** - Discuss and consider a request by Kurt Avery for a *variance* to the City's Standards of Design and Construction Manual in accordance with the City's Interlocal Cooperation Agreement with Rockwall County for Subdivision Regulations in the City's Extraterritorial Jurisdiction (ETJ) on a 51.08-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He explained that, essentially, the applicant is asking for a variance related to paving requirements associated with the roadway.

Mr. and Mrs. Avery  
1043 Anna Cade  
Rockwall, TX 75087

Mr. Avery provided a PowerPoint presentation to Council, which, in part, contained various photographs of the roadway and provided further explanation of his variance request.

Lengthy discussion took place pertaining to this agenda item. Councilmember Johannesen moved to approve MIS2020-009. Additional, lengthy discussion then ensued before Councilmember Hohenshelt then seconded the motion. The motion passed by a vote of 4 ayes, 2 nays (Macalik and Pruitt) and 1 vacant seat (Place 6).

4. Discuss and consider approval of a request to amend the agreement with HHW Solutions to eliminate the requirement for a performance bond, and take any action necessary.

Assistant City Manager Mary Smith provided brief background information concerning this agenda item. She shared that the city has literally received only one complaint about this company since it first began providing household hazardous waste collection services to residents. City Attorney Frank Garza generally indicated that a performance bond is often required within the first year or two of a new contract as a way of ensuring that the contractor performs its duties, and – if the contractor does not do so – the city could tap into the performance bond to hire a different contractor to fulfill the duties. In this case, Mr. Garza generally seemed to indicate that doing away with the performance bond is likely okay at this juncture, all things considered (the contractor is performing well, almost no complaints, etc.). Councilmember Hohenshelt moved to approve the amendment to the agreement, eliminating the requirements for a performance bond. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (6 ayes, 0 nays with 1 vacancy (Place 6)).

5. Discuss and consider resuming public programs and amenities offered by the City of Rockwall, and take any action necessary.

The Council went through a bulleted list of city-provided facilities, programs and amenities, one-by-one, generally agreeing to re-open most everything on the list (with the exception of city provided programs to senior aged residents at The Center – those will remain cancelled for the foreseeable future). Tammy Sharp, local resident and downtown business owner, came forth and spoke about a proposed July 3<sup>rd</sup> community event to be held in and around the downtown square. She would like to request funding from the City to help support the event. General discussion took place pertaining to the possibility of the City issuing Hotel Occupancy Tax (HOT) Funding for the event; however, indication was given that this proposed event would not qualify because it will not be marketed outside of Rockwall County, and it will not put 'heads in beds.' Council generally agreed to place an item on the June 15 city council meeting agenda, if necessary, to discuss and consider granting funding for this event (out of

the General Fund). Council took no formal discussion related to this agenda item (only 'direction' to staff was given).

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

1. Building Inspections Monthly Report - April
2. Fire Department Monthly Report - April 2020
3. Parks & Rec Monthly Report - April 2020
4. Police Department Monthly Report - April 2020
5. Sales Tax Historical Comparison - April 2020
6. Water Consumption Historical Statistics - April 2020
7. Census 2020 Staff Report

Regarding departmental and staff reports on the agenda, City Manager Rick Crowley offered to answer any questions Council may have. No questions were asked.

Mayor Pruitt then called forth resident Bob Wacker, asking him if he had anything to say since he was late to the meeting and missed his opportunity during "Open Forum."

**Bob Wacker**  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and asked some clarifying questions regarding reopening of city pavilions and parks, specifically pertaining to the Park at Stone Creek. Indication was given that residents will now be able to reserve city owned pavilions thru contacting city staff at The Center.

Regarding the 2020 Census Update, Assistant City Manager Joey Boyd indicated that Rockwall is currently at a 66.6% self-response rate. Field workers will soon be knocking on doors and visiting local residents who have not yet submitted their 2020 Census response. City Manager Rick Crowley and City Councilmember Bennie Daniels highly encouraged all residents to submit their Census response (so that they do not receive an in-person visit from a Census worker).

Mayor Pruitt recessed the public meeting to go into Executive Session at 7:23 p.m. Pruitt then left the meeting due to an unforeseen, personal emergency. Council proceeded in Ex. Session without Mayor Pruitt.

**XI. EXECUTIVE SESSION.**

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

1. Discussion regarding filling vacancy for City Council Member Place 6 (interview applicants), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding annual selection of Mayor Pro Tem, pursuant to Section 551.074 (Personnel Matters)

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)

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

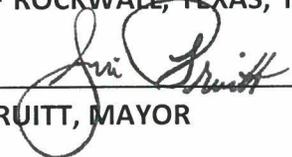
Council came out of Executive Session, and Mayor Pro Tem Fowler reconvened the public meeting at 7:57 p.m.

Councilmember Macalik moved to appoint applicant Anna Campbell to fill the current vacancy for City Council Member, Place 6. Councilmember Johannesen seconded the motion, which passed by a vote of 5 in favor with 1 absence (Pruitt) (and 1 vacant seat (Place 6)).

**XIII. ADJOURNMENT**

Mayor Pro Tem Fowler adjourned the meeting at 7:57 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15<sup>th</sup> DAY OF JUNE, 2020.

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 15, 2020 - 4:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 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 Kevin Fowler, and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza.

### II. WORK SESSION

1. Hold work session to discuss and consider 2020-2030 Park Master Plan, and take any action necessary.

Parks Director, Travis Sales, came forth and provided introductory comments pertaining to this agenda item. He shared that the last time the Master Plan was updated was the year 2010. It is now time to update the plan. He explained that the plan is used as a road map for future development of parks. It also helps the city because it is an eligibility requirement for Texas Parks & Wildlife related grant funding. He explained that MHS Planning & Design is a consulting firm that has been hired to assist with this major update to the plan.

The representative from MHS Planning, Hunter Rush, came forth and provided a presentation to the Council, in part, explaining what can be expected as the process of updating the plan ensues. Indication was given that the consultant would reach out to each, individual council member to solicit input on the plan.

Following the work session, Mayor Pruitt read the following discussion items into the record before recessing the public meeting to go into Executive Session at 4:30 p.m.

### III. EXECUTIVE SESSION.

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding assignment of Council subcommittees and board liaisons, pursuant to Section §551.074 (Personnel Matters)

6. 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)

**IV. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Executive Session at 5:52 p.m.**

**V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

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

**VI. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER HOHENSHELT**

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

**VII. SWEARING IN OF NEW COUNCILMEMBER, PLACE 6**

**County Court at Law Judge, Brian Williams, delivered the Oath of Office to newly appointed city council member, Anna Campbell.**

**VIII. OPEN FORUM**

**Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.**

**Christian Giadolor  
6 Winterhawk Drive  
Rockwall, TX**

**Mr. Giadolor came forth and generally spoke about the “Black Lives Matter movement” as it pertains to the Rockwall community. He urged the Mayor and/or Council to issue a public statement about the matter.**

**Robin Gordon  
2849 Lost Creek Court  
Rockwall, TX 75032**

**Ms. Gordon came forth and spoke about the topic of racism. She encouraged making the City of Rockwall “great” rather than just “good.” She also encouraged the Mayor to issue public statement(s) about the matter.**

**There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed Open Forum.**

**IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Council took no action as a result of Executive Session.**

**X. CONSENT AGENDA**

1. Consider approval of the minutes from the June 1, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-019** - Consider a request by Robert Gunby of Roysse City Business Ventures for the approval of a Replat for Lot 9, Block C, Remington Park, Phase 2 Addition being a 3.04-acre tract of land identified as Lots 1 & 2, Block C, Remington Park, Phase 2 Addition, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3958 & 3966 Ruger Drive, and take any action necessary.
3. **P2020-020** - Consider a request by Clint Vincent of Bloomfield Homes, LP for the approval of a Final Plat for Phase 1 of the Terracina Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take any action necessary.
4. Consider a request for funding for the Downtown 'Daycation' event on July 3rd in the amount of \$25,000 to be taken from the Administration Department operating fund, and take any action necessary.
5. Consider approval of a professional engineering services contract with Huitt-Zollars, Inc., to perform the engineering design services for the North Lakeshore Bridge repair in an amount not to exceed \$42,500, to be funded out of the Engineering Budget, and take any action necessary.
6. Consider approval of construction contract with JEP Marine Construction, Inc., to perform the repair on the seawall located behind 3636 Lakeside Drive in an amount not to exceed \$39,890, to be funded out of the Engineering Budget, and take any action necessary.

**Mayor Pruitt pulled item #5 for separate consideration.**

**Councilmember Hohenshelt moved to approve the Consent Agenda, less item #5 (#s 1, 2, 3, 4, and 6). Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Mayor Pruitt expressed concern regarding utilizing the same, original engineer to repair a bridge that has essentially gone bad – a bridge that said engineer originally designed and had built. Ms. Williams, City Engineer, spoke to this decision, generally explaining the reasoning behind hiring the same engineer. Pruitt asked why the project wasn't put out for bid. City Attorney Frank Garza stated that a city has to select an Engineer based on qualifications and experience – such services cannot be 'bid,' and cost cannot be a determining factor in selection of an engineer.**

**Mayor Pruitt moved to reject the engineering proposal associated with Consent Agenda item #5. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**XI. APPOINTMENT ITEMS**

1. Appointment with Planning & Zoning Commission Chairman to discuss and answer any questions regarding cases on the agenda.

**Vice Chairman, Jerry Welch came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. Council took no action following Mr. Welch's comments.**

2. Appointment with Anthony DeMaggio to hear a proposal for fireworks shows on the Rockwall shoreline, requesting consideration of \$15,000 in funding, and take any action necessary.

**Anthony DeMaggio**  
**5813 Constellation Circle**

**Joe Lang**  
**5703 Yacht Club Drive**

These two gentlemen came forth and shared their desire to hold multiple (four (4)) fireworks shows in the coming weeks/months. One for June 20 for Dallas Race Week. One on July 3 in front of The Hilton at The Harbor. One possibly on a Thursday night following a “Concert by the Lake” event, and one possibly in September. Mr. DeMaggio clarified that they are requesting \$15,000 from the City to help pay for the fireworks. Mrs. Smith, Assistant City Manager, indicated that the city can spend this money either out of the Administration Department’s “Consulting” fund or from “General Fund Reserves.”

Mayor Pruitt moved to approve the \$15,000 in funding to do the fireworks shows. Councilmember Macalik seconded the motion, which passed unanimously (7 ayes to 0 nays).

## XII. PUBLIC HEARING ITEMS

1. **Z2020-018** - Hold a public hearing to discuss and consider a request by Rex and Beverly Fithian for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He explained that this property is directly adjacent to Phase 6 of The Shores subdivision. The applicant is proposing an estate style home on an estate type lot. The applicant would like to build a pool and cabana. Notices were sent out to property owners and residents within 500’ of the subject property. Three notices were received back in favor of the request. Also, adjacent homeowner’s associations were notified. The Planning & Zoning Commission has recommended approval of this request.

**Rex Fathian**  
**653 Mission Drive**  
**Rockwall, TX**

Mr. Fathian shared that he has lived in Rockwall for thirty-five years. This will hopefully be the last home he moves into. He will appreciate Council’s approval of this request.

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

Councilmember Fowler moved to approve Z2020-018. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 3.03-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HODGDON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

2. Z2020-019 - Hold a public hearing to discuss and consider a request by J. W. Jones for the approval of an ordinance for a *Specific Use Permit (SUP)* for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information concerning this agenda item. The applicant will be required to replat this property prior to receiving a building permit, should this request be approved this evening by Council. The existing mobile home would be removed, and an actual single-family house would be built in its place. Size, location and architecture should be considered by Council – it should either be the same or better than the existing, nearby homes. Miller explained that most of the homes are mobile homes on this particular street; however, there are several single-family homes as well. It was pointed out that the proposed home not having a garage is actually pretty typical in this general area. Notices were sent out to adjacent residents and property owners located within 500' of the subject property. Two notices were received back in favor of the request. The homeowners associations were also notified of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Johannesen moved to approve Z2020-019. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,

TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE PARCEL OF LAND, IDENTIFIED AS A PORTION OF LOT 1051 AND ALL OF LOT 1050, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

3. **Z2020-020** - Hold a public hearing to discuss and consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit* and *Carport* on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The property is located on the west side of Ridge Road, directly across from The Commons. The lot currently has a 3,200 square foot home that was built in 1975. The applicant wants to convert the detached garage into a full guest quarters and add a carport on the western side of the accessory building. The carport will tie into the roofline of the home. He went on to explain that notices were sent out to property owners and residents located within 500' of the property, and relevant homeowners' associations were also notified. Four notices were received back in favor of the applicant's request. The Planning & Zoning Commission has recommended approval of this item by a vote of 6 to 1.

Brian Bader  
20603 C.R. 331  
Quinlan, TX

Mr. Bader shared that he is a Building Inspector for the City of Mesquite. He has known the property owners for ten years. He explained that the homeowner would like to temporarily live in the proposed guest quarters while the main, large home is being renovated.

Mayor Pruitt opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Macalik moved to approve Z2020-020. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT THAT EXCEED THE MAXIMUM ALLOWABLE SIZE ON A 0.81-ACRE TRACT OF LAND IDENTIFIED AS TRACT 27 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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.

4. **Z2020-021** - Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a four (4) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary (**1st Reading**).

**Mr. Miller, Planning Director** indicated that the applicant(s) would like to withdraw this request. **Mayor Pruitt** moved to allow the applicant to withdraw **Z2020-021**, as requested. **Councilmember Hohenshelt** seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. **Z2020-022** - Hold a public hearing to discuss and consider a request by Brad Johnson for the approval of an **ordinance** for a Specific Use Permit (SUP) for Detached Garage that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, and take any action necessary (**1st Reading**).

**Planning Director, Ryan Miller** provided background information pertaining to this agenda item. Notices were sent out to adjacent property owners and residents within 500' of the property. Four notices and two emails were received back in favor of the request. The homeowners' associations were also notified. The Planning & Zoning Commission has recommended approval of this request (with Commissioners Womble and Logan dissenting).

**Mayor Pruitt** opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Daniels moved to approve Z2020-022 with the stipulation that the required 20' rear setback be met. Mayor Pruitt seconded the motion. Following additional discussion, Daniels amended his motion to stipulate that "all setbacks be met." Mayor Pruitt seconded the amended motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.666-ACRE PARCEL OF LAND IDENTIFIED AS BLOCK 38 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; MORE SPECIFICALLY DEPICTED AND 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 6 ayes to 1 nay (Hohenshelt).

XIII. ACTION ITEMS

1. **Z2020-016** - Discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an ordinance for a Specific Use Permit (SUP) for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Indication was given that this item was recently brought before Council for consideration; however, Council tabled the item to allow the applicant time to show how the secondary structure could be 'tied into' the existing home and be architecturally integrated. The public hearing was closed at the last city council meeting.

Chris Kehrer  
410 Normandy Lane  
Heath, TX

Mr. Kehrer came forth and indicated that he does not do this type of construction/building for a living, and he was guided by a city staff member regarding what to do. He generally expressed that he did not intend to proceed without having received an approved building permit. He went on to show a digital/virtual 'fly over' video that showed updated plans associated with this project. He went on to explain how the structure can be tied into the existing home on the property. Mr. David Choate, the property owner, spoke briefly,

indicating that he has spent a lot of money to get where he is right now. He explained that if 25' is taken off of the canopy, it will mean that his vehicles will have to sit out in the Texas sun and hail storms, etc.; however, he is willing to do so if that is what it takes to get it approved and completed. He went on to share that all of his neighbors love the structure. He has not heard anyone say anything bad or complain about it.

General discussion ensued related to the structure, the canopy and Mr. Choate's inability to pull his trucks under the canopy if its depth is reduced.

Mayor Pruitt made a motion stating that the (updated) plans do show the accessory structure to be architecturally integrated. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Johannesen indicated that the structure is still oversized. He feels that if Council approves this issue, it may set a dangerous precedence, perhaps sending the message that it is okay to begin building a structure without obtaining the city's approval in advance.

Mayor Pro Tem Fowler respectfully disagreed with Johannesen, generally indicating that the Council has to evaluate these types of issues on a case-by-case basis.

Councilmember Hohenshelt expressed strong dissatisfaction with Mr. Kehrer having built this structure without first obtaining an approved building permit. He shared that Mr. Kehrer may not build structures for a living, but he is 'in construction' for a living, and he knew better than to do this. Hohenshelt is generally tired of people building things without a permit and then coming before the city council to try and seek approval after the fact.

Mayor Pruitt moved to approve the request with the understanding that updated plans will need to be provided to staff to show how the structure will be 'tied into' the existing structure, and those plans will be subject to staff's review and approval. Councilmember Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CARPORT THAT EXCEEDS 500 SQUARE FEET IN AREA FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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.**

**XIV. EXECUTIVE SESSION.**

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding assignment of Council subcommittees and board liaisons, pursuant to Section §551.074 (Personnel Matters)
6. 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)

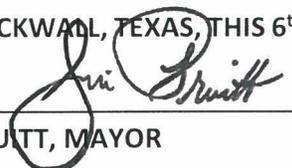
**XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**Council did not convene in Executive Session following the close of the 6:00 p.m. public meeting agenda.**

**XVI. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 7:38 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6<sup>th</sup> DAY OF JULY, 2020.**

  
\_\_\_\_\_  
**JIM PRUITT, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**



## ROCKWALL CITY COUNCIL EMERGENCY MEETING

Friday, June 26, 2020 - 9:00 AM

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

Live and post-meeting video may be viewed here: <http://www.rockwall.com/meetings/video.asp>

### I. CALL EMERGENCY MEETING TO ORDER

An urgent, public necessity exists for calling this emergency meeting, and immediate action is required of the governing body because of the COVID-19 pandemic (an imminent threat to public health and safety).

Mayor Pruitt called the meeting to order at 9:04 AM. Present in person were Mayor Jim Pruitt, Councilmember Anna Campbell, Dana Macalik and Trace Johannesen. Present remotely, via ZOOM teleconferencing, were Councilmember John Hohenshelt and City Attorney Frank Garza. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd.

Mayor Pruitt explained that this meeting is largely being held to talk about whether or not city sponsored public events will be held or cancelled (i.e. July 4<sup>th</sup> parade and fireworks show, July 3<sup>rd</sup> "Daycation" event, Concerts by the Lake, etc.). He also went on to explain the legal process associated with mandating that masks be worn, sharing that in the State of Texas, only the Governor, the County Judge or the Mayor can institute such a mandate and that such mandate would only apply to businesses, not individuals (businesses would be required to mandate that masks be worn by patrons while in their establishments). He clarified that no one can mandate that individuals wear masks. He went on to generally express that he personally, despite his unilateral authority as Mayor, will not be issuing any order that would mandate that masks be worn within businesses in the City of Rockwall. If other members of the Council would like to discuss the possibility of the city council, as a whole, passing an ordinance that would mandate that masks be worn in businesses within the city, then a council member will need to place that topic on an upcoming meeting agenda for discussion and consideration.

County Judge, David Sweet and County Emergency Management Coordinator, Barbara Neville then came forth and provided lengthy, detailed information concerning the numbers of COVID-19 cases within Rockwall County. They generally expressed a lot of frustration associated with not having received accurate, timely statistics regarding numbers of tests, positive cases, recoveries, etc.

### II. OPEN FORUM

Members of the public may attend in person to deliver public comments. Alternatively, public comments may be submitted via e-mail to [PublicComments@rockwall.com](mailto:PublicComments@rockwall.com). PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE SCHEDULED MEETING. In the body of the email, please include your name, address, agenda item (if applicable) or subject of discussion, and your comments. Please limit comment length to that which may be read aloud within three (3) minutes or less. Public Comment limitation is authorized by Governor Greg Abbott's TEMPORARY suspension of certain aspects of the Texas Open Meetings Act, which allows for a governing body to limit gathering members of the public and/or Board members in a physical setting that might constitute a public health risk.

Mayor Pruitt read into the record portions of several emails that had been received concerning (in part or whole) upcoming public events. Some of the comments were generally in favor of allowing public events, such as the fireworks, to be held; whereas other comments were clearly opposed to said events being allowed to carry on.

Many e-mails were received for the “public comments” portion of this emergency meeting. All e-mails which were received by the 8:30 a.m. deadline on June 26, 2020 have been included as part of the record and are attached to these minutes as “Exhibit A.”

Pruitt generally indicated that the Council would like to hear from people present in the audience who would like to comment about upcoming public events and whether or not those should be allowed to continue, or if they should be cancelled. He explained that those wishing to speak on “masks vs. no masks” are asked to hold those comments and instead do so if / when that topic comes up on a future city council meeting agenda.

Bob Wacker  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and shared comments regarding research he did via the World Health Organization (WHO) pertaining to wearing masks to protect from COVID-19. He shared sentiments that masks are an individual responsibility and that the WHO states that they are not very effective. He briefly commented on the July 4 parade, generally indicating that people should take personal precautions. Also, it is likely not a good idea to throw items out to the public during the parade (for example, flags).

Marie-Anne Schiffmann  
2125 Hillcroft Drive  
Rockwall, TX 75087

Mrs. Schiffmann came forth and expressed that she is miffed by the Council being so focused on 4<sup>th</sup> of July events, especially when those are things that a person can either chose to go to or not go to. She explained that she is an election worker and will be working the upcoming elections starting next Monday. She has concerns and generally expressed a desire that masks be required to be worn by election workers and those entering into the polling area. Mayor Pruitt clarified that the Governor only allows a local county judge or mayor to order that a *business* require patrons to dawn masks – neither he nor the county judge can require anyone outside of businesses to wear masks. Councilman Johannesen shared that Chris Lynch, the County Elections Administrator, just shared with him yesterday some protocols that he will have in place for protection during the election(s). Also, he generally expressed the belief that it is very unlikely that she or her election workers will contract the virus solely by people ‘coming and going’ because they will not be in a confined space for a prolonged period of time. Mrs. Shiffmann expressed a desire for the Council to speak to Chris Lynch (Elections Admin.) and encourage him to require that election workers wear masks. Pruitt and Johannesen generally explained that such a requirement would be up to Mr. Lynch, as he does not work for the City.

Rachel Witherspoon-Monk  
4193 Lorion Drive  
Rockwall, TX 75087

Mrs. Monk came forth and shared that she is a registered nurse and has been in the medical profession for about fifteen years. She does not want to see the July 4 fireworks and associated festivities be cancelled, as she does not want it to send a message of 'fear' by cancelling them. She believes that people should take personal responsibility and make their own, individual decisions regarding attending July 4<sup>th</sup> events (or not) and wearing of personal protective equipment (masks) or not. She personally does not believe that wearing masks provides protection.

Jay Lundy  
909 Sunpoint Circle  
Rockwall, TX 75087

Regarding the 7-11 store, Mr. Lundy shared that grass was recently installed. He has observed at the boat ramp – for example - that a lot of people do not adhere to "social distancing" during large, mass gatherings, and he has concerns about this. He believes it is prudent to limit these events or not allow these sorts of events to take place at all. He shared that this morning Gov. Greg Abbott issued an order allowing for events with over 100 people to take place with local approval only. He acknowledged that the City Council is in a difficult situation because, no matter what decisions are made by Council, those decisions will be considered 'wrong' by some people.

Linda Gonino  
202 Dartbrook  
Rockwall, TX 75087

Mrs. Gonino shared that she has lived in Rockwall for 43 years and have raised all of her children here. She had prepared a presentation about 'the dangers of wearing masks.' However, she will save this for a later date. She generally does not believe that 'outdoor events' pose a large health risk. She feels like the Council will make a really good decision, pointing out that she has been in the healthcare industry for the past twenty-five years.

Debbie Wengandt  
1918 Random Oaks Drive  
Rockwall, TX

Mrs. Wengandt expressed that she is a physician – a naturopathic doctor working here locally. She generally believes that this virus is not deadly, the mortality rate is very low, and it mostly impacts older people and/or people who already have compromised immune systems. She expressed the opinion that other, generally healthy people need to get out, catch the virus, and allow their immune systems to work as they should. General discussion ensued pertaining to mortality rates of COVID-19 vs. the regular, seasonal flu.

Janah Rodriguez  
Director of in-patient and ICU services at Presbyterian Hospital, Rockwall  
1229 Skylar Drive  
Rockwall, TX

Kim Arrowood  
Director of the Emergency Department at Rockwall Presbyterian Hospital

Ms. Rodriguez generally expressed that social distancing and proximity is key with this virus. She believes that putting people in large social gatherings and expecting them to social distance themselves is unrealistic. She expressed that they are seeing a 'surge,' an increase in numbers of COVID-19 positive patients in the local hospital, and this has been occurring over the last two weeks. They have no critical care beds, and their ER is overflowing with patients. She cautioned that if you come in with a heart attack, the hospital may not be able to transfer you because Dallas has no available beds either. She indicated that testing is not reliable, so if someone comes in presenting certain symptoms, they will be treated as though they do have COVID. She realizes that the reported number of cases is not accurate and that obtaining good data is difficult to do. She went on to say that she does not think that allowing the 4<sup>th</sup> of July events to be held is a good idea because people will not adhere to social distancing.

Ms. Arrowood echoed that their hospital has seen a large surge in patients exhibiting COVID symptoms, and – at times – they are running out of places to put patients. The hospital has had to go to a 'code yellow plan' to try and deal with the influx of patients. She acknowledged that not all the data is accurate; however, she and her comrades are seeing a surge in the number of COVID patients within Rockwall Presbyterian Hospital, and the concerns are real and are valid. She does believe that wearing masks will help reduce transmission of the virus from one person to another.

There being no one else expressing a desire to come forth and speak at this time, Mayor Pruitt closed the public comment portion of the meeting.

Councilmember Macalik shared that Tammy Sharp, President of the Downtown Rockwall Association just messaged, generally announcing that the July 3<sup>rd</sup> "Downtown Staycation" event has been cancelled and will be rescheduled to another time.

Councilmember Campbell asked the nurses who just spoke (Rodriquez and Arrowood) for clarification on the percentages associated with 'bed numbers' and COVID patients at Presbyterian Hospital Rockwall.

Cindy Paris  
762 Black Oak Lane  
Rockwall, TX

Mrs. Paris shared that Presbyterian Hospital in Rockwall has 80 beds, which means that they notice even the slightest change with things happening within the community, and it is very easy for their hospital to become overwhelmed. She indicated that this virus is being seen in their hospital. Yesterday, the bed capacity was at 100%, the hospital was totally full, and four people waited in the ER for a bed for quite a while. This virus is not solely related to old people. They see about 60-100 patients in their "ED" (emergency department) every day. She generally spoke about the ways in which her hospital has tried to accommodate the increase in capacity and achieve safe 'social distancing' while they are at the hospital. She cautioned that you have to be careful when looking at and evaluating the numbers and the data. Yesterday, about 60% of their patients were COVID-19 patients. Today there are about 30% of patients who are COVID-related patients. One COVID test they use has about a 15% false negative result rate. So sometimes, even if a test is negative, if a patient is exhibiting certain symptoms, they will get treated as a COVID patient. Over the last couple of weeks, they have changed the methodology for how patients are treated, and this seems to be helping patients who are exhibiting breathing difficulties. This new drug is resulting in less patients ending up on ventilators. The hospital itself has 8 ventilators. She stressed that this virus is not solely related to 'old people,' indicating that a patient was 'lost' in their ER yesterday, and it was mind blowing. She does not believe that stopping all surgeries at one time

is a viable answer. She believes that wearing a mask is 2020's version of 'covering your mouth when you sneeze.' It will not stop everything, but it will help stop some.

Tami Hawkins  
104 Brentwood Drive

Mrs. Hawkins, local nurse, came forth and shared that the Dept. of State Health Services (DSHS) and CDC are looked to as the 'source of truth' over and above the World Health Organization. She cautioned that this virus is not just attacking old people. There are healthy, young people dying too. The impact is much higher than the 'numbers' shown, as some people who are dying in the local hospitals do not actually live in Rockwall County.

Eva Cannon  
421 Bedford Falls  
Rockwall, TX

Ms. Cannon came forth and shared that she is a local business owner and resident. Her dad is currently in ICU in Dallas, and he has COVID-19. She believes that the City of Rockwall holding its 4<sup>th</sup> of July event is a bad idea. Also, since a lot of the other cities have cancelled theirs, people will be coming into the city from other areas, and we will see an increase in the spread of the virus. Mrs. Cannon shared that the numbers are 'skewed,' and we don't have true, accurate numbers yet at this point.

### III. ACTION DISCUSSION ITEMS

1. Discuss and consider upcoming city-related public events and requirements associated with wearing personal protective equipment (PPE) in light of the COVID-19 pandemic, and take any action necessary.

Rick Crowley, City Manager, indicated that yesterday morning, Baylor-Scott-White Lakepointe yesterday had 115 in the hospital with 10% being COVID. The non-surge capacity is 148. 30% of their ventilators were in use (though he did not ask how many they actually have).

Regarding Concert by the Lake and the 4<sup>th</sup> of July event, Councilmember Macalik made a motion to cancel those events. Councilmember Johannesen seconded the motion. Macalik clarified that her motion is related to events where 100 or more people would be present. Councilmember Johannesen commented, generally stressing the belief that the virus does not spread in outdoor areas – rather, it spreads more so in confined, indoor spaces.

Councilmember Macalik pointed out that a lot of surrounding communities have cancelled their July 4<sup>th</sup> events, and she believes that a lot of people will flock to Rockwall to attend our event(s) if they are not cancelled. She personally believes that large gatherings do contribute to higher numbers of COVID cases. She has concerns about 'social distancing' being possible when 2,000 – 5,000 people come to events such as these (fireworks and Concerts by the Lake).

Mayor Pruitt clarified that Macalik's motion, if passed, would result in cancellation of the following events: the "Outdoor Day" today at The Harbor; Baseball Nation's tournaments at Tuttle Athletic Complex this weekend; Concert by the Lake on July 2; fireworks at The Harbor on July 3; the July 4 parade and the fireworks show at Harry Myers.

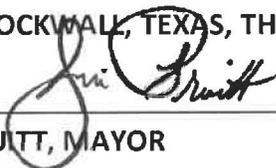
Mayor Pruitt generally expressed that he does not believe governments should be mandating people's behavior or shutting down public events – instead, everyone should take personal responsibility to take care of themselves and decide whether they should wear masks or shop at businesses that require them to be worn.

Councilmember Macalik's motion to cancel all of the events that were named off by Mayor Pruitt failed by a vote of 1 in favor (Macalik) and 4 against (Campbell, Hohenshelt (remotely), Pruitt and Johannesen) with two being absent (Fowler and Daniels).

IV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 10:51 a.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6<sup>th</sup> DAY OF JULY, 2020.

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



# EXHIBIT A

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** 06/26 Emergency Meeting  
**Date:** Thursday, June 25, 2020 7:11:22 PM

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I have a feeling that this meeting is being called to consider a mandatory wearing of masks for "public health" concerns. COVID19 being the reason obviously.

Put simply, I say you dont have a right to ask people to wear masks and I think it's all a lie anyway. 4 reasons. Lies from leadership, health risks, safety, and rights.

I have attached a video of Dr. Fauci, the one who is supposed to be a leader during this whole crisis for the entire country. In this clip from the show 60 Minutes, 03/08/2020 he outright says people do not need to be wearing a mask. He has backtracked on his position about the whole ordeal, going from disapproving of Trump closing off access to and from China, to saying Trump wasnt doing enough, to now saying we dont need to be wearing masks. Anything this man says is difficult to trust at this point. He was even the one who helped provide funding for the facility that appears to have been responsible for this whole problem.

The World Health Organization themselves gave the entire world false information about this situation and haven't been able to provide substantial evidence that masks help prevent the transfer of the virus. There are however, indications that wearing a mask increases the quantity of bacteria stuck around the mouth from being sucked in, and there are people getting sick from bacterial infections near the mouth.

On top of all this, it's a safety issue to small business owners who might have people with bad intentions walk in with a mask because its apparently mandated and therein lies an opportunity for these individual's to commit a robbery with their faces covered knowing they have a higher chance of getting away.

On top of all this, it's not the right of a government to decide what a human should or shouldn't be able to do to protect their body. You would be asking people who are not sick, to wear a mask and risk getting less oxygen efficiency and possible bacterial infection, to protect a portion of the population that was at risk of getting sick to begin with. Humans have been living and dying with many incurable diseases for thousands of years, and now suddenly one that a small percentage of the population might die from exists, and everything stopped, we almost ruined the national economy and it's all at the same time the Obama administration is being subpoenaed to testify on the illegal spying on Trump. Just very coincidental.

I just moved to Rockwall and avoided moving to Dallas to have a smaller city home and avoid the disasters of a large metropolitan city. I hope you dont make me regret that decision.

Thank you for taking the time to read this.

<https://youtu.be/FCBRQWmwK5Q>

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** 6/26 Council Emergency Meeting  
**Date:** Thursday, June 25, 2020 5:09:27 PM

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Name - Darlene Singleton

Address - 930 Williams St, Rockwall, TX 75087

Subject of discussion - July 3 DAYCATION

Comments. In regards to the July 3 DAYCATION - Rockwall officials are requested to enforce the public and vendors and shop owners to wear personal protective equipment (PPE) in light of the COVID-19 pandemic or **cancel** the event due to the rise in positive cases. Have city staff implement disinfectant cleaning of public areas (seating spaces) throughout the day as well as enforce vendors wear PPE and disinfectant cleaning of their space/business. When originally presented it was noted the City staff stated no protocol would be in place and currently per the DRA information no protocol is planned - hopefully this meeting will change that decision.

Please be responsible!

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From: [REDACTED]  
To: [REDACTED]  
Subject: 6/25 meeting in regards to PPE  
Date: Friday, June 25, 2020 7:45:17 AM

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Leslie Cunningham  
538 Garrett Road  
Rockwall, TX 75087

Agenda item: mandatory masks

I am writing you this morning to voice my side of the mandatory masks. I am 36 year old born and raised Rockwall Texas. I am seeing so much division in my hometown. It is beyond out of hand.

I have done lots of research in regards to the masks. I have not worn a mask during this entire Covid craziness. I have a medical condition that prohibits me from wearing one. There are many people in Rockwall who physically CAN NOT wear a mask, like myself.

It's against HIPPA & ADA regulations to make someone wear a mask. Establishments can fine excessive fines. It is also against OSHA regulations.

Health professionals have said if you DO NOT have the virus then you do not need to wear a mask. So why make this mandatory? It is absurd.

Please see attached picture from a friend.

Thank you for your time.

Leslie Cunningham

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## After Care Instructions

### INSTRUCTIONS

#### COVID-19 GENERAL (EDU)

1. There is a new kind of Coronavirus that causes a disease called COVID-19.
2. Coronavirus is a general category of viruses that cause respiratory illnesses. The common cold is also caused by several types of coronavirus. These kinds of coronavirus have been around for years and are not dangerous.
3. The new coronavirus causes a disease called COVID-19. It does not cause the common cold. The virus was first detected in Wuhan, China. It has spread from person-to-person around the world, including the United States.
4. People in danger of getting COVID-19 are:
  - Those in close contact with people who already have COVID-19.
  - Those who recently traveled to areas with high rates of infection.
5. The virus is spread through:
  - Tiny infected water droplets which are spread when someone sneezes or coughs.
  - Person-to-person close contact with someone who is infected. Close contact is being within 6 feet of the infected person.
  - Touching a surface or object with infected tiny droplets on it from another person.
6. People are most contagious (at highest risk of spreading the virus to others) when they have symptoms. Some people may also be contagious before they get symptoms.
7. Symptoms of COVID-19 may happen within 2-14 days following exposure and can be:
  - Fever (temperature higher than 100.4°F or 38°C).
  - Cough.
  - Shortness of breath.
8. COVID-19 is mostly a mild disease. However, anyone with a bad case of this virus may get pneumonia in both lungs. This can make breathing hard and may lead to hospitalization, need for intensive care or even death. In affected areas, people getting COVID-19 tend to be elderly. These people also have the highest chance of dying.
9. Testing for COVID-19 is done by swabbing the nose, throat and mouth. Your doctor or healthcare provider is following diagnostic guidelines from the CDC on who should and should not be tested.
10. There is no cure or vaccine for COVID-19 right now. The main treatment is supportive care. This means treating the symptoms including using acetaminophen (Tylenol®) for fever, along with rest and fluids. You may have been given an inhaler or steroids. Use these as directed.
11. Patients with COVID-19 may not need to be in the hospital. They may be sent home or to a health care facility for isolation (quarantine). The purpose of this is to keep them separated from other noninfected persons to avoid spread of the virus. State and local public health authorities will decide the place of isolation (quarantine).
12. To lower your chance of being infected with COVID-19, avoid exposure to those who are infected, you should:
  - Avoid close contact with those who are sick.
  - Wash your hands often. Wash for at least 20 seconds with soap.
  - Do not touch your face, especially your nose and mouth, before washing your hands.
  - Only use a facemask if you show symptoms from COVID-19. The CDC says people who aren't sick don't need to wear masks to protect themselves from COVID-19. You only need to wear a mask if you are coming into close contact with those who are infected.
13. Remember there are many other viruses causing similar respiratory symptoms to COVID-19 (fever, cough, shortness of breath) at this

PATIENT COPY

**From:** [REDACTED]  
**To:** [Pruitt, Jim](#); [PublicComments](#)  
**Subject:** Agenda item- masks  
**Date:** Thursday, June 25, 2020 9:46:14 PM

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I wanted to weigh in my thoughts on the mandate for masks.

First- I will tell you that I am a frontline worker as a nurse in an ICU.

While I understand this mask discussion is a very polarizing debate:

Those that are pro mask and those that are not.

I also understand that this has turned into a political agenda. People are not wanting to wear a mask and using it as an infringement upon their constitutional rights.

In regards to that I offer this view of the constitution:

The beginning states "We the people... of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Just looking at the introduction the goal of the constitution mentions to promote the general welfare and secure the blessing of liberty to ourselves and our posterity.

Posterity is all future generations of people.

What about the 16 people that have died so far in rockwall county alone? What about their posterity and well being? Not to mention their loved ones well being as they bury their husband, mother, etc....

The other side of the discussion says well...its only 16 people out of all the citizens in Rockwall.

For me- if doing something so menial as wearing a mask saves our community from a 17th, then so be it.

Further down in the constitution we have the Bill of Rights.

The first one states:

Amendment 1 - Freedom of expression and religion) **13**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Freedom of expression states: religion, speech, press, and the right to assemble. It does not state that in the event of a pandemic, if public safety is of concern you have the right to put the wellbeing and

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Agenda Item: Covid 19 - We should wear masks  
**Date:** Friday, June 26, 2020 7:21:41 AM

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Please read at the City Council meeting this morning:

Hope is not a strategy. We need fact and science based information to lead policy. Current recommendations from ALL of our medical experts at CDC, National Institute of Allergy and Infectious Diseases (with Dr Fauci) say that masks help slow the spread of Covid19. I can't understand how following medical advice has become a political statement.

Wearing a piece of material over your face is a very small effort that each of us can do. To all the "but freedom" folks, Freedom comes with RESPONSIBILITY. We wear seat belts, observe stop lights and stop signs, we don't allow smoking in public places -- all because they have been determined to be for the public good. Wearing masks is for the public good.

Make a sensible decision to require masks for Rockwall. Communicate the medical advice and help ensure that everyone sees the value of helping to stop the spread of this highly contagious disease.

Kirsten Jordan  
2112 Kyle Circle  
Rockwall, Tx 75032

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Arguments against Mandatory Wearing of Masks  
**Date:** Friday, June 26, 2020 8:16:06 AM

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WHEREAS,

1. The justification for mask wearing and other public health interventions depends upon the Infection Fatality Rate (IFR). The IFR for COVID-19 is between 0.07-0.2%, in line with seasonal flu (with an IFR of 0.1%). CDC estimated IFR for Covid-19 on May 24th to be below 0.3%.

Dr. Scott Atlas of Stanford University wrote, "The fatality rate if infected is likely 0.1 to 0.2%, a risk far lower than previous World Health Organization estimates that were 20 to 30 times higher and that motivated isolation policies.

This virus does not meet any established criteria for a pandemic. The Infection Fatality Rate is right in line with the seasonal influenza virus — and we do not require masking every winter for the flu.

2. The more testing we do, the lower the Infection Fatality Rate goes. This virus is petering out. Most people who do test positive have mild and transient symptoms — if any. The death rate from Covid-19 even in Texas ICU's among the most severely ill is down from 12% in May to 5.9% in June. This virus is on its way out.

3. It is not possible to stop transmission of a global virus. All our measures to slow it only succeed in postponing infection. I would much rather see our residents contract a virus in summer when immunity is much higher and the virus weakened by warm temperatures than in winter when health is more tenuous and threats to the immune system more numerous.

4. Mask wearing is predicated on the presumption that infected but asymptomatic individuals can spread SARS Co-V 2. This has now been shown NOT to be the case.

5. Covid-19, like all Corona viruses, is NOT spread by casual or airborne contact.

6. There is no evidence that masks work to stop the spread of the virus, and in the case of cloth face coverings, they could actually *increase* the spread due to concentration and contamination.

Hong Kong researchers evaluated data all the way back to 1946 and concluded: "We found no significant reduction in influenza transmission with the use of face masks."

Denis Rancourt, PhD, of the Ontario Civil Liberties Association wrote, "Masks and respirators do not work. There have been extensive randomized controlled trial studies, and meta-analysis reviews of RCT studies, which all show that masks and respirators do not work to prevent respiratory influenza-like illnesses, or respiratory illnesses believed to be transmitted by droplets and aerosol particles. It would be a

paradox if masks and respirators worked, given what we know about viral respiratory diseases: The main transmission path is long-residence-time aerosol particles (< 2.5 microns), which are too fine to be blocked, and the minimum-infective-dose is smaller than one aerosol particle. (Masks Don't Work: A review of science relevant to COVID-19 social policy Technical Report · April 2020 DOI: 10.13140/RG.2.2.14320.40967/1)

THEREFORE,

I am strongly opposed to any requirement that the citizens of Rockwall be required to wear a mask.

Dr. Jon Weygandt

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Attn: Mask Mandate  
**Date:** Friday, June 26, 2020 7:42:28 AM

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I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtbIFCn2Urkca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtbIFCn2Urkca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Sincerely,  
Carissa Dierksen  
Entrepreneur  
Rockwall Resident

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** City Council Emergency Meeting  
**Date:** Thursday, June 25, 2020 5:19:38 PM

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To the members of the Rockwall City Council,

The best time to act on Covid 19 is well past. The next best time to act is now. The council should immediately mandate wearing of masks in public and cancel any planned July 4th celebrations. The meteoric rise in cases over recent weeks since phase 3 of Governor Abbot's reopening plan requires immediate action. If the state is unwilling to act in the interest of it's citizens the onus falls to individual cities and counties. You will hear many arguments against the wearing of masks as restricting constitutional liberties. These are straw man arguments - masks are a minor inconvenience at worst and are not designed to protect the wearer but to protect those in proximity to the wearer. It is no man or woman's constitutional right to endanger the health of any other through either ignorance or negligence.

If these steps had been mandated early in the pandemic on a national or state wide level we would be on our way to recovery instead of languishing in our 4th month of continued spread. Entire countries such as New Zealand have eliminated the virus entirely by mandating such measures and by their citizens honoring their obligation to their community to keep each other safe.

This infection rate has at minimum quadrupled in our system since stay at home orders and social distancing restrictions were lifted. This is a clear and present danger to the people of Texas and of Rockwall and measures must be taken to protect the community. This should be a discussion based solely on readily available facts and information based in science, not on feelings, inconveniences or political affiliation. If we want to return to normal as quickly as possible these steps must be taken swiftly and decisively.

I implore the members of the Rockwall city council to heed the facts and advice of scientists and doctors and follow the example of cities, counties, states and entire countries who have reduced or eliminated the virus entirely and take the below measures to improve and ensure the safety of our community.

Mandate masks in all public places, enforceable by fines escalating for repeat offenders. It should not be up to the city's business to police their community. That burden falls on the city itself.

Thank you,  
Heather Turner

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Comments for 6/26/20 Emergency Meeting  
**Date:** Thursday, June 25, 2020 10:56:44 PM  
**Attachments:** [image.png](#)

---

**Patricia Ruiz**  
**2908 Greenway Drive, Rockwall, TX 75087**

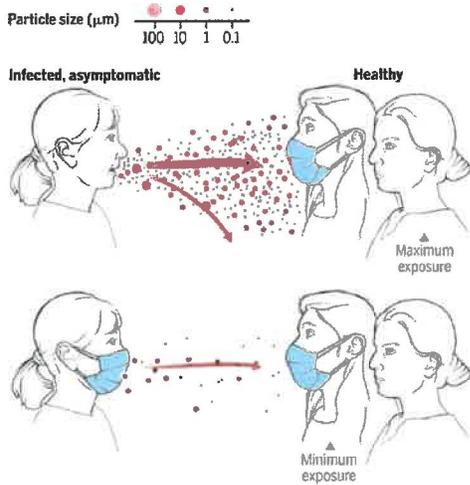
### **Comments for Open Forum in regard to PPE**

Texas set another record for new COVID-19 cases today with 5,996. This is the third consecutive day that the record has been broken. We must take action to protect ourselves and our community. While there have been recommendations to wear masks, the general public has not seen that as necessary and masks are not being worn. We need to require masks in all public places similar to Dallas, Tarrant, Bexar, Travis, Hidalgo, Cameron, El Paso, and Harris counties.

At least 60% of Rockwall cases are community spread (<https://www.rockwallcountytexas.com/1023/COVID-19-Information>). It is irresponsible to let the public go out while possibly unknowingly infected without masks. Both my son and I are high risks and we have not left the house since the beginning of March. Since we are completely isolated we won't get sick but what happens when there are no hospital beds because they are filled with COVID patients and my son needs medical attention? Texas hospitals are filling up quickly (<https://www.cdc.gov/nhsn/covid19/report-patient-impact.html>) and we need to stop the curve now. We never experienced the "two week downtrend" that was supposed to be required before reopening (<https://www.nytimes.com/interactive/2020/us/texas-coronavirus-cases.html>). Since we are seeing so much community spread there is no reason not to follow CDC guidelines for such areas (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>)

### Masks reduce airborne transmission

Infectious aerosol particles can be released during breathing and speaking by asymptomatic infected individuals. No masking maximizes exposure, whereas universal masking results in the least exposure.



GRAPHIC: V. ALTOUNIAN/SCIENCE

Rockwall also needs to enforce the mask mandates with fines at the bear minimum. I know the citizens of Rockwall have generally been very opposed to these rules so they will have to be enforced rather than "strongly suggested". I know that many have been quick to cite economic issues with the stay at home orders but where is the economy if we lose 5% of the population?

Wearing a mask is literally the bear minimum we can do as individuals for our community. I strongly urge you to mandate masks.

Thank you,  
Patricia Ruiz

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Comments on mask Mandate  
**Date:** Thursday, June 25, 2020 9:34:01 PM

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To Whom It May Concern,

I am a physician living in Rockwall. My address is 6501 Warwick Dr. Rockwall, Tx 75087.

I cannot strongly urge you enough to mandate people to wear masks. Research has shown that masks are one of the best ways we, as citizens, can help slow the spread of SARS-CoV-2. Unfortunately, many in our community will not heed medical professionals' recommendations unless there is a mandate. The rapid increase in cases despite Governor Abbott urging people to stay home and wear masks when out is proof of that. We can expect exponential growth of people with COVID-19 if we continue as we are. Please help protect the citizens of Rockwall county.

Sincerely,

Jessica Morse, a concerned physician citizen

Sent from my iPhone

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UT Southwestern

Medical Center

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid 19 and Masks  
**Date:** Thursday, June 25, 2020 10:27:59 PM

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To whom it may concern,

I am commenting on the use of masks and on public events. I know the Governor has already put some restrictions on the amount of people who can attend public events. He has also strongly suggested we wear masks.

We already have the evidence in Rockwall of what happens when you open up and don't know apply those rules. It has been proven in many studies that if everyone wears a mask, the rate of transmission of coronavirus would go way down. As it is, Rockwall's numbers are climbing as are most Texas cities. This cannot continue. It needs to be somewhat controlled before we hit flu season in the fall.

I personally do not understand the problem with requiring masks in public. We require that people wear seat belts for their safety, and get ticketed if they don't. This is no different to me. I think many people would be more inclined to get back to shopping if they knew that people were wearing masks. I have friends in Rowlett who say they feel very safe now in their town, because almost everyone in the grocery stores, drugstores, etc, are wearing masks. Why should Rockwall be any different. We are not the chosen ones who will not be affected by this virus, as we have seen in the past few weeks.

If people don't want to wear masks because they aren't afraid of getting sick, then they should wear it for those who could get very ill, or even die from it. Have a heart people. Wear a mask and then go to all the events and stores you want to go to.

Sincerely, Patti Watson  
2826 N Stodghill Rd  
Rockwall, TX 75087

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid 19 emergency meeting  
**Date:** Thursday, June 25, 2020 11:39:41 PM

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Thank you for allowing us to give input into this important decision and for calling this emergency meeting.

I would like to express my support for requiring face masks while in public spaces to protect our neighbors from inadvertently transmitting Covid 19. I would encourage our city council to set aside politics (and other motivators) and follow the science to protect our community and our loved ones. Furthermore, I hope they will look ahead to August and require face masks and other precautions as we move toward returning our children to school. Thank you.

--

Carolyn Hickey, M.Ed.  
2345 Desert Falls Ln, Rockwall, TX 75087

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid 19 open forum meeting  
**Date:** Friday, June 26, 2020 8:12:36 AM

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Mayor and Council Members,

My name is Harold Wortman. I live at 313 Russwood Street. Thank you for the opportunity to be heard. The most critical part of a community and role of leadership is to take care of each other and the citizens entrusted to your care. We have a shared responsibility to do this in a way we have never been challenged in our lifetimes. Never before has the very air we expel been dangerous to other community members. I understand how this has been politicized however I implore you to ignore that and focus on the science and public health impacts which are not political. These are seen by community members who cannot now get into hospitals and see their loved ones because they are full of COVID patients. They are seen by those who will have non COVID health emergencies and have difficulty getting a procedure, and finally these will continue to be seen by the increased sickness and deaths of our fellow community members. If we continue as we are without significant leadership in Rockwall then we will be directly responsible for what could have been avoided with common sense. All I am asking for is what Governor Abbott communicated to all citizens yesterday. Wear a mask when out in public and socially distance. What does this mean for Rockwall? It means we need leadership to formally support these initiatives. Cancel the ill advised fireworks and issue a simple requirement to wear a mask in businesses and when amongst groups. Wearing a mask is about protecting your community and those you care about. This is not a time to bow up and claim your right to infect others. This is not the time in the face of facts to say this is a conspiracy of some sort. This is not the time for silence from our leaders. Silence is complicity. We need honesty, transparency, and a willingness to protect the community you represent. I implore you to listen and more importantly act.

Thank you,

Harold Wortman  
Rockwall Homeowner

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid 19  
**Date:** Friday, June 26, 2020 8:12:01 AM

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Hello Members of the Council and Judge Sweet,

My name is Sara Wortman and I live at 313 Russwood St. rockwall, 75087.

Rockwall is my home. I grew up here. I graduated from Rockwall HS. I've chosen to raise my four children here and my parents have chosen to live here. We all have chosen Rockwall and love Rockwall because of the community. Rockwall is a family. When someone is in need, Rockwall shows up. When the Z's catfish was hurting, Rockwall showed up. When Rockwall families are struggling to feed their kids, Rockwall shows up. Whenever someone is suffering or in need, Rockwell shows up. Right now our city and our community is suffering, our Rockwall family needs to do what they've done all my life, show up. The science and the numbers don't lie. This virus is ravaging North Texas and our entire great state. We need to show up. Rockwall needs to come together, show up, and be the caring family and community that my husband and I have chosen to raise our kids in and my parents have decided to grow old in.

Even though so many Rockwallians are showing up, many are not. Now is the time for you, our elected leaders, to show up. We need you like never before. We need you to bring our community together, by guiding us to the path of safety. By canceling the super spreader events that have been proven to spread the virus exponentially and mandate mask wearing in all businesses. Our local businesses need your Support and leader ship. In order for our community to show up for them we need your guidance. If we all show up, with your guidance and strong leadership, we will be able to enjoy our local restaurants, stores, gyms, salons, and all of our local businesses with safety, So much sooner. Parents will be able to safely and confidently drop their children at daycares, camps, extracurricular activities and school so much sooner. Families will know that their loved ones in nursing homes and cared nursing facilities are safe, so much sooner.

I have four small children at home, no one wants to be able to return to some semblance of normal more than me, but right now is the time for the Rockwall family, the Rockwall community, to show up. Please use your leadership to guide us and bring us together, to help our Rockwall community show up. Please cancel the super spreader events and mandate masks in all businesses, for the safety and well-being of my family and all of our Rockwall family.

thank you

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid Meeting Comments  
**Date:** Friday, June 26, 2020 8:25:22 AM

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Please read my following statement at the meeting this morning.

My name is Doctor Timothy Swofford. Many of you know me from growing up in this community, although I've been back for a decade practicing medicine in Royse City as a family medicine physician. This is what many call the front lines, so I feel my perspective is unique. I also am a father of 4, including an infant, and the son and grandson of family that would be considered high risk from covid-19. I could not attend in person today not out of fear, but out of family obligations.

First a single basic statistic to frame the discussion. 2 years ago flu season killed eleven thousand Texans. As of this morning, 4 months into this so called pandemic, covid-19 has killed 2300 Texans, approximately 1/5th of the death toll of flu from 2 years ago.

To the immediate concern of the supposed spike over the past 2-3 weeks, this is almost certainly from an increased rate of testing and not an actual change in the rate of covid-19. Many of these tests are from completely asymptomatic patients going in for procedures or people simply curious to get tested. I have these completely well curious patients call my office on a daily basis.

Since June 1st the number of newly realized cases in Texas has gone up nearly 10 times with this increased testing. That's one thousand percent and a scary statistic shouted daily by the media, yet the death rate has remained the exact same if not gone down. Let me repeat that. Over the past 3 weeks, the covid-19 death rate in Texas, despite having more realized cases, has been flat or gone down. Rockwall itself has even more reassuring statistics.

According to the famed physician Dr. Anthony Fauci, "We're not going to eliminate the virus. It is so transmissible it's going to be around for a while." I agree with this statement from Dr. Fauci. The goal of social distancing and face masks has never been to completely eradicate the virus, it has been to slow the spread until herd immunity is reached or a vaccine is created.

Realizing that there are many many more cases of covid-19 in the community than we thought there were a month ago and with that deaths not being any higher than before is the best possible scenario we could be in. I say a 3rd time, we are weeks into this supposed surge and the death rate HAS NOT CHANGED, and it may be in decline. I urge you not to be a victim of media fear mongering.

Lastly, aside from the very good medical data showing nothing else is needed in regards to a covid-19 response from anyone, I urge you to remember the limited government minded citizens that elected each and every one of you. Any decision to impose any public restrictions on any business or individual, businesses and individuals that are more than capable of deciding on their own what is in their best interest, will not be received well now or in future elections. Let the people decide for themselves.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** COVID-19 Meeting  
**Date:** Thursday, June 25, 2020 10:32:27 PM

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As you deliberate the matter of protecting Rockwall during this pandemic, please listen to the advice offered by medical officials. They KNOW what is best and offer their advice without hidden agenda.

There are those who believe government should not be involved in making mandates, but it is involved regardless of its position. Take no action, you are involved. The same applies if you take action.

Please, please err on the side of caution and follow medical advice.

Be safe, stay healthy  
Bob Cotti

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid-19 Meeting  
**Date:** Friday, June 26, 2020 8:27:31 AM

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Tim Swofford  
3314 Anna Cade Cir  
Rockwall, TX 75087

Re: Covid-19 Response

Comments:

My name is Doctor Timothy Swofford. Many of you know me from growing up in this community, although I've been back for a decade practicing medicine in Royse City as a family medicine physician. This is what many call the front lines, so I feel my perspective is unique. I also am a father of 4, including an infant, and the son and grandson of family that would be considered high risk from covid-19. I could not attend in person today not out of fear, but out of family obligations.

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According to the famed physician Dr. Anthony Fauci, "We're not going to eliminate the virus. It is so transmissible it's going to be around for a while." I agree with this statement from Dr. Fauci. The goal of social distancing and face masks has never been to completely eradicate the virus, it has been to slow the spread until herd immunity is reached or a vaccine is created.

Realizing that there are many many more cases of covid-19 in the community than we thought there were a month ago and with that deaths not being any higher than before is the best possible scenario we could be in. I say a 3rd time, we are weeks into this supposed surge and the death rate HAS NOT CHANGED, and it may be in decline. I urge you not to be a victim of media fear mongering.

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individual, businesses and individuals that are more than capable of deciding on their own what is in their best interest, will not be received well now or in future elections. Let the people decide for themselves.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid-19 Pandemic requires teamwork and leadership  
**Date:** Friday, June 26, 2020 12:35:40 AM

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My name is Leonard Walker, a retired Educator. My address has been 1340 Tanglevine, Rockwall, TX 75087 since October of 2006. I am 73 years old, my wife is 72. We both have compromised health issues. I wear a mask every time I go into a public place. I do this to protect you as it offers little or no protection to me. I have seen fewer and fewer masks in grocery stores, at the gas pumps, in hardware stores. Fewer and fewer people are willing to wear a mask to protect me.

I lost a dear friend today. He was a wonderful Christian man. He loved his politics and was very active in his party. A few weeks ago, he attended a meeting for a local candidate. I doubt my friend, or many of the other attendees, were wearing masks. He didn't take the virus very seriously. A few days after the meeting he started showing symptoms. 13 days ago he was tested and immediately admitted to Big Baylor in Dallas. This morning his medical team said it was time for a ventilator. He called his wife to tell her what was happening. 2 hours later, a nurse from the hospital called with the news no one wants to hear. His heart just wouldn't take the trauma.

Face the FACTS, According to Medical organizations, Masks slow infections. What is going to happen in our schools if they don't wear masks? According to current guidelines, if a child tests positive they are removed from the campus as quickly as possible. Then all their classmates, teachers and anyone else they have had any contact with should be sent home for a 14-day period of quarantine.

Rockwall is the smallest county in Texas. According to the Texas Department of State Health Services, we rank 40th by population and 54th by infections. 2.7 of every 1,000 people in our county has been infected by Covid-19. That ranks 95th, just above Mediocre. We will climb that ladder if we don't do something to slow/stop the spread.

Like the Mayor, I already have my mind made up. I don't plan on changing anything, no matter what is said today. I will wear my mask and try to do my part to stop spreading virus'.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Covid-19  
**Date:** Thursday, June 25, 2020 10:41:11 PM

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Thank you for calling an emergency meeting to address Covid-19.

I understand that the mayor stated previously that it is his desire to limit government oversight for citizens' in regard to Covid-19. Thereby allowing the citizens' to make their own decision for self and family.

Though I appreciate this opinion, I find it is difficult to make an informed decision for self/family when the daily information is not current and difficult to locate.

To this end I request that the city provide daily Covid-19 counts via display marquee outside of the City Center, website etc....

It appears that the city has conceded the task of reporting the number of cases to the County of Rockwall. Providing this daily information in easily viewed formats is a much needed public service.

Instead of using our tax dollars for celebrations that will create a hazardous scenario, in which the virus may spread easily from citizen to citizen, the city should consider hand sanitizing stations in strategic places through out the city and parks, along with providing face masks. After Covid-19 we can celebrate!

Thank you,  
D. Hudson  
Rockwall Homeowner for 32 years

I

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Do not mandate masks!  
**Date:** Friday, June 26, 2020 7:54:32 AM

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We have plenty of government overreach as it is. Mandates about personal protection equipment should not be one of them.

Our freedom of choice is one of the founding principals of this country, and that freedom includes decisions about how to best keep our family and ourselves safe. It isn't the governments job to do it.

We all know the risks, and we accept them daily. We don't need you to tell us about them. Again.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency City Council meeting regarding COVID  
**Date:** Thursday, June 25, 2020 11:16:45 PM

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My name is Cassi Marietti. I live at 5505 Vagas Dr., Rowlett 75088. If you care anything at all about the welfare of the citizens of this community, you will cancel the remaining concerts by the lake and all Fourth of July festivities and you will shut down the sprinkler park at Harry Myers Park. I have frequented all of these venues for many years. There is no way you can safely social distance at any of these. To go forward with any of these events would be completely irresponsible.

Texas is breaking records every day. Two days ago, we had over 5000 new cases in one day. We are number five in Coronavirus cases in the nation. Houston's ICU'S are full. Dallas is not far behind. Will Rockwall, Texas be on national news as the new COVID hotspot or will we be the suburb who listened to the recommendations of the CDC and flattened the curve? It's up to you.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting - Comments  
**Date:** Friday, June 26, 2020 8:13:48 AM

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Good Morning,

I am writing to state my stance relative to the emergency meeting that has been called this morning. In light of the current situation with Covid - 19, it is my belief that here in Rockwall, additional measures to protect our citizens should be adopted for a period of time up to or until the increase of Covid 19 is being managed and shows a consistent decline. My suggestion is that you consider the wearing of masks as PPE a requirement when in public places including grocery stores, gyms, general shopping. Place greater restrictions on dine in restaurants and push the trend towards take out and or delivery until we have Covid - 19 on the decline.

Thank you for your time.

Stephen Woeltge

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting - comments  
**Date:** Friday, June 26, 2020 8:25:18 AM

---

Dear Rockwall City Council:

I am writing in advance of the emergency meeting being called this morning to evaluate the need for a mandate to wear PPE in the city of Rockwall in response to Covid-19. I would like to voice my strong opinion that no mandates of this nature be passed in the city of Rockwall. There is no need for the city government to require the wearing of masks in Rockwall. Here are some of my reasons:

- 1) Businesses should be able to regulate themselves and their customers without government intervention. People have a wealth of knowledge about risks involved and can responsibly choose which businesses to patronize based on their comfort level with precautions taken. The businesses are already directly answerable to their customers, who know and understand risks. Allow the educated population and businesses to make their own decisions based on what is in their best interests.
- 2) The CDC and WHO have been wildly inconsistent about whether masks work at all to reduce transmission, and if so what types of masks may or may not be helpful.
- 3) Masks increase breathing of CO2 and reduction of oxygen to the body, increasing potential of harm to some people.
- 4) Even as positive cases have increased in Texas and nationwide, death rates are decreasing. Currently, Rockwall city has only 264 confirmed cases, and has experienced only 1 death due to Covid-19. This is hardly a public health crisis warranting such extreme measures.
- 5) The virus is almost exclusively dangerous to people with significant underlying medical conditions, and especially elderly. If the county is to place restrictions, they should do so in direct correlation to protection of those vulnerable by focusing on nursing homes and medical facilities. But these entities are already acting responsibly and have self-imposed restrictions such that government imposition is not necessary.
- 6) Overreaction by government mandating restrictions increases likelihood of panic-driven mental health issues, depression, and suicide that comes from people self-isolating in fear and failing to get necessary assistance from professional, family and friends. This is most apparent with stay at home orders, but the mental effect extends to mask restrictions as well.

Please consider carefully these points, and refrain from mandating the wearing of masks or any PPE in Rockwall.

Thank you,  
Celeste Skousen



Virus-free. [www.avg.com](http://www.avg.com)

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting  
**Date:** Thursday, June 25, 2020 6:04:48 PM

---

My name is Andrea Davis and I live at 1617 Bob Dr., Royse City, TX  
I am against the use of masks in Rockwall county, people should be free to choose if they want to wear the mask or not.

Please consider my opinion, please do not force people to wear a mask.

Thank you

Andrea Davis  
209-610-4467

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting 6/26  
**Date:** Thursday, June 25, 2020 8:17:18 PM

---

To Rockwall City Council,

My name is Kathryn Oehler and I live at 207 Tanya Dr. in Rockwall. I am a retired RN and I am writing to you today to urge you to follow Dallas County's lead and immediately mandate that masks be required in all businesses by employees and customers.

I wear a mask in every business I frequent. I do this as a kindness to others, to protect them from myself, in case I am unknowingly infected with Covid. However, with the exception of one business in Rockwall, ACE Hardware, businesses are not requiring masks of those who enter the building. I find that I am in the very small minority of those who are protecting those around them by wearing a mask.

After several weeks of being closed, businesses seemed to go to great lengths to assure their customers that they had their health and well-being in mind in order to bring people back through their doors. However, I have noticed that as the weeks have gone by, their concern for their employees and customers seems to have gone by the wayside. As a result, I am frequenting businesses less and less. That means that they are not getting my money. We seem to be in this place of pretending that this virus is no longer a threat. Our state is now living out the consequences of this mindset.

I understand that wearing a mask is uncomfortable, inconvenient, and annoying. I know this from experience as I had to wear one 8 hours a day when I was a practicing nurse. But, I urge you to please take the lead and go to the next level to protect the public and our health care workers, by mandating the use of masks in all businesses. Now is not the time to be thinking about our individual comfort, but protecting those around us. People will not do that unless our leadership mandates it.

Thank you,

Kathryn Oehler

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting 6/26/2020  
**Date:** Thursday, June 25, 2020 10:08:09 PM

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Members of the City Council,

My name is Lisa Laudermilk. I will not give you my physical address to be read aloud for all to hear; however, I am a resident of Rockwall. It is my understanding that you have called an emergency meeting to discuss requiring personal protective equipment. I would like to urge you not to take such an action or support this measure. For every person who wants to wear PPEs, there is one who cannot because their health or PTSD renders them unable to comfortably wear one. It is not a matter of selfishness, it is a legitimate inability to do so no matter how much they might try. To require masks would severely impede their ability to conduct their day to day business. I would also like to remind you that they have rights protected through ADA.

Thank you for your time.

Sincerely,

Lisa Laudermilk

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**From:**   
**To:** [PublicComments](#)  
**Subject:** Emergency meeting 6-26  
**Date:** Friday, June 26, 2020 7:47:03 AM

---

Required PPE

1610 Fairlakes Pointe Drive  
Billy Thurlkill

I hope this meeting isn't about requiring face coverings in public. As a community we are social distancing, people aren't going out as often, positive cases are very low, and this virus has been present since December. Requiring face coverings in public seems more of a feel good, PR move rather than for safety concern. Businesses have enough to worry about, and do not need the additional burden to be the face covering police.

A lot of people are wearing face coverings, so it seems unneeded for a mandate for all.

Thank you

Billy  
Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting about COVID-19  
**Date:** Friday, June 26, 2020 1:52:12 AM

---

Hello,

As a citizen and business owner in Rockwall, I wish masks in public spaces were mandatory in order to slow/ stop the spread of this virus. All public gatherings should be cancelled until the numbers start decreasing. My fear is that businesses will have to shut down again if the numbers do not start trending downward.

My name is Ashley Griswold  
783 Mountcastle Dr  
Rockwall, Tx

Business: Checkmate Embroidery on Industrial Blvd

Sincerely,  
Ashley Griswold

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting Agenda  
**Date:** Thursday, June 25, 2020 10:07:17 PM

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Masks should be required in all public places, stores, grocery stores, and all shopping areas. Everything from salons to schools. We need everyone to help protect each other from the continued spread of this virus. It may not be convenient but it is necessary. Rockwall should be leading the standard of health and safety but we are not. We are failing as a community in a time where we should be united and strong. I fully support making masks mandatory for the safety of all.

Thanks,  
Christina Lee

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting Comments  
**Date:** Friday, June 26, 2020 7:28:19 AM

---

Jenny Krueger  
805 E Heath Street  
Rockwall, TX 75087

Thank you for your service to our community and the work that you do to make Rockwall a great place to live, work, and play. I appreciate how challenging it must be to cut through the noise and make decisions concerning public health while taking economy, public safety, civil liberties, and other important issues into consideration. Thank you for taking on that challenge.

I respectfully request that you consider the following actions in reference to the upcoming community events:

1. Seeking the advise of experts and professionals as a part of the decision making process.
2. Exploring safer or more low risk alternatives and, if possible, providing the opportunity for community members to weigh in (perhaps a social media vote?)
3. Promoting and modeling safe practices in City messaging.
4. Helping to educate the public on the repercussions of not using safe practices.
5. Looking for common ground among the passionate people of this community, and finding ways to bring them together.
6. Extending the same grace, love, and empathy that you desire for yourself to others. What a great opportunity we have to exercise and model the golden rule! This is hard and messy. Let's lift each other up as much as possible.

Thank you for your consideration and for providing me an opportunity to have a voice as a concerned citizen.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting for masks for Rockwall county  
**Date:** Thursday, June 25, 2020 9:25:34 PM

---

Hello,

I wish to express my opinion to NOT have mandatory face masks in Rockwall county.

This would be an overstep on the constitutional rights of the citizens of our county to require masks, especially considering the extremely low mortality rate for this virus.

Requiring masks to be worn by citizens is a violation of the personal freedom our country was founded on. Wearing a mask should be a personal choice. We are a country founded on limited government and personal freedom for all! Forcing people to adhere to a mask mandate is a violation of our personal liberty.

I ask the county judge & the commissioners court to uphold the constitution by NOT mandating masks for Rockwall county.

Thank you for your time and for considering my request.

Emilie Quisenberry  
625 Nakoma Drive  
Rockwall, TX 75087

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [Daniels, Bennie](#); [Hohenshelt, John](#); [Fowler, Kevin](#); [Johannesen, Trace](#); [Macalik, Dana](#); [Campbell, Anna](#); [PublicComments](#)  
**Subject:** Emergency Meeting June 26, 2020 on COVID-19  
**Date:** Thursday, June 25, 2020 11:42:51 PM

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Merceda Winder  
250 Dove Landing  
Royse City, TX 75189

I am opposed to Rockwall having the Staycation on July 3<sup>rd</sup> and the 4<sup>th</sup> of July Parade on July 4<sup>th</sup>. I am campaigning for Rockwall County Commissioner Precinct 3, and I will not be in your parade as I do not want to expose the children who will be attending the parade to COVID-19, and I do not want exposure to COVID-19 myself.

The majority of people in Rockwall County do not wear masks. I am amazed at the number of people who believe that the virus must stop at Lake Ray Hubbard.

I noticed this evening when I came back from Plano, that Concerts by the Lake had boats parked next to each other and the people were freely and openly gathering together in large groups. Concerts by the Lake should also be canceled for this summer.

Texas numbers of COVID have never gone down. We are still in the first wave. If you believe that we are in the second wave, then I would suggest that you turn off Fox News and listen to true news reports.

With Rockwall's COVID numbers jumping to 45 yesterday, it is quite clear that social distancing and mask-wearing is not working in Rockwall.

I know that Mayor Pruitt does not believe in mask-wearing and doesn't want to enforce it in Rockwall. This is one reason that I no longer shop for my groceries and other necessities within this county. I go to Collin and Dallas counties where people care about their lives and other people's lives and they are wearing masks.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting June 26,2020  
**Date:** Thursday, June 25, 2020 6:14:06 PM

---

Wearing of personal equipment (mask) should be required in public. Listen to and follow the advice of the medical experts.

Earl B. Johnson  
612 Severige Ct.  
Rockwall, TX 75032

Sent from my iPhone

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting over PPE  
**Date:** Thursday, June 25, 2020 3:37:29 PM

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Please do not make PPE in public a requirement! Businesses will not survive this mandate. I know many, many families that will just shop in other areas if this becomes a requirement. Let people decide for themselves what is enough protection for them. Do not push this! People with illnesses that are exacerbated by wearing a mask will suffer. There is evidence that wearing a mask does not slow the spread. Please do not cave to overreaching government. There will be lawsuits that come from this. Do not put Rockwall in the position to face lawsuits over this requirement. We do not have a lot of cases here!

Stop the madness and do not force this on people.

--

Tiffany Palacios

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting Re: Covid 19  
**Date:** Thursday, June 25, 2020 4:57:18 PM

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To the members of the Rockwall City Council,

The best time to act on Covid 19 is well past. The next best time go act is now. The council should immediately mandate wearing of masks in public and cancel any planned July 4th celebrations. The meteoric rise in cases over recent weeks since phase 3 of Governor Abbot's reopening plan requires immediate action. If the state is unwilling to act in the interest of it's citizens the onus falls to individual cities and counties. You will hear many arguments against the wearing of masks as restricting constitutional liberties. These are straw man arguments - masks are a minor inconvenience at worst and are not designed to protect the wearer but to protect those in proximity to the wearer. It is no man or woman's constitutional right to endanger the health of any other through either ignorance or negligence.

If these steps had been mandated early in the pandemic on a national or state wide level we would be on our way to recovery instead of languishing in our 4th month of continued spread. Entire countries such as New Zealand have eliminated the virus entirely by mandating such measures and by their citizens honoring their obligation to their community to keep each other safe.

This infection rate has at minimum quadrupled in our system since stay at home orders and social distancing restrictions were lifted. This is a clear and present danger to the people of Texas and of Rockwall and measures must be taken to protect the community. This should be a discussion based solely on readily available facts and information based in science, not on feelings, inconveniences or political affiliation. If we want to return to normal as quickly as possible these steps must be taken swiftly and decisively.

I implore the members of the Rockwall city council to heed the facts and advice of scientists and doctors and follow the example of cities, counties, states and entire countries who have reduced or eliminated the virus entirely and take the below measures to improve and ensure the safety of our community.

Mandate masks in all public places, enforceable by fines escalating for repeat offenders. It should not be up to the city's business to police their community. That burden falls on the city itself.

Thank you,

Andrew Turner

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting regarding mandatory masks  
**Date:** Thursday, June 25, 2020 3:51:06 PM

---

Dear City Council,

There have been zero studies done to prove that masks prevent the spread of Covid. Zero. Only general consensus by medical professionals ie: best guess. There are countless studies done regarding the negative effects of wearing masks on a daily basis. Dallas county has had mandatory mask orders for weeks and are still seeing an increase in numbers. So I ask you, if masks are doing their job, wouldn't the rate of infection in Dallas county be going down? Where there is risk there must be choice. Period.

Thank you,  
Megan Conner  
1442 Pilgrim  
Mandatory mask order

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting  
**Date:** Thursday, June 25, 2020 7:14:15 PM

---

MY name is Cody Davis and I am against the policy of forcing people to wear masks inside establishments in Rockwall County, we the people should have the freedom to choose to wear a mask or not.

MY address is 1617 Bob Dr. Royse City TX 75189

Thanks you

Cody Davis

214-364-6732

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting, Friday, June 26, 2020  
**Date:** Thursday, June 25, 2020 7:05:16 PM

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Upcoming city-related public events should be cancelled due to inadequate containment of COVID-19 pandemic.

Wearing masks should be mandated at the very least to enter a business or attend a gathering along with social distancing and cleaning protocols.

Respectfully,  
Clare Reynolds  
319 Harbor Landing Drive  
Rockwall, TX 75032

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency Meeting  
**Date:** Friday, June 26, 2020 8:07:16 AM

---

Carrie Byrd  
622 Arcadia Way, Rockwall, TX 75087

First let me say that I understand being in the vulnerable group. My daughter was in treatment for leukemia for 2 and a half years. During that time we isolated our family. There were many times that she had zero immune system. During those times we were told by all oncology staff that we should avoid indoor activities and wash our hands often and sanitize. During her treatment, we went to work, got groceries and lived as normally as we could. She was to wear a N95 mask when her immune system was low. N95 makes do not protect anyone but the person wearing that mask. People go many places when they know they are sick. Many go to work and to stores. During this time, when she had zero immune system we were never told to wear masks to protect her. If masks really protected the vulnerable from viruses, wouldn't every oncologist recommend families to wear them? People in treatment can die from any virus, not just one.

Second, mandatory masks puts an undue burden on businesses that were already forced to shut down. Who is going to enforce these mandates? Where are those taxpayer dollars going to come from?

Third, as a community we have a right to assemble. This is being violated with all of these shut downs and mandates in areas and during times when there is not an overwhelming number of critically ill patients. I know we are not supposed to compare this to the flu or anything else, but we have mass gatherings during flu seasons and even during measles outbreaks in many areas. Prior to vaccines, our rights as healthy people were not infringed upon. We quarantined the sick. If people don't want to go to an event or don't feel safe then they should stay home. Nobody ever worried about what other people did during any other time. Businesses have a right to run and provide a service if we are willing to pay for it. At what point does our right to the pursuit of happiness come into play?

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Emergency meeting  
**Date:** Thursday, June 25, 2020 6:20:46 PM

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My name is Robert Godfrey. I live at 648 Grisham Dr in Fate. I just want to express my opinion regarding the meeting in the morning. First I want to say I absolutely do not want to go back to "shelter in place". With that said, of course I think people should use common sense and stay home if sick and refrain from gathering in crowds that pack people in like sardines. However I feel that the Fourth of July festivities should go on. I also feel it should be left up to people if they want to wear a mask or not. If businesses feel the need to request the wearing of masks, then that should be left up to them. Still to put out a mandatory rule that all have to wear a mask is just another bit of liberty lost.

Thank you,  
Robert Godfery

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Cc:** [REDACTED]  
**Subject:** Face Masks  
**Date:** Thursday, June 25, 2020 7:16:12 PM

---

Good day.

I wish to express my desire to NOT have face masks be made mandatory in Rockwall County.

The numbers the county will be using are not tied to actual confirmed cases of Covid-19.

To count someone who was near a positive case or near someone - who was near someone is irrational.

I ask you to use rational thought in your decision.

Using the information and method now for determining positive cases is akin to someone accepting a diagnosis of a broken arm when they were near a kid who skinned their elbow.

Growing up in Texas, I've been in close proximity people who had a family member who had the flu, a cold, poison ivy, etc. yet never had others assume I had it too.

Until the last few months no one would have ever had such a train of thought.

If our county representatives make the decision to assign judgement on others that strips away their freedoms without facts I will be beyond shocked. I believe cooler heads will prevail. I pray they are in Rockwall.

The ramifications of A decision to require masks moving forward are not positive in a country founded on personal freedoms and limited government.

Thank you for your time.

Stephen Quisenberry  
625 Nakoma Drive  
Rockwall, Texas 75087

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Fwd: Thoughts On Mask Requirement  
**Date:** Friday, June 26, 2020 7:33:06 AM

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> Hi,

> I wanted to write to tell you I strongly support a mask mandate. Masks are shown to aid in the reduction of transmission of Covid19 by curtailing the projectile of droplets and the virus contained within. Even if people don't realize they're sick, consistent mask use has shown to drop the transmission rates. My mask protects you, your mask protects me. Masking for the next few months is a small sacrifice to ensure that people survive. It is the least we can do to love our neighbor.

>

> While I will acknowledge, I am not a current resident of Rockwall, I do worship in Rockwall, my husband works in Rockwall, and we spend the majority of our money in Rockwall. We also have plans of relocating to Rockwall in the future. If Rockwall does not do something to attempt to curtail the spread of this virus, we will not spend another dime in Rockwall County. Dallas County is right down the road.

>

> Regards,  
> Lyndsey Griffin

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** I appose mandatory masks !  
**Date:** Friday, June 26, 2020 8:25:03 AM

---

I am completely against being mandated to wear masks on public. If anyone voluntarily wants to that is their choice but I don't agree with making it a mandate! I will not shop in Rockwall if masks are mandated.

Lorraine England

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** In Reference to Emergency Covid-19 meeting  
**Date:** Thursday, June 25, 2020 6:27:44 PM

---

Dear City Council,

I am writing you to voice that I do NOT want masks to be required in Rockwall. Please allow those the freedom of choice and the opportunity to make an educated decision about their personal health for themselves. Making this mandatory, forces the hands of local business owners and alienates dedicated customers that stand behind their personal right of choice. Please do NOT require the wearing of masks or the cancelling of public events. We are single handedly destroying the community that we so proudly built.

A concerned citizen of Rowlett, Rockwall County  
8702 Lakeside Drive, Rowlett TX 75088  
Brooke Young

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Keep Rockwall open  
**Date:** Thursday, June 25, 2020 5:50:56 PM

---

Please keep Rockwall open and do not listen to those who want to shut down out of fear. Those afraid can stay home. We need the economy open, we need our businesses to have a fighting chance. We need activities for our mental and physical health.

Thanks,  
Stacey Harbin

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Date:** Thursday, June 25, 2020 11:12:10 PM

---

Sent from my mobile.

---

Please send this email . They are voting on making everyone wear a mask at my place Hang Time.  
To: publiccomments@rockwall.com <publiccomments@rockwall.com>  
Subject: Masks

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21ci4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21ci4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Date:** Thursday, June 25, 2020 11:42:21 PM

---

I am not in favor of any mask ordinances.

Thank you

Laura Taylor.

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask agenda  
**Date:** Friday, June 26, 2020 8:02:49 AM

---

This email represents our opinion that mandatory mask wearing in the City of Rockwall is unsupported as is the science to its efficacy. Requiring public use is unfounded and degrades our community.

I ask you show courage and leadership in this matter, rather than following.

Respectfully,

Chris & Beth Cameron  
2081 Whitney Bay Dr  
Rockwall, TX 75087

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask mandate being discussed at emergency meeting  
**Date:** Thursday, June 25, 2020 3:51:28 PM

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I am pretty sad to see our county considering such an absurdity. You are hurting our people more for fining businesses who don't enforce a mask policy. I, for one, have a medical reason for not being able to wear a mask and REFUSE to be told I can't go in a grocery store unless I wear one. It puts my health at risk and my mental health will be even more unstable not being able to physically go anywhere to support our local businesses. Also take into account those who suffer from PTSD (being smothered during rape, for example) and cannot have anything over their face. We are telling them their reason isn't good enough and they are plain out of luck. Please do not enforce this! Get the word out on stronger recommendations but DO NOT mandate them

Sent from [Outlook](#)

---

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**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask Mandate Response to be shared at Emergency Council Meeting  
**Date:** Thursday, June 25, 2020 5:54:25 PM

---

If you mandate masks you would be declaring that they will protect people from the transmission of disease hence the only way you could "mandate". You will be susceptible to law suits should anyone get sick from Covid, sickness due to mask contaminants, breathing & lung issues, discrimination when a person with disability refuses to wear one, etc. Also you would need to identify regulations for the mask type to be effective.

Here is some information cut & pasted from OSHA.gov you will need to consider...

1) For some workers, employers may determine that wearing cloth face coverings presents or exacerbates a hazard. For example, cloth face coverings could become contaminated with chemicals used in the work environment, causing workers to inhale the chemicals that collect on the face covering. Over the duration of a work shift, cloth face coverings might also become damp (from workers breathing) or collect infectious material from the work environment (e.g., droplets of other peoples' infectious respiratory secretions)

2) Employers should consider evaluating their accessible communication policies and procedures to factor in potentially providing masks with clear windows to facilitate interaction between employees and members of the public who need to lip-read to communicate.

3) Such information is not intended to suggest that surgical masks or cloth face coverings provide adequate protection against exposure to airborne contaminants for which respirators would ordinarily be needed.

4) Cloth masks:

- May be used by almost any worker, although those who have trouble breathing or are otherwise unable to put on or remove a mask without assistance should not wear one.
- Will not protect the wearer against airborne transmissible infectious agents due to loose fit and lack of seal or inadequate filtration.

Surgical masks:

- Will not protect the wearer against airborne transmissible infectious agents due to loose fit and lack of seal or inadequate filtration

I, personally, and many others like me will fight against the mask.

Thank you,  
Linda Sherwood

Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone

---

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**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**From:**   
**To:** [PublicComments](#)  
**Subject:** Mask requirements  
**Date:** Thursday, June 25, 2020 5:35:02 PM

---

Good Afternoon,

Please impose a mask requirement for inside businesses and in situations where it is otherwise impossible unable to social distance. This has been proven to help reduce COVID-19 transmission, and I don't want to see our county turn into a super-hotspot just because there are so many who are convinced that it is somehow a restriction of their freedoms. Also, please encourage the Governor to make this a statewide mandate. Thank you,

Irina Hardesty-White

Sent from my iPhone

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask Requiteaments  
**Date:** Thursday, June 25, 2020 7:02:57 PM

---

I live in Rowlett, Rockwall County side. PLEASE make it mandatory that everyone wear masks. I have underlying health issues, so I am high risk, and cannot go anywhere unless people have masks on. Thank you.

Sharon Phillips

Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask  
**Date:** Thursday, June 25, 2020 6:03:09 PM

---

No mask please, We The People should have a choice.

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Mask  
**Date:** Thursday, June 25, 2020 9:32:19 PM

---

Tarrant and Dallas countries both are now requiring mask. If Rockwall doesn't follow, all the people who refuse to wear mask will endanger the citizens of our county. Each time a person doesn't wear a mask and causes one person to get sick is 100% Rockwall's elected officials fault for not taking actions. Sick people can't go spend or make money in the county. Not only are you risking lives but the county economic growth.

Sent from Yahoo Mail on Android

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks need to be mandatory  
**Date:** Thursday, June 25, 2020 7:16:37 PM

---

As the owner of an event production company that relies on large gatherings of people in order to keep the lights on and pay our employees, it is not only in our best interests to make masks mandatory, but in that of everyone interested in keeping the economy open. If we don't make wearing masks mandatory, we will go right back to where we were three months ago and have to shut everything down again.

Today I took my family to Dallas County, just across the lake, to go grocery shopping today. I felt safe because everyone was wearing a mask.

Masks are not political and they're not an infringement on anyone's rights- they're just like returning your shopping cart when you're done using it. It's doing something small for the next person that doesn't cost you anything at all.

Kate Winsor

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Friday, June 26, 2020 12:49:00 AM

---

1020 Heather Ct.  
Royse City, Tex 75189

I am opposed to mandatory wearing of masks. I feel this impinges upon my freedoms & constitutional rights as an American citizen. It should be up to each individual. I can't breath well while trying to wear one. I have done research, and I feel they offer no to little protection & pose a health risk. Lowers oxygen intake & more.

Sincerely,  
Angela Sladovnik

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 11:34:41 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

---

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**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 8:50:45 PM

---

Please institute a mask requirement in our city. We have to do what is best to keep the economy going. If we don't do it now in another week it will be to late.

Get [BlueMail for Android](#)

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 8:25:25 PM

---

I would happily support the county's decision to mandate masks. Studies are very clear that this can slow the spread of COVID19. While the 4th of July celebration is a fun tradition for my family, I don't think it is a good idea this year. Two weeks after Memorial Day weekend there was a massive outbreak. I would predict that 2 weeks after 4th of July we would see similar results. I have a high risk child so I will not be attending the meeting, but I did want to show my support. I appreciate the difficult position you are in making this decision. I pray you will make the right decision for the health of the high risk people in our great city!

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 8:18:52 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

---

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**From:**   
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 7:54:47 PM

---

I urge you NOT to extend the business health policy and mask mandate to the portion of Rowlett in Rockwall County. If you do so you will once again be overstepping your boundaries, Rockwall County has and most likely will not impose a mask mandate and you should honor their wishes.

Also, despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtbIFCn2UrlKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtbIFCn2UrlKca0a7SiQvks)

Let Rockwall County govern itself in this matter, and do not impose a mandatory mask use policy.

Thomas Blackmer  
Sent from my iPhone

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 7:27:16 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21ci4F3f-GVY0OpEtb1FCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21ci4F3f-GVY0OpEtb1FCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Deborah Blackmer

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 7:05:03 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrtKca0a7SiQyks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrtKca0a7SiQyks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Thursday, June 25, 2020 5:41:38 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDbHNFvnnLMabuhM21cl4E3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDbHNFvnnLMabuhM21cl4E3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Paul Willhite

---

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**From:**   
**To:** [PublicComments](#)  
**Subject:** Masks.  
**Date:** Thursday, June 25, 2020 10:23:47 PM

---

I can't believe I have to write this email. I can't believe this great country has sunk to such an embarrassin low, where science and education are rejected for tweets and fist pumps.

Every single health organization in the world is encouraging masks. It helps prevent the spread of a deadly virus. A deadly virus that has spiked again. Where do you think this ends? It just magically goes away?

At this rate, we'll be back in lockdown in a matter of weeks and far great economic harm will come. Or we can take steps like wearing a mask.

How can you refuse this undisputable truth to try and win some votes? You are trading your family's safety for votes. It's disgusting.

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Masks  
**Date:** Friday, June 26, 2020 7:15:50 AM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Sent from my iPhone

---

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Meeting June 26th- PPE  
**Date:** Thursday, June 25, 2020 9:27:59 PM

---

Jeff Ashworth  
1381 Scarboro Hills Ln  
Rockwall, TX 75087

Please, for the safety of our community and country, pass an ordinance requiring masks in indoor businesses. It has been proven across the country and world that this is an effective measure to slow the spread of COVID 19. It is obvious by walking into any grocery store in Rockwall County that the majority of people will not make the decision to wear one unless it is required. Wearing a mask is a minor inconvenience that has major implications.

Thank you- Jeff Ashworth

Sent from my Verizon, Samsung Galaxy smartphone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Meeting on 6/26  
**Date:** Thursday, June 25, 2020 11:49:33 PM

---

NO MASKS- they are dangerous, leave events alone!

Sent from AT&T Yahoo Mail on Android

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Meeting on 6/26  
**Date:** Friday, June 26, 2020 8:20:51 AM

---

Danny Cunningham  
538 Garrett Road  
Rockwall, TX 75087

I have done lots of research in regards to the masks. I have not worn a mask during this entire Covid-19. It completely baffles me to see people wear a mask outside. Breath the fresh air. Also, there is no purpose to wear a mask into a restaurant and then be able to remove it to eat. Just think about that?! Touching your face so much with the removal of mask and then placing it back on, setting it on a possible dirty surface and inhaling the germs. My wife has a medical condition that prohibits her from wearing one. There are many people in Rockwall who physically CAN NOT wear a mask.

It's also against HIPPA & ADA regulations to make someone wear a mask. Establishments can face excessive fines. I would hate to see businesses suffer even more by losing clients or facing fines. It is also against OSHA regulations. It's not safe for short or long wear nor does it keep you safe. The box of masks even state they don't protect you from Covid. Why wear it?

Making mandatory mask use is irrational and won't help the situation on bit. Wash your hands and use sanitizer. Don't touch your face. Enjoy your life.

Danny Cunningham

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** No masks in Rockwall follow true science not fake news.  
**Date:** Thursday, June 25, 2020 10:46:10 PM

---

Cut the virtue signaling and blind following of leaders who are part of the agenda mandating medical crap to citizens. Plenty of research from Dr.s virologists, even falsey Fauci the WHO Marxists and others who have said they are not beneficial in preventing spread. They are actually detrimental in many ways or how they are being used not changed after each use and figited with touching everything . To many Karen's to many crowd followers with no backbone who want to "fit in" or not rock a fake boat. So keep your opinions to yourself unless you want me to dump a books worth of facts for everyone you heap out over there in the ivory tower hall I'm done with this junk science control shaming crap. Everyone is an expert in their own mind and a tough guy till they stand face to face behind a mask.

[www.peoplesauto.net](http://www.peoplesauto.net)

***Peoples Auto***

***302 S. Goliad***

***Rockwall , Texas 75087***

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** No Masks!  
**Date:** Thursday, June 25, 2020 10:23:37 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?tblid=1wAR2a7eDhHNFvnnLMabuhM21e14F3f-GVY0OpEtblF?Cn2UtrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?tblid=1wAR2a7eDhHNFvnnLMabuhM21e14F3f-GVY0OpEtblF?Cn2UtrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Lucie

We CAN make a difference:-)

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** No Masks!  
**Date:** Thursday, June 25, 2020 10:22:50 PM

---

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtblFCn2UrfKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtblFCn2UrfKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Michael

We CAN make a difference:-)

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** No Masks!  
**Date:** Thursday, June 25, 2020 11:39:35 PM  
**Attachments:** [image0.png](#)

---

Please read this article - the WHO says there is no benefit to wearing masks. In fact, it is harmful for a multitude of reasons.

No masks for Rockwall -  
Thank you - Lori Ecker

---

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**Related Article:** Masks may actually increase your coronavirus risk if worn improperly, surgeon general warns

"There is no specific evidence to suggest that the wearing of masks by the mass population has any potential benefit. In fact, there's some evidence to suggest the opposite in the misuse of wearing a mask properly or fitting it properly," Dr. Mike Ryan, executive director of the WHO health emergencies program, said at a media briefing in Geneva, Switzerland, on Monday.

"There also is the issue that we have a massive global shortage," Ryan said about masks and other medical supplies. "Right now the people most at risk from this virus are frontline health workers who are exposed to the virus every second of every day. The thought of them not

Sent from my iPhone

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** No masks  
**Date:** Friday, June 26, 2020 8:12:00 AM

---

I understand there is fear right now. However, to mandate wearing masks would not be beneficial for all. Having children wear them all day at school is to the detriment of their health... Not to mention the adults also breathing in their own carbon monoxide by having to wear them all day at work. It is very simple for those that choose to wear them, to simply wear them. For those of us that choose to look at our health in a broader view, we should not be forced to wear them. As released by many doctors that have actually treated patients, people are not going to walk through a store and catch the virus.

Please don't mandate masks.

Stephanie Adams

---

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**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Note regarding NO MASKS  
**Date:** Friday, June 26, 2020 7:17:59 AM

---

To whom it may concern,

As a lifelong resident of Rockwall it is my hope that as the leaders of our community wrestle with the best course of action going forward concerning masks and public/group gatherings, that they are not influenced by the decision making of the large cities in Texas. It has been evident that the large city decisions ARE NOT made in the best interest of the citizens.

Rockwall has always been different and proud to stand for what is right. Mandatory masks is NOT in the best interest of our community. As far as community gatherings, this is a basis of our community and town traditions are essential to the cohesiveness of Rockwall. We each have the freedom to choose to wear a mask or not and attend a large community gathering or not. We are a land founded on freedoms, liberties, and democracy. Forcing a group to adhere to a rule that still isn't founded to truly help, lower the numbers, or decrease the effects of Covid would be wrong and cause major unrest and discord in our community. Encouraging the sick, elderly, or compromised to stay home seems like a much more rational choice not to mention easier to manage.

I pray that good sound judgment prevails and NO MANDATORY MASKS wearing is enforced in Rockwall, Texas.

Sincerely,  
Rachel Hernandez

---

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Open Forum for June 26th City Council Meeting  
**Date:** Friday, June 26, 2020 12:44:08 AM

---

Public Comments for Rockwall City Council Meeting on June 26th

Name and Address:  
Letha Samuel  
1845 Avonlea Dr.  
Rockwall, TX. 75087

Agenda Item: PPE requirement for public events

Dear Mayor Pruitt and Council Members,

As we all know, the Covid pandemic has brought about a lot of changes in how we have lived over the past few months. I just want to thank you for how the city has managed this situation so far. Thank you for allowing businesses to reopen and for encouraging safe and healthy practices so our community stays well economically and medically.

Thank you for trusting the residents of this city to exercise common sense and personal responsibility during this season. I would ask that you continue to trust Rockwall residents to make their individual right decisions regarding the health of themselves and their loved ones.

As far as city-related public events are concerned, I suggest that PPE use continue to be encouraged but not mandated. And in public places, from parks to stores, PPE use should continue to be at the individual's discretion. The city can continue to ensure the public is aware of the Covid stats in the area, provide the recommendations by the governor and/or CDC, and allow residents to make the choice to attend an event or go out in public, with or without PPE.

From what I've seen so far, mandating PPE use does not provide any significant improvement in Covid-induced hospitalizations. On the other hand, requiring PPE use has shown more negative consequences from an individual and community standpoint. Mandating PPE use unfortunately leads to inappropriate PPE use. It leads to petty monitoring from the city. And it leads to unnecessary policing, finger pointing, and discrimination from other residents who would take on the role as "law enforcers" or "tattle tellers".

Finally, mandating use of PPE assumes that everyone will use PPE correctly and appropriately. I work in other cities, and during this season I have witnessed plenty of people wear PPE inappropriately. I've seen them reuse disposable masks and gloves so much that the PPE no longer had its original color. And because of PPE, I've seen people disregard more important safety practices like hand washing and social distancing.

I encourage the City Council and the Mayor to continue to share the facts: monitor the Covid stats and changes in the numbers in Rockwall county; identify which population/groups are more likely to be significantly affected; and continue to encourage safe and healthy practices.

And let each individual make the decision to use or not use PPE in public.

Thank you for your consideration. We love Rockwall!

Sincerely,

Letha Samuel

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Opposition to Face Masks and Event-Cancelling (and here's why...)  
**Date:** Friday, June 26, 2020 8:26:50 AM

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To the Councilmen and Councilwomen of the City of Rockwall:

Thank you for this opportunity to voice my concern on mandatory face masks and the cancelling of events for the upcoming 4th of July season.

My name is Karen Logan, and my family and I just relocated to Fate, Texas, in December of 2019 after living in Wylie for almost 16 years. We love our new home and neighborhood and are enjoying getting to know our neighbors, too! We also love the fact that we are surrounded by thriving commerce in surrounding areas, such as Royse City and Rockwall, which we frequent regularly for dining, grocery shopping, and shopping in general.

Given the circumstances of the recent pandemic, I've been impressed with Rockwall County's unobtrusive, respectful stance of personal responsibility and the freedom to choose whether or not to wear a mask or attend public gatherings, etc. It is my belief that the County should maintain this posture moving forward, as well.

Here's why I feel this way:

1) Rockwall County has not experienced any new positive COVID-19 cases since June 19th, according to an article published in the Royse City Herald Banner just yesterday (Thursday, June 25, 2020; "No New Confirmed Cases in Rockwall County," authored by Brad Kellar). This reveals that social distancing is working and that mask-wearing is not a necessary mandate to keep the number of positive cases down.

2) Additionally, the percentage of those who have tested positive in recent weeks (264) only represents a fraction of Rockwall County's population of 96,877. The actual calculation shows 0.2725% having been sick with the virus with 195 recoveries already (roughly 74% recovery rate).

3) Many (including myself, my family, friends, and neighbors) believe that exercising personal responsibility and common sense in the way of proper hygiene and avoiding public spaces when sick or feeling sick are critical ways in which we will keep the positive cases down.

4) Too many opinions exist in the debate on the effectiveness of masks, and the decision to wear or not wear one should be left to the individual. Tensions are already elevated by other social issues right now; let's not aggravate people's emotional states by creating conflict within places of commerce whereby employees are given the false security of exercising authority

over shoppers where that authority doesn't truly exist on such a hotly-debated topic.

5) Finally, I think it is critical that we support each other during this time by shopping locally to stimulate our local economy and many will avoid this opportunity if they feel their rights to breathe freely without a mask are infringed upon. In the summer months when viruses are less prevalent than in the fall and winter, we should be free to build up our immune systems in as normal of an approach as possible.

Thank you for your time and consideration in this delicate matter. Please choose freedom, especially as we approach the celebration of our country's independence!!!

Sincerely,  
Karen Logan  
206 Micco Lane  
Fate, Texas 75087  
972-358-5615

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** PLEASE MANDATE MASKS/PPE  
**Date:** Friday, June 26, 2020 12:18:39 AM

---

My name is Austin Rylaarsdam  
I live at 1035 Hampton Bay Dr, Rockwall, 75087

I am writing today to encourage you to vote FOR mandatory use of PPE/face masks in public settings as per the recommendations of nearly every governing body and medical organization/professional.

I am a freedom loving American, but there comes a time when all must sacrifice for the good of the community. This is one of those times. The rapid spread of this virus mandates that something be done immediately to curb the spread. Study after study, leaders on all sides, and the vast majority of medical professionals and organizations have proven the benefits, strongly encouraged, or nearly begged for people to wear masks to help prevent the spread of this highly contagious virus, yet so many are choosing not to. With the overall health and safety of the community now in jeopardy, we can no longer simply leave these things as suggestions or recommendations that we hope citizens will follow, because clearly that is not proving successful. Without immediate action we face either another severe shutdown by government mandate, or the virus itself will bring us to our knees. These words do not come from a spirit of fear, but instead from a spirit of pragmatism, love of neighbor, and care for our community. Please do your part as trusted leaders of this community to do the right thing for the good of all.

Thank you for your time and attention to this pressing matter.

--

Austin Rylaarsdam

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** PPE will hurt businesses  
**Date:** Thursday, June 25, 2020 3:39:26 PM

---

Many people will refuse to shop or eat if you require PPE's. Give businesses a fighting chance and do not make this mandatory! Our economy has suffered enough. Don't do this! Rockwall businesses need a break. Leave this up to them and do not interfere with businesses.

--  
Tiffany Palacios

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** PPE  
**Date:** Friday, June 26, 2020 6:29:41 AM

---

Lydianne McDonald  
1930 Club Lake Cir  
Rockwall, TX 75087

As a mother in Rockwall who wants my kids to return to school and their activities in the safest environment possible, and who wants to ensure vulnerable teachers and parents can safely be involved in our children's education, I am for requiring PPE in public settings and businesses. With this action, we can try and bring the number of new cases of COVID-19 down now, so that come August/September, parents don't have to question the safety of students or teachers in a school setting.

Thank you

mobile message

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** PPE  
**Date:** Friday, June 26, 2020 7:36:12 AM

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To the Rockwall City Council:

Yesterday I ate at restaurant in the City of Rockwall, and NONE of the staff was wearing masks. I asked and was told they have a "no mask" policy for employees. This is VERY disappointing. Please require food service workers to wear masks. They cannot socially distance from our food when they prepare it, or from us when they serve it.

Respectfully submitted,

Lorne Liechty,  
502 Terry Lane  
Heath, TX. 75032  
Office: 214-860-6707  
Mobile: 214-288-2854  
email: [REDACTED]

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Ppe: I appose mandatory masks !  
**Date:** Friday, June 26, 2020 8:26:47 AM

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> I am completely against being mandated to wear masks on public. If anyone voluntarily wants to that is their choice but I don't agree with making it a mandate! I will not shop in Rockwall if masks are mandated.

>

>

> Lorraine England

> 1200 e FM 550

Rockwall 75032

>

> Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Public Comment- Covid-19  
**Date:** Friday, June 26, 2020 2:09:21 AM

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Rockwall leaders,

Thank you for allowing public comments on this very serious issue concerning Covid-10 in Rockwall County.

I have lived in this area my entire life. Rockwall is a community that has always elected faithful leaders who put its citizens FIRST and petty politics last. I do pray that this continues.

I know that not everyone of you are going to agree on the seriousness of Covid-19 and not everyone is going to agree on the absolute necessity for businesses to require masks.

I didn't agree with all of this myself until a few weeks ago. Within the past 3 weeks, I had 3 friends fall seriously ill with Covid-19 and one died.

They all live within 20-30 minutes of Rockwall and all 3 did not wear masks.

My sister who works at a police department is very ill and awaiting results.

Dr Fauci & Debra Birx are telling us to wear a mask, our Governor is HIGHLY recommending that we wear masks to prevent a potential stay at home order if this gets too out of hand. Not everyone is going to agree with a mask requirement but over 75% of Rockwall County citizens do support this.

You have everything to lose by not making this a requirement. Without a mask requirement, infections and hospitalizations **WILL** increase and voters are already upset at the thought that you might not require masks. **You would only be appeasing the few by not imposing a mask requirement.** I promise you-- if you were in a position where you had lost loved ones you too would feel very strongly that businesses should require masks. I never thought it would effect me or my family, but I was wrong.

Please do what is right, what is responsible and if you don't, I assure you those crazy Dallas people will be flooding into our community- mask-less and infecting our citizens.

As for the ill-informed citizens who believe masks do not offer protection, they are not doctors and do not have credibility when it comes to public health. Doctors from Parkland and UT Southwestern are begging the public to wear masks. Again... please do what is right. I pray for each of you and I pray for our wonderful community.

Sincerely,

Shawn Marie Long  
3110 Bourbon Street Cir  
Rockwall, TX 75032

**From:** [REDACTED]  
**To:** PublicComments  
**Subject:** Public Comment- Covid-19  
**Date:** Friday, June 26, 2020 2:12:15 AM

---

Rockwall leaders,

Thank you for allowing public comments on this very serious issue concerning Covid-19 in Rockwall County.

I have lived in this area my entire life. Rockwall is a community that has always elected faithful leaders who put its citizens FIRST and petty politics last. I do pray that this continues.

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Sincerely,

Shawn Marie Long  
3110 Bourbon Street Cir  
Rockwall, TX 75032  
972-837-5867

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Public Comment for COVID-19  
**Date:** Thursday, June 25, 2020 8:52:19 PM

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Adam Halkuff  
1300 Stanford Drive  
Rockwall, TX

COVID-19

I am writing to express my concern for the COVID-19 pandemic sweeping across Texas. I am requesting that the Rockwall County government take swift and immediate action to protect the citizens of our county. It's obvious that the state government proceeded with the opening of the state too soon and without following the guidelines laid out by the CDC. Due to Governor Abbotts rash decision, Texans are paying a heavy and fatal price. Rockwall should be on the right side of history and needs to take immediate actions. Please, at a minimum, mandate that masks are required to enter businesses and public settings. This is a recommendation from the CDC.

"...CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies) especially in areas of significant community-based transmission."  
There is no valid reason not to follow the recommendations from our Federal Government. Wearing masks is not a political issue, it's not about taking away rights, it's not about how it makes us look. Wearing a mask is one of the best ways to stop community spread of a COVID-19. This is recommended by scientists and doctors, not politicians. Please take action of masks, it's not difficult and it saves lives.

Regards,

Adam  
[REDACTED]

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Public comments for Friday June 26's emergency city council meeting  
**Date:** Thursday, June 25, 2020 7:19:32 PM

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On Agenda item III.1. on upcoming city-related public events and wearing of PPE

I would like to voice my support for mandating masks in all businesses in Rockwall for all customers, guests and workers. I think they also should be mandated in other public spaces where social distancing is difficult. Even the governor is now recommending that people wear masks and has left it open for local governments to make their own rules for mandating such restrictions.

I also support canceling certain non-essential public events, such as the Downtown Daycation on July 3 — this event isn't necessary, why is the city putting people's lives in danger? I also feel like the weekly farmer's market downtown doesn't have enough precautions to protect people ... booths are very close together and it's hard for people to stay 6 feet apart. Not to mention that many people don't agree with social distancing or wearing masks, so make it difficult for the rest of us to stay safe.

I understand everyone wants to get the economy back up and running, but we're seeing clear evidence that returning to life as normal is having a detrimental effect in our state and region. It's only a matter of time before cases mount up even more in Rockwall County, especially with our proximity to the major city of Dallas, where I'm sure many people in Rockwall work (including members of my own household).

Thank you for accepting my comments,

Virginia D. Haynes  
447 Yvonne Dr.  
Rockwall, TX 75032

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Public Comments for Rockwall City Council Emergency Meeting, 6/26/2020  
**Date:** Friday, June 26, 2020 8:28:40 AM  
**Attachments:** [image001.png](#)

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Rockwall City Council and Mayor Pruitt,

I am writing to share my deep concerns regarding decisions affecting citizens of the City of Rockwall and Rockwall County. I work in a major hospital in Dallas County. I have watched our inpatient admissions and ICU admissions increase very rapidly over the past few weeks. Dallas County is experiencing unprecedented health concerns due to the lack of protective measures taken in public settings. Open bars and dine-in restaurants without physical distancing measures and the use of masks for workers and patrons are causing a large increase in cases. Large gatherings such as weddings or parties are also causing a steep increase.

I implore the City to do the right thing by looking at the science of this virus, consulting with infectious disease doctors and epidemiologists, taking the advice of our Governor by restricting gathering sizes, enforce the use of masks by employees and patrons in local businesses, and BE AN EXAMPLE of responsible measures to the citizens you represent.

Our county is completely surrounded by other counties with surging cases. It is only a matter of time before businesses in Rockwall are affected by lack of protective measures.

It is time to set aside political agendas and focus on the health and safety of everyone, before it is too late.

***Joyce Ghormley, CCRC***  
*Supervisor of Oncology Research*



Charles A. Sammons Cancer Center  
Clinical Oncology Research Coordination  
3410 Worth Street, Suite 560  
Dallas, Texas 75246  
Phone: (214) 818-8961, Fax: (214) 820-3489

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Re: Council - Emergency Meeting  
**Date:** Thursday, June 25, 2020 4:44:22 PM

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Please require all businesses to require staff and customers to wear face coverings when indoors or when 6' spacing is not possible outdoors. There is no reason for our city to not require this simple task for the protection of our citizens. I'm not saying people need to be fined or arrested, but they should be shamed if not even trying to do within thier physical ability. If there are physical barriers protected by ADA from wearing mask or children under the age of 6, this should be the only acceptable reason.

Thank you for taking this serious on the citizen's behalf!

Kevin and Stephanie Folsom  
1115 Bayshore Dr  
Rockwall, TX 75087  
[REDACTED]

On Thu, Jun 25, 2020, 3:22 PM City of Rockwall <[mail@rockwall.com](mailto:mail@rockwall.com)> wrote:



City of Rockwall



If you are unable to view the image in this message, please go to:  
<http://www.rockwall.com/meetings/index.asp>

**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Regarding covid, and ppe  
**Date:** Thursday, June 25, 2020 10:15:34 PM

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To whom it may concern:

I have looked at our local data for covid cases, and I don't see why we are talking about the need to enforce ppe. We live in TX because we love the freedoms we have here. Rockwall county has not seen a significant jump in cases. I think we can continue to keep a safe distance between one another without the need to cover our faces. There are many with breathing issues such as asthma that this will impact. Inhibiting anyone's ot levels especially in the Texas heat is dangerous. Thanks for reading my concerns.

Sincerely,  
Jean.Yturaldi

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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**From:** [REDACTED]  
**To:** PublicComments  
**Subject:** Regarding Pandemic Covid 19  
**Date:** Thursday, June 25, 2020 11:20:54 PM

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Dear Mayor and City Council members,

I will not attend the meeting regarding the public health emergency as I do not feel completely safe with my underlying health issues being out and about in a group of people which I suspect will be made up of largely non mask wearing individuals.

As a nurse and nurse practitioner for 41 years, 20 of those years in the local community, it breaks my heart that our community is dividing itself over this issue of masking and social distancing for the greater good of everyone.

I could spend all night looking up medical evidence to support the case for mask wearing to help prevent particle spread, but that will not convince those who choose not to side with actual good science. I can speak personally to the fact that mask wearing does not endanger the well being of a healthy person in that over the course of my career there were definitely times when masking for 12 hours with minimal breaks was required of me. While those were uncomfortable days, they were not detrimental to my health. Similarly, I have had many clients who worked in "clean rooms" at local chip manufacturing companies who experienced no detrimental effects wearing masks for 12 hour shifts.

In healthcare, we are continually asked to balance the rights of the individual versus the health of the greater society. Individual freedoms are highly cherished in our great country and I understand that. It is a tension that affects our healthcare system overall, contributing to our ranking 38th out of 100 countries in healthcare outcomes.  
(<https://worldpopulationreview.com/country-rankings/best-healthcare-in-the-world>)

While I understand that requiring people to wear masks when in stores, restaurants, churches, and close crowds may not be politically expedient for the mayor and council members, I do think that there is room for you all to strongly recommend that our fellow Rockwall residents follow CDC guidelines on masking and social distancing in public. Please encourage social distancing of at least 6 feet during the many fun social events that are currently going on around town. Please do not contribute to further stressing our local health care systems and endanger the lives of others by continuing to act as though there is no pandemic going on while our neighboring counties continue to have alarming increase in rates of cases and hospitalizations. This virus is no flu and it is no joke and can have long term disabling effects for many who survive it.

Thank you so much for your time,

Lesa Walker, MSN, FNP-C  
307 Forest Trace, Rockwall, TX

I have included a few references for any who would care to read further.

<http://med.stanford.edu/news/all-news/2020/06/stanford-scientists-contribute-to-who-mask-guidelines.html>

[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)31142-9/fulltext#%20](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31142-9/fulltext#%20)

<https://pubs.acs.org/doi/10.1021/acsnano.0c03252>

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Requiring masks creates a false sense of security  
**Date:** Thursday, June 25, 2020 8:36:20 PM  
**Attachments:** [image0.png](#)

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It's a fairly censored subject on social media, but there are several more doctors and nurses citing sources such as this article below that draw conclusions that masks are not effective at reducing spread and could in fact be dangerous. Dangerous because most people pull them down to talk (when most aerosols are produced), touch their face constantly, and don't wear them properly/ill fitting. Dangerous because oxygen levels under a mask is under osha working standards... it's a health risk 22% is normal put a mask on it goes to 17.5 or lower. That's the real health hazard.

“ Cloth masks are ineffective as source control and PPE, surgical masks have some role to play in preventing emissions from infected patients, and respirators are the best choice for protecting healthcare and other frontline workers, but not recommended for source control. These recommendations apply to pandemic and non-pandemic situations.”

<https://www.cidrap.umn.edu/news-perspective/2020/04/commentary-masks-all-covid-19-not-based-sound-data>

This is also from a certified OSHA expert friend of mine:

“So Masks? I am OSHA 10&30 certified. I know some of you are too. I don't really know WHY OSHA hasn't come forward and stopped the nonsense BUT I want to cover 3 things

- N95 masks and masks with exhale ports
- surgical masks
- filter or cloth masks

Okay, so upon further inspection, OSHA says some masks are okay and not okay in certain situations.

If you're working with fumes and aerosol chemicals and you give your employees the wrong masks and they get sick, you can be sued.

- N95 masks: are designed for CONTAMINATED environments. That means when you exhale through N95 the design is that you are exhaling into contamination. The exhale from N95 masks are vented to breath straight out without filtration. They don't filter the air on the way out. They don't need to.

Conclusion: if you're in Target and the guy with Covid has a N95 mask, his covid breath is unfiltered being exhaled into Target (because it was designed for already contaminated environments, it's not filtering your air on the way out).

- Surgical Mask: these masks were designed and approved for STERILE environments. The amount of particles and contaminants in the outside and indoor environments where people are CLOGGING these masks very, VERY quickly. The moisture from your breath combined with the clogged mask will render it “useless” IF you come in contact with Covid and your mask traps it, YOU become a walking virus dispenser. Everytime you put your mask on you are

breathing the germs from EVERYWHERE you went. They should be changed or thrown out every “20-30 minutes in a non sterile environment.”

• Cloth masks: I can't even believe I'm having to explain this, but here it goes. Today, three people pointed to their masks as they walked by me entering Lowe's. They said “ya gotta wear your mask BRO” I said very clearly “those masks don't work bro, in fact they MAKE you sicker” they “pshh'd” me. By now hopefully you all know CLOTH masks do not filter anything. You mean the American flag one my aunt made? Yes. The one with sunflowers that looks so cute? Yes. The bandanna, the cut up t-shirt, the scarf ALL of them offer NO FILTERING whatsoever. As you exhale, you are ridding your lungs of contaminants and carbon dioxide. Cloth masks trap this carbon dioxide the best. It actually risks your health, rather than protect it. The moisture caught in these masks can become mildew ridden over night. Dry coughing, enhanced allergies, sore throat are all symptoms of a micro-mold in your mask.

-Ultimate Answer:

\*N95 blows the virus into the air from a contaminated person.

\*The surgical mask is not designed for the outside world and will not filter the virus upon inhaling through it. It's filtration works on the exhale, (Like a vacuum bag, it only works one way) but likely stops after 20 minutes, rendering it useless outside of a STERILE ENVIRONMENT (correct Becky, they don't work in a bar, not even a little bit).

\*Cloth masks are WORSE than none. It's equivalent to using a chain link fence to stop mosquitos.

The masks don't work. They're being used to provide false comfort and push forward a specific agenda. For the love of God, research each mask's designed use and purpose, I bet you will find NONE are used in the way of “viral defense.”

\*Occupational Safety & Hazard Association sited.

The top American organization for safety.

They regulate and educate asbestos workers, surgical rooms, you name it.

I know, facts suck. They throw a wrench into the perfectly (seeming) packaged pill you are willingly swallowing. Facts make you have to form your OWN OPINION, instead of regurgitating someone else's, and I know how uncomfortable that makes a lot of you. If your mask gives you security, by all means wear it. “

Rockwall county hasn't seen a large spike since opening businesses. Businesses and people have been out/open in hordes for more than a month now and many not wearing masks. It is more important to encourage hand washing and staying at home unless “necessary” and to not leave you're home if you are experiencing symptoms.

In addition, many of the increases in cases are because they are making tests more accessible and available to anyone that wants one. A month ago you could not get one unless you had symptoms or exposure. More tests, more positives. Are there more deaths?? Only because of broadmore and I question their reporting methods. Dying with covid is not the same as dying because of covid.

Please do not require masks.



Madeleine Wyke Silva ▸ Open Texas Back Up ...  
24 mins

This is why they're reporting a spike in cases here in Texas.

They changed the 'case definition' on what counts as a COVID-19 case and gets added to their stats and graphs.

A few weeks ago an incident that was counted as 1 case is now counted as 17 cases.

Check the video out - starting at 16:30 through 23 - it's all there explained to you.

It's manufactured and inflated.

These are the numbers they're using to justify mask mandate, stay at home orders, closing down businesses, and eventually mandatory vaccines.

I'm lost for words how people can keep arguing that there is a real danger to opening our economy and communities back up.

COLLINCOUNTYTXRNEW SWAGIT.COM  
May 18, 2020 Commissioners Court



1 Comment



Sent from my iPhone

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** ROCKWALL CITY COUNCIL EMERGENCY MEETING Friday, June 26, 2020 - 9:00 AM  
**Date:** Thursday, June 25, 2020 7:58:08 PM

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To Mayor Jim Pruitt and Members of the Rockwall City Council

I am submitting my response to the Emergency City Council meeting regarding the rise in the cases of COVID-19 in Rockwall.

Based on the 45 reported new cases in one day in Rockwall, I would strongly recommend curtailing any activity that brings large numbers of people together.

The responsible action to take as the governing body and leadership of the City of Rockwall, would be to mandate the wearing of masks and to practice social distancing in public, and to discourage and even stop public gatherings.

Governor Abbott has stated that Texans should be wearing masks. You need to show leadership in our community, that you will do what ever it takes to keep the health and safety of our citizens in the forefront of your responsibilities. If local government won't take the necessary actions then you need to look to yourself and ask why.

Respectfully,  
Susie Stansel  
Rockwall County Democratic Party  
Interim County Chair  
1282 Salinas Dr., Rockwall 75087

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Rockwall City Council Emergency Meeting - Open Forum  
**Date:** Friday, June 26, 2020 5:29:12 AM

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Brittany Darcangelo  
1395 Tanglevine  
Rockwall, TX 75087

Agenda Item: Open Forum in Regards to Action Discussion Item #1

The City of Rockwall, including all residents and businesses would greatly benefit from the passing of a public face covering policy (masks), due to the rising number of COVID-19 cases within our city, county, state and nation. At least 19 states, as well as the District of Columbia have adopted similar policies in an effort to protect their residents. Even here, in the state of Texas, there are at least 11 counties, all having fewer cases than the City of Rockwall (131), and they too, have erred on the side of caution.

I am appealing to you today as a concerned citizen, mom, wife, mother, teacher and daughter. There is plenty we don't know about this virus. This is undoubtedly true. It's novel and science may say one thing today and another tomorrow. We've seen plenty of examples of things we once thought safe only to find years later, we were wrong. Smoking, sugar, Round Up weed killer, even baby powder to name a few. Absolutely nobody is going to get everything right about COVID-19. This will continue to be studied for many years to come. But the one thing we all know, is that people are dying, the economy is hurting and we all want this to be over.

As I stated in my opening, all residents would benefit by mandating or recommending a facial covering policy in public businesses. 1-The theory is that "I don't wear a mask to protect me, I wear it to protect you (in case I have the virus and don't know). I believe this is logical science based simply on the fact that for many years when you enter an urgent care, they ask you to put a mask on while you are waiting if you have a fever or cough. 2-TEA (Texas Education Agency) is sending PPE to all school districts within the state, including masks. If they believe masks are important enough to need to send them to every school district in the entire state, then aren't they probably important enough to ask your community to wear them? 3-Unless someone has an illness that truly makes it hard to breathe with a mask on, it really boils down to a temporary inconvenience that could potentially save a life. Grocery stores have required their employees to wear masks for several months, as well as many retail and food establishments. I haven't heard of any cases where someone has fallen ill or passed out from wearing a mask. So again, if it causes no harm to the person wearing it, but maybe saves a life, doesn't the benefit far outweigh the risk? 14% of Rockwall's population is 60 years old or older. This age group has been labeled as high risk from the very beginning. Currently Rockwall County (not city) has a recovery rate of 92.41%. If even 5% of that population contracted the virus and we

sustained the exact same recovery percentage, that would still equal 25 deaths.

Moving on to businesses and what they stand to gain with a mask policy in place. 1-The probability of less community transmission. 2-Fewer employees falling ill and calling out. 3-Less likelihood that they would have to take time to close business long enough for a thorough deep clean or the need to have all employees tested out of precaution. The businesses themselves, would probably also not like to have to weigh the pros and cons of "self identifying" a positive case as opposed to community gossip. The chance of any of these items reduces greatly by simply wearing a mask. 4-By having a uniformed policy across the city, consumers are far less likely to be confused as to what the policies are at Place A vs Place B. 5-Schools resuming in August will play a key part in business and economy. We all know that many families need their children to be in school or daycare in order for them to go back to work. I feel quite confident that if our state continues to increase 30,000 cases per week, we will not be heading back to actual classes. And while I don't believe the Governor would stop the entire state from going back to school, I could easily see a qualifier being put in place for which districts can go back and which can't. Our county has added an additional 48 cases this week. That's a 17% spike in less than 7 days. Maybe it's an anomaly or maybe that's what will trend for the next several weeks, but again, what do you stand to lose vs what do you stand to gain?

As you all can see, I am very analytical and statistically oriented. I believe in numbers, trends and data. The unfortunate trend is that our 131 cases will likely be over 300 by July 10th and that is a conservative estimate. I can't tell you exactly what will happen if a mask policy is approved. Scientists far more educated than me, seem to mostly agree that wearing a mask is a safe and effective way to reduce the spread of COVID-19. Governor Greg Abbott said the same thing when asked if he'd be issuing a mandate. He said that he has continuously stated the best practice for all Texans is to wear a mask and that he shouldn't have to make it a mandate for people to do what is best. I completely agree with him, that he shouldn't "have to". You also shouldn't "have to" tell your child to tie their shoelace over and over again, but you do, because you don't want them to trip and hurt themselves. The people of the City of Rockwall are hurting themselves. They've been told by scientists, by the governor, by various people in the community and many continue to think they know best. I whole-heartedly believe that each one of you is on this council because you truly care about our community and want what's best for us all. So I am pleading with you to make the hard choice to mandate something that you all know will likely help, but even if it doesn't, what could it possibly hurt?

Thank you for your time and consideration!

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** ROCKWALL CITY COUNCIL EMERGENCY MEETING  
**Date:** Thursday, June 25, 2020 3:45:42 PM

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Good Morning Rockwall City Council,

In regards to the COVID19 Emergency Meeting this morning, please stand your ground on allowing your citizens of Rockwall their freedoms! Do not cave to the pressure of mandating PPE. People who want to wear masks can do so freely. Please allow those of us who do not feel the need to wear PPE our freedoms too. Will we now be required to do all this with the flu as well? It is getting out of hand. The people concerned can protect themselves. Please don't infringe on my rights. Masks alone cause health issues. Children should not be required to wear them as they cause breathing problems and a drop in you oxygen levels. How can we mandate an item that can cause harm to your community? Please look at all aspects, not just what is being pressured due to media coverage.

Britney Murphy  
816 Brookhaven DR.  
Royse City TX, 75189  
(Rockwall County)

*Thank You,  
Britney Murphy*

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Rockwall Fourth of July Emergency Meeting  
**Date:** Friday, June 26, 2020 12:13:10 AM

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Mayor Jim Pruitt  
Rockwall City Hall  
385 South Goliad  
Rockwall, Texas 75087

Dear Mayor Pruitt and Rockwall City Council,

My name is Laura Tate and I have lived in Rockwall for forty years. I am a fifth generation resident. My family including my husband and I have owned businesses in Rockwall and we have had the opportunity to watch the population of Rockwall continue to grow. I love Rockwall for many reasons; my husband and I are both RHS graduates, we firmly believe Jacket Fight Never Dies, the Square is a favorite local spot, running into a friend that you haven't seen in a while at the Farmer's Market, the generations and generations of residents that have mostly all crossed paths at some point, the growth of our schools and education services, the locally owned restaurants and shops, and the list continues.

I am not asking for a full cancellation of all events, but I am asking for a plan that includes CDC recommendations and minimizes the transmission of COVID-19.

When I decided to post on Facebook and tag several council members and the City, I had hoped to have a conversation with you directly and I did receive messages from a few of our local leaders so thank you for your time. So often people feel silenced and not heard and social media is a great way to communicate virtually with local leaders while also social distancing.

I am not attending the morning meeting for two reasons:

1. I had already scheduled to work a morning shift prior to this meeting's announcement and

2. I feel this meeting should have occurred virtually instead of in person. This could be another large protest if you will with local citizens grouping together in mass during a pandemic while also having a passionate discussion.

I have received several messages and calls regarding my post on social media, some blaming me for the scheduling of this meeting and others thanking me for speaking up and putting the health of our community first. I understand time, money, and planning all go into a celebrated town event and I am forever grateful for all the fun activities the City of Rockwall Parks and Recreation plan for our small but growing neighborhood. We have even hosted 4<sup>th</sup> of July parties at our home since we live near Harry Myers Park and I always look forward to this time of year.

What is important to me might not matter to others and that is ok. I can live with having a difference of opinion, but I do hope we share a common thread for loving our neighbors and wanting to see them walk out to pick up their mail each day. We are all neighbors in Rockwall. For the most part we all share public space, we all dine in our favorite restaurants and we all shop our favorite merchants. Any merchant that is not proactively putting their employees, their families, and their patrons health first is not a business I will visit now nor in the future. And I understand that is my own decision.

Thank you for your time and scheduling a valuable meeting.

Laura Tate

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Rockwall masks  
**Date:** Thursday, June 25, 2020 5:59:59 PM

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I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

[https://wwwnc.cdc.gov/eid/article/26/5/19-0994\\_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtb1FCn2UrIKca0a7SiQvks](https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtb1FCn2UrIKca0a7SiQvks)

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Chrissie Provost | REALTOR®  
Fathom Realty

[REDACTED]  
<https://www.gnandusa.com/leasetopurchase>  
<https://christieprovost.fathomrealty.com>



Please excuse typos, sent from cell phone.

"Whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant". Matthew 20:26 - 27

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Special City Council Meeting Regarding Community Events  
**Date:** Friday, June 26, 2020 7:13:16 AM

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Mayor Pruitt and City Council Members,

Joanna Maestas  
710 Village Green Dr,  
Rockwall 75087

Re: Upcoming city-related events

I am writing to encourage the council to not cancel any community events, especially ones celebrating our freedoms as Americans. The Harbor and the lake provide more than enough space to safely continue the concerts as well! I cannot stress enough how proud so many residents and myself are that Rockwall has not violated our rights with imposing over-reaching mandates, please choose to keep Rockwall a great freedom loving place!

Sincerely,  
The Maestas Family

[REDACTED]

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Upcoming City Council Meeting Resident Comments  
**Date:** Thursday, June 25, 2020 5:47:57 PM

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Dear City Council Members,

As a resident of Rockwall County, the current proposal of mandating masks greatly concerns me. I have multiple health issues which do not allow me to wear a mask. Being harassed by stores everytime I am trying to support a local business is very discouraging. It turns my money away from supporting local businesses, which I have always tried hard to support.

Also some important points:

- 1) Businesses should be able to regulate themselves and their customers without government intervention. People have a wealth of knowledge about risks involved and can responsibly choose which businesses to patronize based on their comfort level with precautions taken. The businesses are already directly answerable to their customers, who know and understand risks. Allow the educated population and businesses to make their own decisions based on what is in their best interests.
- 2) The CDC and WHO have been wildly inconsistent about whether masks work at all to reduce transmission, and if so what types of masks may or may not be helpful.
- 3) Masks increase breathing of CO2 and reduction of oxygen to the body, increasing potential of harm to some people.
- 4) Even as positive cases have increased in Texas and nationwide, death rates are decreasing.
- 5) The virus is almost exclusively dangerous to people with significant underlying medical conditions, and especially elderly. If the county is to place restrictions, they should do so in direct correlation to protection of those vulnerable by focusing on nursing homes and medical facilities. But these entities are already acting responsibly and have self-imposed restrictions such that government imposition is not necessary.

Thank you for allowing my voice as a member of this county to be heard.  
Amber Smith

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Upcoming events and COVID-19  
**Date:** Thursday, June 25, 2020 10:40:05 PM

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To: Honorable Mayor and Council Members, City of Rockwall:  
RE: Upcoming city related events and wearing personal protective equipment in light of the Covid-19 pandemic.  
From: A. J. Soto, 306 Star St., Rockwall, Texas 75087

Thank you for the opportunity to provide feedback regarding the aforementioned topic in anticipation of the Friday, June 26 Emergency Meeting .

I, like many others in the community, have been trying my best to stay informed about the evolving Covid-19 situation in Rockwall. However, this has been difficult as of late because the latest Mayor's Message are over two months old on the rockwall.com website. In addition, the County of Rockwall website has not posted current information for the reason that the State of Texas has not provided them with updated data. Also, the last message on the rockwall.com website from the Rockwall County Health Authority is dated March 20, 2020, *over 3 months ago!* It would be extremely helpful if the city, in partnership with the county, make every effort to keep citizens informed about the latest Covid-19 news, such as open cases, deaths, hospital beds, and recoveries, etc., and make it readily accessible

However, based on the increase of cases in Texas as reported by major news and media outlets, and as a concerned citizen, I feel it would be appropriate to cancel many large upcoming public events in the city at this time. In particular, the Fourth of July Parade and fireworks display. These events have traditionally been attended by many persons, so in an abundance of caution, and to minimize the spread of the virus, these should not be held this year. In addition, it would be difficult to mandate that everyone wear a mask and maintain social distancing at large gatherings such as these. We all look forward to these events every year, but I feel the majority would prefer to do our part to reduce the spread of this pandemic. Other events, such as the Concerts by the Lake and Farmers Market, should also be reevaluated.

We all hope this crisis ends sooner, rather than later. But until then, we must work together to get to the other side.

Thank you for your consideration.

Respectfully,

A. J. Soto

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Cc:** [Pruitt, Jim](#)  
**Subject:** Upcoming meeting/mask mandate  
**Date:** Friday, June 26, 2020 12:10:24 AM

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Victoria Patterson  
915 w Yellowjacket lane

I have lived in rockwall officially for almost 4 years. I grew up in the surrounding area virtually my whole life. I chose to move here when my son started kindergarten knowing he'd have the best possible education and environment. Something I wasn't privy to growing up. I chose, as a single mother, to work 60 hour weeks at 2 jobs just to pay the outrageous rent for basic apartments in rockwall to ensure he stayed in this district. I am beyond disappointed in rockwall as a community and government lately. So much that yes, I don't like it and therefore will be leaving.

First issue is the Rockwallian group on Facebook. It is completely full of hate and judgement. I encourage any person moving to rockwall to join the page and just observe... it shows you the true colors of this city. I am disgusted every single time I get on that page. No matter your religious or political beliefs there are despicable behaviors for both sides evident there. It is a mob mentality that is fueling a fire that cannot be tamed in this city.

To the true issue at hand in this moment...

COVID is real and it is getting bad. We can pretend it doesn't exist because we don't see it and want everything to go back to normal. But it is about to be a wake up call no one requested. The debate that mask mandates are unconstitutional and infringing on our rights is absurd. Our mayor has issued his opinion that he believes its on the residents and businesses to ensure safety and protections. NO. This is why you were elected. To lead us. To help us. This is your time to stand up and show your true colors and I'm disgusted.

People are not taking precautions. Businesses are not taking precautions. And not a single person is doing anything about that. Almost every single restaurant is not abiding a separation of tables or sanitation. Only one I've been to in the county is checking temperatures.

This is not fun or comfortable for a single person in this world right now, but it is necessary. These residents are going to continue calling those that wear a mask sheep. And I wonder if your opinions wouldn't be different if this election wasn't on the horizon?

This county needs its leaders to step up and make this serious. Instill in these people that this is a serious threat. You can hold community events with proper execution. I have seen pictures and today passed by music in the square with people stacked on top of one another. You are literally proposing breeding grounds for contamination and further the spread of this awful disease.

It's time for our leaders to act as such. People need to be told how to behave, especially during a pandemic. We want to believe the community will do "what is right", but the truth of the matter is that rockwall citizens are pretending this disease is a farce and they are continuing to go about their every day lives. I fear the repercussions on inaction on this community and our vulnerable ones.

Their pain, suffering and potential death is on your hands.

Victoria Patterson

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** WEARING OF PPE  
**Date:** Friday, June 26, 2020 12:50:06 AM

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Kristen Watson  
503 Birchwood circle Mesquite, TX, 75149  
WEARING OF PPE DUE TO COVID-19

Good morning to whom it may concern,

I present my case to you opposing the wearing of masks/PPE which is being implemented worldwide on insufficient scientific evidence/support/misinformation.

The narrative is that “COVID-19 has created an immediate threat, poses a high risk of death to a large number of people, and creates a substantial risk of public exposure”  
<https://dshs.texas.gov/news/updates.shtm>

First, it was originally modeled by Neil Ferguson & his team who ran one such model that stated more than 2 million people in the U.S. would die as a result of COVID-19. This model also predicted the United States could incur up to 1 million deaths even with “enhanced social distancing” guidelines, including “shielding the elderly.” Imperial’s modeling results influenced White House to impose a nationwide lockdown.

<https://www.heritage.org/public-health/commentary/failures-influential-covid-19-model-used-justify-lockdowns>

Modeling is an educated, estimated guess. Their model that prompted lockdowns & their assumption is flawed & incorrect as the death rate has been proven to be much lower than originally predicted & is steadily declining.

<https://www.breitbart.com/politics/2020/03/20/coronavirus-report-that-prompted-stronger-u-s-action-1m-deaths-even-with-extreme-prevention-steps/>

Second, This virus has a fatality rate of 0.26% (3 in 1,000) which was released in a Stanford study that mentioned “the chances of dying is the same as the chance of you dying over the next 12 months from normal causes,” & “Our observation suggests COVID-19 kills the weakest segments of the population,”

<https://news.berkeley.edu/2020/04/24/study-challenges-reports-of-low-fatality-rate-for-covid-19/>

Out of 116,000 deaths in the U.S, 40% were in nursing homes alone, proving it is not a threat to the majority of the population.

<https://www.google.com/amp/s/www.wsj.com/amp/articles/coronavirus-deaths-in-u-s-nursing-long-term-care-facilities-top-50-000-11592306919>

To put it into perspective, an observation shows statistically children have a greater chance of getting struck by lightning TWICE than dying of covid and yet all of this.

<https://www.google.com/amp/s/www.dailymail.co.uk/news/article-8404537/amp/School-children-15-higher-risk-struck-LIGHTNING-dying-coronavirus.html>

Lastly, it goes against our civil liberties/freedoms to enforce the wearing of masks over a virus that is 7 times less deadly than the flu or 2 times more deadly than the flu depending on risk factors: age, comorbidities, geographical location. The spikes in infection rate are simply due to more testing as it is more widely available. What's important & not being shown is the death rate & again, that is proving to be declining.

<https://public.tableau.com/profile/peter.james.walker#!/vizhome/COVID-19SeeYourState/YourStateKeys>

30-40 MILLION people test positive/are infected with the flu every year, do we wear masks during flu season? Then why do this over a virus Web MD stated has a 97-99% recovery/survival rate for the majority of the population? We can keep the most vulnerable safe while not being stripped of our freedom of choice.

<https://www.webmd.com/lung/covid-recovery-overview#:~:text=Experts%20don't%20have,%25%20and%2099.75%25>.

Enforcing the wearing of masks 4 months into a pandemic, when this virus has been clearly shown to, in fact, not be as deadly as originally predicted through facts and science, is simply unconstitutional at this point by not giving us a choice in the name of health. I strongly recommend voting NO to the mandate of masks & I ask you, after the true facts shown, does any of this make sense?

Thank you for your time.

Sincerely,

Kristen W.

--

*Krissy*

**Krissy Watson** | Concierge

HILTON DALLAS/ ROCKWALL LAKEFRONT

t: [+1 214-771-3700](tel:+12147713700) | f: [+1 214 771 3701](tel:+12147713701)

2055 Summer Lee Drive | Rockwall TX 75032 | USA

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**From:** [REDACTED]  
**To:** [PublicComments](#)  
**Subject:** Tubbs Median  
**Date:** Thursday, June 25, 2020 3:47:31 PM

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The problem on Tubbs in the median has not gotten better. It was good for a few weeks here and there, but people continue to dump all kinds of junk there! And they dump it right beside the signs that were put up that say No Dumping or Parking. In fact, one of those signs is already bent over where someone probably ran over it while dumping. Just yesterday there were piles of 2 leather brown couches in the median by the sign that says NO DUMPING and then go down a block further and you will see the other couch (sectional) same color dumped, a pile of tree limbs, mattresses, sheetrock, broken chairs, etc. This trash makes that entire street look like a dump site. I appreciate that the signs were put up, but something else needs to be done to stop the dumping and having our area looking like a mini dump site!! The Windmill Ridge area people all travel on Tubbs and it is terrible that we have to see that or even for anyone who doesn't live in our area. We want to live in a nice area too - as I'm sure you do - not in a place that clearly always looks like its a dump or a bad side of town. It is a constant problem there and seems that the word is out that the median there is where they can dump for free. They dump in the median every day - every day!!!! Not just on bulk pick up days, it's every day that there are piles of junk through out that median. I'm sure you would not appreciate having this in your neighborhood or area, but it is in ours and in your city. This is how neighborhoods get a bad name and the more unsightly neighborhoods we have the more we'll get and then our city won't have the nice reputation that I feel it does. As I've mentioned in my previous emails, that median is maintained by the City and for the one or two days after the piles are picked up it looks very nice with the grass mowed. And I'm serious when I say the one or two days because that's all it takes (sometimes one day) before they fill up the median again with piles. I have sent several emails regarding this continued issue and I don't see it going away - even with the signs telling them not to dump. I have attached some pictures.

Thank you for your time,  
Prissy Cross  
116 Walnut Lane

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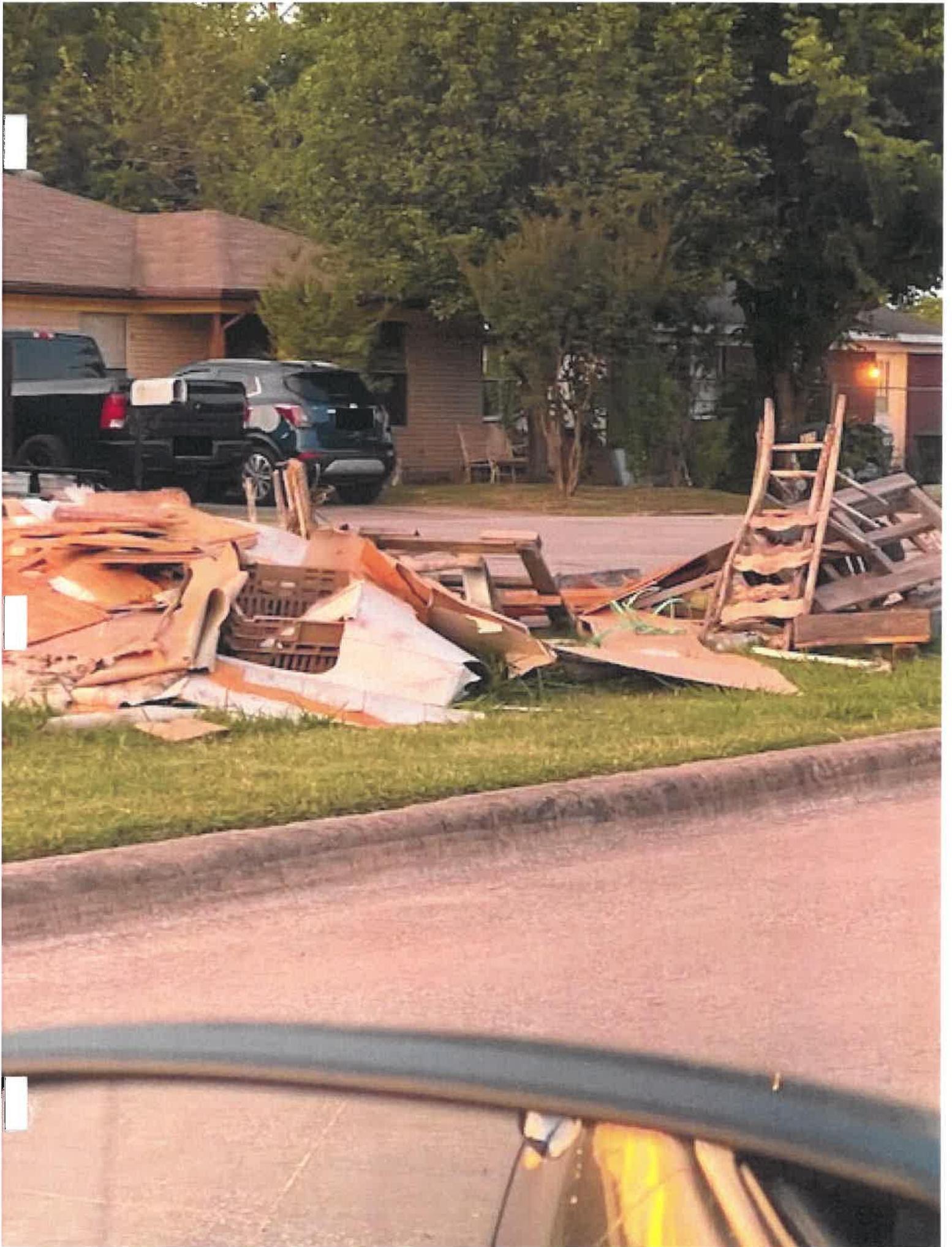
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# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 06, 2020 - 5:00 PM

City Hall Council Chambers - 385 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 Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present in person were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Councilmember Macalik attended Executive Session via telephone conference call and attended the public portion of the meeting remotely, via ZOOM. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:02 p.m.

### II. EXECUTIVE SESSION.

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding contract with Legacy Humane Society pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

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

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

### VI. OPEN FORUM

Kristy Cole, City Secretary read the following comments, which were received via email ([publiccomments@rockwall.com](mailto:publiccomments@rockwall.com)) prior to the meeting:

Hello Mayor and City Council,

Though I am a relatively new resident of the city of Rockwall and only moved here a few short years ago, I am aware of the impact Former Mayor Scott Self had on the community in both the public and private sector.

I believe the council should name the boat slips at The Harbor after Scott Self, perhaps the Scott Self Boat Slips. He spent a lot of time there with Seawolf and I think it would be a fitting tribute.

Thanks,  
Josh Ronin

---

Judith Matherne  
Former County Chair,  
Rockwall County Democratic Party  
1115 Signal Ridge Place  
Rockwall, TX 75032

Mayor and Members of the City Council.

At a recent city council meeting, Christian Gialodor outlined three short term goals for the Black Lives Matter movement in the City of Rockwall. After a discussion with Christian, I find these goals admirable and necessary if the City of Rockwall is to further the cause of racial justice.

As elected officials you can no longer look away from the lynching and burning of Anderson Ellis, an African-American, in downtown Rockwall in the early 1900's, the frequency of unwarranted traffic stops of black and brown people, and the racial taunts students are subjected to in our schools.

I stand in support of these goals, and I look forward to the approval of Appointment Item 1. of today's agenda.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt closed Open Forum.

1. Appointment with Christan Giadolor to hear a presentation regarding 'Black Lives Matter (BLM) - Rockwall's Short-Term Call For Action.

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Mayor Pruitt then explained how Open Forum is conducted, asking if anyone would like to come forth and speak during this time.

Marie-Anne Shiffmann  
2125 Hillcroft Drive  
Rockwall, TX 75087

Ms. Shiffmann came forth and expressed support for the erection of a monument in memory of Anderson Ellis. She went on to speak in general about her belief that bias exists and that racial-related biases creep into our everyday speech and behavior.

Hannah Garrett  
1330 Calistoga Drive  
Rockwall, TX 75087

Ms. Garrett came forth and generally expressed support for Mr. Christian Gialador's efforts (related to erecting a monument for Anderson Ellis, a black man who was lynched in Rockwall in the 1900s). She believes racism and prejudice remain prevalent in this town. She generally spoke against racism and encouraged elected officials to join in solidarity against it.

**Bob Wacker**  
309 Featherstone  
Rockwall, TX 75087

Mr. Wacker came forth and spoke about the recent 4<sup>th</sup> of July parade that was held. He generally commented that he did not sense any racial tension at the parade. He shared some statistics about murders in the Chicago area and murder of police officers. He believes that, although Rockwall used to have some racial problems, it is not prolific any longer. He went on to share some comments pertaining to the COVID-19 pandemic, generally indicating that numbers of positive cases have increased; however, hospitals are treating patients, and they are recovering. He encouraged collaboration among people in lieu of hateful name calling, especially on social media.

**Dwight Dabney**  
604 E. Ross  
Rockwall, TX

Mr. Dabney shared that he has been a long-time resident of this community. He went on to explain that his mother was Ruby Dabney, and she was born in 1936 in Rockwall. She used to work at the local Southside community swimming pool for a number of years. He indicated that his mother created an atmosphere of inclusion and diversification at the swimming pool located in the Southside neighborhood. He pointed out that Gloria Williams worked with his mother, Ruby, and he understands the park in the Southside is named after Gloria Williams. He would like the swimming pool there named after his mother (i.e. "the Ruby Dabney Swimming Pool at Gloria Williams Park").

Mayor Pruitt pointed out that anything related to 'naming' will first go to the city's Park Board for consideration. Then the Park Board will make a recommendation to the City Council for consideration of a requested "naming."

**Fred Dabney**  
2B Lakeway Drive  
Heath, TX

Mr. Dabney came forth and shared that he has been in the community for a very long time, and so has his family. His grandfather helped dig the swimming pool that is in the Southside community, and he also helped build the courthouse on the downtown square. He himself graduated Rockwall High School in 1977. He generally expressed that there have been racial issues within the Rockwall community and within Rockwall schools throughout the years. He also believes that the way the city has been run in the past has not been in the best interest of all Rockwall citizens. For example, he pointed out that people in the Southside were given tickets for jaywalking even though there are no sidewalks there. He went on to urge the Council to consider naming the swimming pool at Gloria Williams Park after Ruby Dabney. He generally encouraged an end to racism and called for unity.

**Saron Regassa**

1389 Stewart Drive  
Rockwall, TX 75032

Ms. Regassa came forth and offered support for efforts to get a historical monument dedicated to the lynching and burning of Anderson Ellis (back in the 1900s in Rockwall). She generally expressed concern about local students not being taught about or having knowledge of black history within our community (i.e. "Dorris A. Jones Elementary School" is named after a black man).

Randall Bryant  
2603 Norwood Drive  
Dallas, TX 75228

Mr. Bryant shared that he currently lives in Dallas; however, he is a 2005 Rockwall High School graduate. He shared that he and others are wearing red ribbons today, standing in solidarity for the request to have the swimming pool in the Southside neighborhood named after Ruby Dabney. He pointed out that she had a faithful, 20+ years of service to the City and the swimming pool. He believes naming the swimming pool after Ms. Dabney will be very fitting and appropriate. He hopes the Rockwall Park Board and City Council will approve the request to name the pool after Mrs. Dabney.

Priscylla Bento  
2002 S. Lakeshore Drive  
Rockwall, TX 75087

Ms. Bento came forth and generally expressed support for the naming of the Southside swimming pool after Mrs. Ruby Dabney. She believes Mrs. Dabney planted seeds of inclusion, unification and diversification. She was known to have included all children at the local Southside swimming pool. She generally encouraged the Park Board and Council Members to support this naming request.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed Open Forum.

Mayor Pruitt then reordered the agenda to address Appointment Item #1 next.

#### VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler made a motion to authorize the City Manager to amend the contract with Legacy Humane Society as discussed in Executive Session. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

#### VIII. CONSENT AGENDA

1. Consider approval of the minutes from the June 15, 2020 regular City Council meeting, and take any action necessary.
2. Consider approval of the minutes from the June 26, 2020 emergency City Council meeting, and take any action necessary.
3. **Z2020-016** - Consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of

Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary **(2nd Reading)**.

4. **Z2020-018** - Consider a request by Rex and Beverly Fithian for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary **(2nd Reading)**.
5. **Z2020-019** - Consider a request by J. W. Jones for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary **(2nd Reading)**.
6. **Z2020-020** - Consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport* on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action necessary **(2nd Reading)**.
7. **P2020-023** - Consider a request by Chris Fergusson, PE of Kimley-Horn & Associates on behalf of Dennis Bailey of Rockwall County for the approval of a *replat* for Lot 2, Block A, Rockwall Law Enforcement Center Addition being a 13.3597-acre parcel of land identified as Lot 1, Block A, Rockwall Law Enforcement Center Addition and Lot 1, Block 1, Cedar Grove Christian Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 810 & 950 T. L. Townsend Drive, and take any action necessary.
8. **P2020-024** - Consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf of Ridge Pointe Horizon, LP for the approval of a *replat* for Lots 7 & 8, Block A, Maverick Ranch Addition being a 2.113-acre parcel of land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 5701 – 5739 Horizon Road [FM-3097], and take any action necessary.
9. **P2020-025** - Consider a request by Zan Gates of Eric L. Davis Engineering on behalf of Jimmy McClintock of Washington Place on Highway 66 for the approval of a *replat* for Lots 4 & 5, Block A, Washington Place Addition being a 0.987-acre parcel of land identified as a portion of Block 14, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any action necessary.
10. **P2020-026** - Consider a request by Craig Smiley of USA Professional Services Group, Inc. on behalf of Clay Shipman for the approval of a *replat* for Lot 24, Block A, La Jolla Pointe Addition, Phase 2 being a 1.280-acre parcel of land identified as Lot 21, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1020 La Jolla Pointe Drive, and take any action necessary.
11. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, and Carter, L.L.P. to perform the utility relocation analysis for the construction of FM 552 in an amount not to exceed \$45,144.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
12. Consider approval of a professional engineering services contract with Stantec, Inc., to perform the utility relocation analysis and design for the construction of FM 549 in an amount not to exceed \$303,933.30, to be funded out of the Water and Sewer Fund, and take any action necessary.

**Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12) as presented. Councilmember Campbell seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-21  
SPECIFIC USE PERMIT NO. S-223**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CARPORT* THAT EXCEEDS 500 SQUARE FEET IN AREA FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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. 20-22  
SPECIFIC USE PERMIT NO. S-224

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 3.03-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HODGDON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

CITY OF ROCKWALL  
ORDINANCE NO. 20-23  
SPECIFIC USE PERMIT NO. S-225

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [*ORDINANCE NO. 16-01*], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE PARCEL OF LAND, IDENTIFIED AS A PORTION OF LOT 1051 AND ALL OF LOT 1050, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

**CITY OF ROCKWALL  
ORDINANCE NO. 20-24  
SPECIFIC USE PERMIT NO. S-226**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT THAT EXCEED THE MAXIMUM ALLOWABLE SIZE ON A 0.81-ACRE TRACT OF LAND IDENTIFIED AS TRACT 27 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 to approve passed by a vote of 6 ayes (Macalik voting in the affirmative remotely) and 1 absence (Pruitt stepped out of the meeting for a while).

**IX. APPOINTMENT ITEMS**

1. Appointment with Christian Giadolor to hear presentation regarding 'Black Lives Matter (BLM) - Rockwall's Short-Term Call For Action.'

Mr. Giadolor came forth and provided a presentation related to "Black Lives Matter." In part, his presentation focused on the past lynching of Anderson Ellis in Rockwall in the 1900s. He then called for a moment of silence for those who have been victims of "police brutality and racial injustice." Subsequently, he turned the presentation over to Ryan Figert. Mr. Figert came forth and provided a past history of Rockwall (when it was founded, it historically being a farming community, past slavery, past racial division, past racial related violence, etc.). Mr. Giadolor came forth again and spoke about the lynching of Anderson Ellis, generally explaining that Mr. Ellis had been accused of rape, which is why he was brutally murdered and lynched. He generally expressed that the lynching of this man has been erased from local, Rockwall history, and he would like to bring the story to light. Mr. Figert then came forth again and shared details of past discrimination, segregation, and additional details regarding local Rockwall history. Rachel Giadolor then came forth and shared results from a recent survey that was taken, which generally asked questions about black-related Rockwall history (i.e. "do you know who Dorris A. Jones is?"). Mr. Giadolor came forth again and pointed out comments that many RISD black students expressed, generally about their experiences and how they feel attending Rockwall schools (i.e. black students do not feel safe or welcome in our schools or our community). He went on to generally ask for a statement of support from our institutional leaders, not necessarily in support of "BLM" but in support of racial unity. He also asked for support for placement of a plaque / a marker in memory of Anderson Ellis in downtown Rockwall, which is where this lynching occurred in the early 1900s. Mr. Giadolor asked that, by July 20, the Council give indication of its support for a lynching memorial to be placed in memory of Anderson Ellis in downtown Rockwall.

Councilmember Johannesen briefly spoke and confirmed that Mr. Giadolor lives in McLendon-Chisholm. He asked what steps Mr. Giadolor has taken to engage that particular city in his efforts.

Mr. Giadolor shared that he has not taken any explicit steps with McLendon-Chisholm because he does not believe that it will be as difficult of a stakeholder engagement challenge as it has been here in Rockwall. He believes that Rockwall and the Rockwall City Council sets the tone for surrounding cities such as Heath, McLendon-Chisholm, Royse City, Fate, etc. Mr. Giadolor generally indicated that he would like to receive the Rockwall City Council's support before approaching Judge Sweet to attempt to secure his support for the erection of a plaque.

Following general, brief discussion about the possibility of erection of a plaque and who would ultimately authorize it, Mayor Pruitt then called for a short break, recessing the public meeting at 7:14 p.m.

#### X. ACTION ITEMS

1. **Z2020-022** - Discuss and consider a request by Brad Johnson for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Detached Garage* that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernoodle Street, and take any action necessary (**2nd Reading**).

Mayor Pro Tem Fowler called the meeting back to order at 7:22 p.m. He mentioned that Mayor Pruitt had to step out of the meeting for a short while but that he would be back.

Mr. Miller, Planning Director provided background information pertaining to this agenda item. He generally explained that, following the last city council meeting, the applicant has come forth and expressed he is having some challenges meeting what the Council approved.

Brad Johnson  
803 Kernoodle Street  
Rockwall, TX

Mr. Johnson, the applicant, came forth and explained complications that he ran into after the last city council meeting. He tried to reposition the building in order to meet the rear setback stipulation. One problem is that the closer the building is brought to the home, the higher its elevation and the more it is seen. Also, it just puts it too close to the house. Moving it closer would also result in having to remove some existing concrete, and it would be within the drip line of an existing tree he is trying not to disturb. He went on to explain some additional challenges he is having with placement of this structure as related to the rear setback.

Following clarification regarding the purpose of a rear yard setback requirement and additional, brief comments, Councilmember Johannesen moved to approve Z2020-022, including the detached garage exceeding the maximum square footage and with the understanding that it will encroach into the rear setback. Mayor Pro Tem Fowler seconded the motion. The motion passed by a vote of 4 in favor, 2 against (Daniels and Hohenshelt), and 1 absent (Pruitt).

2. **A2020-001** - Discuss and consider the expiration of an existing *212 Development Agreement* for a 2.77-acre tract of land that is contiguous with the City of Rockwall's city limits, situated within the City's Extraterritorial Jurisdiction (ETJ), addressed as 417 & 463 Green Circle and identified as Tract 8 of the R. Dickens Survey, Abstract No. 73, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He generally indicated that the applicant has asked for the Council to consider extending the existing 212 development agreement for a period of 7 years. At the request of Councilmember Johannesen, Mr. Miller went on to explain what a 212 development agreement generally is and what it does for the city and for the property owner. City Attorney, Frank Garza, also provided some legal clarifications pertaining to 212 agreements.

Following brief discussion, Councilmember Hohenshelt moved to extend this 212 development agreement for a period of three (3) years. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

3. Discuss and consider Governor Abbott's recent Executive Order(s), and take any action necessary.

Mayor Pruitt rejoined the meeting at the start of this agenda item (7:39 p.m.). He shared that he plans to issue an additional declaration, which will generally state that gatherings of over 10 people within the City of Rockwall are allowed and permissible. General discussion ensued pertaining to the Governor's recent Executive Order and Proclamation. Council took no formal action pertaining to this agenda item.

4. Discuss and consider status of upcoming public events, and take any action necessary.

Mayor Pruitt shared that our city staff did a really great job at the local 4<sup>th</sup> of July Parade and the fireworks at Harry Myers Park. He pointed out that families were very well spaced out (usually about 15' apart from other families). He believes that a lot of folks enjoyed getting out and celebrating. He acknowledged that he also received a lot of negative comments about the events as well.

Travis Sales, Park Director, indicated that staff has provided to the Council a list of upcoming events that are scheduled within the City of Rockwall (i.e. Baseball Nation tournament(s) at Tuttle Ball Fields, Concerts by the Lake, etc.). All Council members other than Mrs. Macalik generally seemed to indicate that they are ok with baseball tournaments continuing. Councilmember Macalik expressed that she prefers that the City not be allowing large events like this to take place.

Regarding fall baseball, the majority of Council generally indicated that they are ok with this starting back up again in the month of September.

Regarding the City's Concert by the Lake series, Mr. Sales shared that there seems to be a concerted effort to spread out and exercise social distancing on the part of those attending these concerts. He is estimating that about 1,000 – 1,500 people (which is about half the typical attendance) are currently attending weekly. Attendance, in part, depends on the cover band that is playing. He estimates that those wearing masks at the Concerts is perhaps 50% / 50%. Councilmember Macalik generally expressed concerns about Concerts by the Lake being able to continue.

Regarding upcoming youth summer camps, only a small handful of parents have signed up their kids to attend. So these two, upcoming week-long camps may end up getting cancelled due to lack of interest. Council generally expressed no opposition to these two camps continuing.

Regarding the San Jacinto Music Series, a majority of Council generally expressed that they are ok with these Thursday, Friday and Saturday night concerts continuing.

**No formal action was taken by Council concerning this agenda item.**

5. Discuss and consider a resolution authorizing the Mayor to execute grant application for the Coronavirus Relief Fund, and take any action necessary.

**City Manager Rick Crowley provided background information concerning this agenda item. Mayor Pro Tem Fowler made a motion to pass the resolution, authorizing the mayor to execute the grant application. Councilmember Hohenshelt seconded the motion. Following additional, brief comments, the motion passed unanimously (7 ayes to 0 nays).**

6. Discuss and consider (re)appointments to the city's Architectural Review Board, Park Board, Art Review Commission, Historic Preservation Advisory Board, Animal Advisory Board and Airport Advisory Board, and take any action necessary.

**Regarding the Architectural Review Board, Councilmember Daniels moved to reappoint the following individuals to serve an additional two-year term (expiring in August of 2022) on the board:**

**Rick Johnson  
Bob Wacker  
Derek Deckard  
Lindsay Mitchell**

**Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

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

**City Manager Rick Crowley indicated that departmental reports have been included in the informational meeting packet, and staff is happy to answer any questions the Council may have. No questions were posed / no discussion took place.**

1. Building Inspections Monthly Report - May 2020
2. Fire Department Monthly Report - May 2020
3. Police Department Monthly Report - May 2020
4. Recreation Monthly Report - May 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics
7. 2020 Census Update

**Assistant City Manager Joey Boyd provided a brief update on Census related responses and associated efforts.**

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding contract with Legacy Humane Society pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

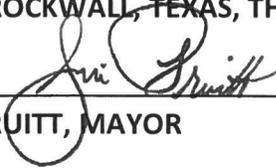
**XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**Council did not reconvene into Executive Session at the close of the public meeting agenda. See above for action taken as a result of the pre-public meeting Executive Session.**

**XIV. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 8:07 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20<sup>th</sup> DAY OF JULY, 2020.**

  
\_\_\_\_\_  
**JIM PRUITT, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 20, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 5:01 p.m. Present were Mayor Pro Tem Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Jim Pruitt and Councilmember Dana Macalik were not present in person at the meeting; however, they did join the 6:00 p.m. public meeting virtually, via ZOOM (they did not participate in Executive Session).

Mayor Pro Tem Fowler read the below listed items into the record before recessing the public meeting to go into Executive Session (at 5:02 p.m.).

### II. EXECUTIVE SESSION.

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. 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)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

Pulled from the Public Meeting Agenda - Public Hearing Item #2. **Z2020-024** - Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 78 (PD-78) [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary (1st Reading).

### III. ADJOURN EXECUTIVE SESSION

Councilmembers adjourned from Ex. Session at 5:55 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pro Tem Fowler called the meeting back to order at 6:03 p.m. Present in person were Mayor Pro Tem Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Present virtually (by ZOOM) were Mayor Jim Pruitt and Councilmember Dana Macalik.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM FOWLER

**Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.**

VI. OPEN FORUM

**Mayor Pro Tem Fowler asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.**

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

**Council took no action as a result of Executive Session.**

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the July 6, 2020 regular city council meeting, and take any action necessary.
2. Consider approval of a facilities agreement with Saddle Star Holdings LLC, for the reimbursement of the cost of the oversizing of the water line along John King, to be funded out of the Water and Sewer Fund, and take any action necessary.
3. **P2020-022** - Consider a request by Ryan Joyce of Northgate Rockwall LD, LP for the approval of a *Final Plat* for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.
4. **P2020-027** - Consider a request by Brandon Davidson of Corwin Engineering, Inc. on behalf of Paul Taylor of Paul Taylor Homes Limited for the approval of a *Replat* for Lot 33, Block A, Ridgecrest Addition being a 0.3017-acre parcel of land identified as Lot 24, Block A, Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 2605 Cypress Drive, and take any action necessary.
5. Consider approval of a professional engineering services contract with Freese & Nichols, Inc., to perform the engineering design services for the North Lakeshore Bridge repair in an amount not to exceed \$59,000, to be funded out of the Engineering Budget, and take any action necessary.

**Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absent (Macalik).**

**Fowler then reordered the agenda to address Action Item #1 next during the meeting. Councilmember Macalik joined the meeting (remotely by ZOOM) at this point.**

IX. APPOINTMENT ITEMS

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

**Jerry Welch, Vice Chair of the P&Z Commission, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda.**

2. Appointment with resident Jared Guynes and other residents to hear concerns pertaining to the Boydston/Forest Trace reconstruction rehabilitation project, and take any action necessary.

Lynn Crosby (704 Alexander, Rockwall) came forth, as indication was given that Jared Guynes was not able to attend the meeting this evening. Ms. Crosby came forth and generally expressed opposition to the widening of the streets associated with this reconstruction project as well as the installation of sidewalks. She believes that both the widening and the sidewalk installation will pose dangers to citizens in the neighborhood. Furthermore, she does not believe that the street widening or sidewalk installation will add any value to their homes. She expressed that they have provided Council with a petition that shows that a large majority of the residents in the community do not wish for the street to be widened or for sidewalks to be installed.

Stephen Swofford  
713 W. Boydston  
Rockwall, TX

Mr. Swofford came forth and introduced himself, indicating that he is the lead pastor at First Baptist Church, explaining that the church property spans both sides of Boydston. He went on to express strong opposition to the installation of sidewalks associated with this reconstruction project. He expressed that he would like Council to make an exception to the city's ordinance requiring sidewalks.

Richard Marks  
204 W. Boydston Avenue  
Rockwall, TX 75087

Mr. Marks shared that he has lived in this home for 20 years at this point. He shared photographs of his home and the 6' tall retaining wall in front of his house. He also showed photos of how he measured the distance from the curb to the retaining wall. He went on to explain various measurements he took associated with the area in front of his retaining wall. He has concerns about sidewalks being installed because (generally) he believes it will compromise the strength and structural integrity of his retaining wall, and his home.

John Ruess  
202 W. Boydston Avenue  
Rockwall, TX 75087

Mr. Ruess explained that last year an 18 wheeler came onto this street and got stuck. He explained that these streets were not made to be a cut through for large trucks and other vehicles. He went on to show a photo of Boydston looking up the hill towards the First Baptist Church. He explained that churchgoers do not park along the street, and he does not believe sidewalks are needed 'because of the church.' He expressed that he and others would like the Council to make an exception to the city's ordinance that would otherwise require sidewalks to be installed associated with this reconstruction project. He believes that installation of the sidewalks and the widening of the street would not be fiscally wise or responsible, as no one wants them. He went on to point out that the petition against the sidewalks and the widening of the street represent the 'will of the people,' and the residents do not want these things. He encouraged Council to make an exception.

Darlene Reed  
701 S. Alamo  
Rockwall, TX 75087

She explained that she lives at the corner of S. Alamo and W. Boydston. She shared some photographs of her standing in front of her home with a tape measure, showing how much of the property in front of her home would be 'lost' if the street is widened and sidewalks are installed. She believes that widening the street will be very dangerous. She is generally opposed to the widening of the street and the installation of sidewalks. She went on to share some information concerning the real estate market, generally expressing that these two things (sidewalks and street widening) will adversely impact property values in this neighborhood and will change its 'charm.'

Sarah Freed  
704 Forest Trace  
Rockwall, TX 75087

Ms. Freed came forth and indicated that she has been living in this neighborhood for 9 years. She specifically bought her home in this neighborhood because of its beauty, 'nature' and trees that are prevalent, and because of the church that's nearby. She believes the church has ample parking and has done a good job of adding parking over time to accommodate its attendees. She has never had any church overflow parking at her home. She has safety related concerns if the street is widened, as she has had a vehicle in her front yard before. She believes that vehicles already ignore the 25 mph speed limit in this area, and the steepness of the slope of the street will only cause more safety concerns if the road is widened.

Mayor Pro Tem Fowler asked if anyone else would like to come forth and speak at this time. There being no one indicating such, he then opened the floor for Council discussion.

Councilmember Hohenshelt spoke, generally indicating that these issues have been discussed off and on for at least the last four years. He shared that this topic is a matter of previously passed bond elections that voters voted in favor of. He explained that "sidewalks" is highly a matter of limiting the interaction of pedestrians and vehicles. Council has evaluated the issue of 'sidewalks vs. no sidewalks' extensively, and Council came up with a policy (an ordinance) to address the matter so that every project, from that point forward, would be treated uniformly. He shared that he personally has very likely been at about 9 meetings where sidewalks vs. no sidewalks has been discussed, and hours and hours have been spent by council members and staff to evaluate this matter. He went on to explain that the property where these sidewalks will be installed is already designated as 'city owned right of way,' so no one's personal property is being 'taken.' A photograph of Mr. Marks' property was then shown, and City Engineer, Amy Williams walked through (visually) where the new back of curb and sidewalks will be located within the right-of-way as compared to his retaining wall, mailbox, etc.

Councilmember Johannesen spoke briefly, generally expressing that no matter what decision the City Council makes, there will be those who are unhappy and dissatisfied with its decision. So it is essentially a 'no win' situation. He shared that some council members have actually received emails and/or phone calls from citizens who have essentially said, "don't tell my neighbors, but I am actually in favor of sidewalks being installed."

Mayor Pruitt shared that the traffic counts that City Engineer Amy Williams spoke of from December of 2017 do show that the widening of the street is supported by said counts. So, he will have to go with that information when making the decision to move forward with the street widening and sidewalks installation.

Councilmember Macalik spoke, generally expressing that she will have to go with 'supporting' the street widening and sidewalks installation as well.

Councilmember Campbell asked for clarification regarding 'why 6' on the sidewalks?' Ms. Williams shared the reasoning behind the six-foot sidewalk that is planned, generally expressing that they will be that wide for safety-related reasons.

Councilmember Daniels shared that he had one person at First Baptist Church (where he is a member) say to him verbally, "I don't have a problem with sidewalks," but yet his name appeared on the petition (for "no sidewalks"). Another person indicated that he doesn't have a preference regarding sidewalks, but he told Councilman Daniels that he signed the petition because he 'wanted those folks to leave him alone.'

Mr. Marks came forth again and asked some clarifying questions to the City Engineer regarding the slope of the sidewalk. Discussion also took place pertaining to liability if someone were to slip and fall or otherwise become injured while utilizing the sidewalk in front of his home. City Attorney Frank Garza shared that the adjoining property owner is generally responsible for maintaining the sidewalk, and the City has 'governmental immunity.' He also has concerns about his existing irrigation and its relocation.

Mayor Pruitt shared that if there are any problems at all with irrigation, residents should contact him or the city, and he assured the residents that the city will take care of the irrigation systems that get disturbed.

Mr. Marks asked for and received clarification related to the new location of his mailbox.

Mr. Ruess came forth again and shared that the City kept using the church as a reason why sidewalks are needed (because there is supposedly overflow parking along Boydston, and those pedestrians need sidewalks to walk on to get to the church). He took a photograph at 11:00 AM on a Sunday morning that shows that there is no street overflow parking, and he indicated that the church has plenty of parking.

Steve Swofford came forth again and expressed additional arguments, generally indicating that he prefers to have 5' sidewalks instead of 6' ones. He believes that there is inconsistency regarding when and where sidewalks are installed throughout the city. General discussion took place regarding why a policy related to sidewalks was put into place to begin with, with Councilmember Hohenshelt explaining in greater detail why and how the city arrived at establishing said 'sidewalks policy.'

Darlene Reed came forth and provided additional comments, generally explaining that although other residents located more towards Forest Trace are also not in favor of the roadway widening and the sidewalk installation, the residents here this evening did not have them sign the petition. She went on to appeal to the Council to conduct an additional traffic count and to listen to the voice of the residents who do not want the sidewalks installed.

Mrs. Gail O'Brien (713 Alexander) came forth and shared that she lives on the corner of Alexander and Forest Trace. She would like to know why a 3' sidewalk couldn't be installed on each side of the roadway. She suggested that they could be 'one-way' sidewalks on either side of the road. She is generally not in favor of sidewalks being installed.

Mayor Pro Tem Fowler indicated that he would like to entertain any motion that any council member would like to make at this time. Following clarification between Councilmember Campbell and Ms. Williams regarding where the 1,000 feet is relative to the church, Mayor Pro Tem Fowler acknowledged that no motion was made, so therefore no action would be taken by Council this evening.

Mayor Pro Tem Fowler called for a break at 7:27 p.m. He then reconvened the meeting at 7:36 p.m. and addressed Public Hearing item #4 next.

X. PUBLIC HEARING ITEMS

1. **Z2020-023** - Hold a public hearing to discuss and consider a request by James Best for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting construction of a single-family home. The Planning & Zoning Commission and Council are asked to consider size, location and architecture of the proposed home as compared with other, existing homes in the area...these are required to be similar or at least complimentary of existing structures nearby. Eighty-two notices were sent out to property owners located within 500' of the property, and several nearby HOAs (homeowner's associations) were also notified. Staff has not received any notices back. In addition, the Planning & Zoning Commission has recommended approval of this item by a vote of 6-0.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to speak. There being no one indicating such, he then closed the public hearing. Councilmember Hohenshelt moved to approve Z2020-023. Councilmember Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 2.60-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BEST ESTATE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.**

2. **Z2020-024** - Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary (1st Reading).

**Planning Director Ryan Miller provided extensive background information pertaining to this agenda item. Notices were sent out to 13 property owners located within 500' of the property. HOAs were also notified. Thus far, no notices have been received back in favor or in opposition. The Planning & Zoning Commission has recommended approval of this item by a vote of 5 in favor with one commissioner dissenting.**

**Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time.**

**Jim Turner  
1691 E. Old Quail Run Road  
Rockwall, TX**

**Mr. Turner likes the larger lots that are being proposed within this development. However, he does have concern about the septic systems that are proposed to be installed, especially how these septic systems will leach into the surrounding soil. He went on to reiterate the County's requirement that septic systems only be installed on lots that are 1.5 acres or larger. He believes that packing these sorts of septic systems into smaller neighborhoods with smaller lots is not a good idea. He suggests that the lots be increased to 1.5 acres/each and that there be fewer homes within this proposed development.**

**There being no one else wishing to come forth and speak at this time, Mayor Pro Tem Fowler closed the public hearing.**

**Chris Cuny  
2 Horizon Court (business address)  
Heath, TX  
2730 Pin Oaks Circle (home address)  
Rockwall, TX**

**Mr. Cuny, the applicant, came forth and briefed the Council on his proposed development within this Planned Development.**

**Following various, brief comments from Councilmembers Hohenshelt, Johannesen and Daniels, Councilmember Daniels moved to approve Z2020-04. Councilmember Hohenshelt seconded the motion. Following additional discussion, the ordinance was read as follows:**

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [*ORDINANCE NO. 15-24*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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 ayes to 1 nays (Pruitt).

3. **Z2020-025** - Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of an ordinance for a *Specific Use Permit (SUP)* for a *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 507 N. Goliad Street, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. Following brief Council comments, Councilmember Johannesen moved to approve Z2020-025. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND HAIR SALON AND/OR MANICURIST* ON A 0.2254-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ARTVENTURES STUDIO ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

4. **Z2020-026** - Hold a public hearing to discuss and consider a request by Jake Fears, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Restaurant with Drive-Through, Less Than 2,000 SF* on a 2.542-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary (1st Reading).

**Councilmember Hohenshelt moved to allow the applicant to withdraw. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

5. **Z2020-027** - Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of an ordinance for a *Specific Use Permit (SUP)* for a *General Retail Store and Banquet Facility/Event Hall* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary (1st Reading).

**Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing the addition of a small store that will specialize in high end cigars. Notices were sent out to property owners and residents within 500'. A total of 5 notices were received back in favor of the request. In addition, the P&Z Commission has recommended its approval by a vote of 6-0.**

**Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.**

**The owner of the cigar store (no name or address given) came forth and briefly addressed the Council.**

**Councilmember Daniels moved to approve Z2020-027. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT HALL ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.**

6. **Z2020-028** - Hold a public hearing to discuss and consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1650 S. John King Boulevard, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Staff mailed out 1,339 notices to all property owners located within 500' of the the PD. Also, the two, nearby HOAs were also notified. Staff has received a total of two notices back in favor of the request and one in opposition. In addition, the P&Z Commission voted 5-1 (with Chairman Chodun dissenting) to recommend approval of this request.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

The applicant came forth and provided comments to the Council concerning this request.

Councilmember Hohenshelt then moved to approve Z2020-028. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10) [ORDINANCE NO.'S 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10), BEING A ~580.48-ACRE TRACT OF LAND SITUATED WITHIN THE J. CADLE SURVEY, ABSTRACT NO. 65; J. M. ALLEN SURVEY, ABSTRACT NO. 2; W. H. BAIRD SURVEY, ABSTRACT NO. 25; W. H. BARNES SURVEY, ABSTRACT NO. 26; A. JOHNSON SURVEY, ABSTRACT NO. 123; AND J. R. JOHNSON SURVEY, ABSTRACT NO. 128, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

7. **Z2020-029** - Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners and residents located within 500', and one notice was received in favor of the request. In addition, the P&Z Commission unanimously recommended approval of this item.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt then moved to approve Z2020-029. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED 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. ACTION ITEMS**

1. Discuss and consider a resolution at the request of John Vick expressing support for dedicating the SH-66 bridge over Lake Ray Hubbard between Rockwall and Rowlett as the 'Heroes Bridge' to raise awareness of the issue of veteran and first responder suicide, and take any action necessary.

John Vick came forth and briefed the Council on this request, generally indicating that Senator Hall will soon sign a resolution of support for the naming of this bridge. Brian Wilburn then came forth and addressed the Council, further explaining the nature of this request. He generally expressed that these efforts are being undertaken to raise awareness for suicide associated with military and first responders and to encourage its prevention.

Following the comments from Vick and Wilburn, Councilmember Hohenshelt moved to approve the resolution expressing support for the naming of the bridge "Heroes Bridge." Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2021 and designation of the Chief Appraiser to perform and certify the tax rate calculations, and take any action necessary.

Assistant City Manager / Finance Director, Mary Smith provided background information pertaining to this agenda item. She generally indicated that Council was provided a memo that shows numbers that are strictly and solely estimations at this point, and they will likely change within the next week or two. The "No New Revenue Tax Rate" was formerly known as the

**“Effective Tax Rate.”** It is anticipated that this rate will be lower than the current rate, as it has been for many years now. Staff has been diligently working to estimate sales tax revenue numbers; however, to predict this information is very, very challenging. She has received budget request proposals from the various departments, and that information is being sorted through. It most likely will prove to be a very ‘boring’ budget for the upcoming fiscal year. Mr. Crowley went on to indicate that staff will be proposing to hold upcoming budget work session on “off” council meeting Mondays. He believes that staff and Council may be able to work through the budget within one or two Monday evenings. Most all of Council indicated that they like the idea of holding budget work sessions on those ‘off’ Mondays.

**Mayor Pro Tem Fowler** moved to appoint Kevin Passons as the Chief Appraiser to perform and certify the tax rate calculations. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider (re)appointments to the city's Park Board, Art Review Commission, Historic Preservation Advisory Board, Animal Advisory Board and Airport Advisory Board, and take any action necessary.

**Councilmember Campbell** moved to newly appoint Tiffany Miller (to replace outgoing member, Dick Clark) and reappoint Maurice Thompson and Beverly Bowlin to the Historic Preservation Advisory Board (for an additional, two-year term expiring in August of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes and 0 nays.

**Mayor Pro Tem Fowler** moved to reappoint Brad Bassett and Matt Murphy to the Airport Advisory Board (for an additional, two-year term expiring in August of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**Councilmember Macalik** moved to reappoint Betty Hougland and Doug Agee to the ART Commission (for an additional, two-year term expiring in August of 2022). Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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

**This item was not discussed.**

- XIII. EXECUTIVE SESSION.**

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. 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)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

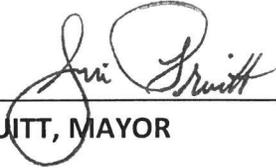
- XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

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

XV. ADJOURNMENT

Mayor Pro Tem Fowler adjourned the meeting at 8:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3<sup>rd</sup> DAY OF AUGUST, 2020.

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 03, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Manager Joey Boyd and City Attorney Frank Garza. Councilmember Bennie Daniels and Assistant City Manager Mary Smith were absent from the entirety of the meeting. Mayor Jim Pruitt joined the meeting during Executive Session.

### II. EXECUTIVE SESSION.

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
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)

**Action Item #2.** Discuss and consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. **(1st Reading)** pursuant to Section §551.071 (Consultation with Attorney)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt called the meeting back to order at 6:00 p.m. Six of the seven council members were present (Daniels was absent).

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESSEN

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

### VI. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

**VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

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

**VIII. CONSENT AGENDA**

1. Consider approval of the minutes from the July 20, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-023** - Consider a request by James Best for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary **(2nd Reading)**.
3. **Z2020-025** - Consider a request by Hallie Fleming for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 507 N. Goliad Street, and take any action necessary **(2nd Reading)**.
4. **Z2020-027** - Consider a request by Leslie & Scott Milder for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Hall* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary **(2nd Reading)**.
5. **Z2020-028** - Consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of an **ordinance** for a Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1650 S. John King Boulevard, and take any action necessary **(2nd Reading)**.
6. **Z2020-029** - Consider a request by Donald and Cathy Wallace for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary **(2nd Reading)**.
7. **P2020-028** - Consider a request by Hellen Byrd of Platinum Construction on behalf of Ron Valk of Saro Partners, LLC for the approval of a Replat for Lot 9, Block A, Bodin Industrial Tract being a 2.21-acre parcel of land identified as Lot 6, Block A, Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1491 T. L. Townsend Drive, and take any action necessary.
8. Consider approval of the purchase of a solar school zoning lighting system in the amount of \$33,286.00, to be funded out of the Street Department Budget, and take any action necessary.
9. Consider approval of an interlocal agreement between the City of Rockwall and the Rockwall Independent School District for School Resource Officer services for the 2020-2021 school year, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, and 9). Councilmember Macalik seconded the motion. Following brief comments, the ordinance captions were read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-26  
SPECIFIC USE PERMIT NO. S-228**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 2.60-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BEST ESTATE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-28  
SPECIFIC USE PERMIT NO. S-229**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND HAIR SALON AND/OR MANICURIST* ON A 0.2254-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ARTVENTURES STUDIO ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-29  
SPECIFIC USE PERMIT NO. S-230**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT HALL ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

CITY OF ROCKWALL  
ORDINANCE NO. 20-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10) [ORDINANCE NO.'S 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10), BEING A ~580.48-ACRE TRACT OF LAND SITUATED WITHIN THE J. CADLE SURVEY, ABSTRACT NO. 65; J. M. ALLEN SURVEY, ABSTRACT NO. 2; W. H. BAIRD SURVEY, ABSTRACT NO. 25; W. H. BARNES SURVEY, ABSTRACT NO. 26; A. JOHNSON SURVEY, ABSTRACT NO. 123; AND J. R. JOHNSON SURVEY, ABSTRACT NO. 128, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 20-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED 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 6 ayes with 1 absence (Daniels).**

**IX. ACTION ITEMS**

- 1. Z2020-024** - Discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary (**2nd Reading**).

**Councilmember Johannesen moved to approve this item. Councilmember Hohenshelt seconded the motion. Mayor Pruitt explained that he voted against this item because he has never voted in favor of a septic system on less than a 1-acre tract of land – it is nothing personal. He is just not in favor of those being placed on less than 1 acre parcels. Following his brief comments, the ordinance caption was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-27**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [*ORDINANCE NO. 15-24*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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 5 ayes, 1 nay (Pruitt) and 1 absence (Daniels).**

- 2.** Discuss and consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (**1st Reading**)

City Manager Rick Crowley provided brief remarks concerning this agenda item. Councilmember Hohenshelt moved to approve the ordinance as presented. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**The motion passed by a vote of 6 ayes with 1 absence (Daniels).**

3. Discuss and consider the appointment of an exploratory committee to determine the best means by which to recognize the diverse history of Rockwall, and take any action necessary.

**City Manager, Mr. Crowley shared that three members of the Council recently met and discussed this topic among themselves and others.**

**Mayor Pro Tem Fowler briefed the Council on recent discussions he had with Councilmember Johannesen and Councilmember Campbell, especially pertaining to a recent 2-2.5 hour long discussion the three of them had with Christian Giadolor and his representatives. The Council subcommittee of three has generally decided that it might be best if the Council appoints an 'exploratory committee' made up of citizens to listen to the various ideas and decide how best to move forward.**

**Mr. Crowley suggested that Council may wish to consider asking staff to draft a resolution to bring back to the Council for consideration. Such resolution would establish this exploratory committee and further explain its purpose and what the committee is being asked to look at by Council.**

**Councilmember Campbell shared that recent discussions were held with Christian Giadolor, who is part of the "Black Lives Matter" organization. The three councilmembers met and agreed that these efforts are something that the city could undertake on its own and that said efforts could then in no way be 'tied to' "Black Lives Matter."**

**Councilmember Macalik agreed that Mr. Crowley's suggestion to form a committee and clearly spell out its purpose is a good idea for moving forward.**

Mayor Pruitt expressed that one option is to “do nothing.” He does not want the Council to be pressured into doing anything, but he is okay with options being discussed by a committee.

Fowler further explained that said recent discussions, in part, centered around Giadolor’s desire for the Council to support the placement of a monument in downtown Rockwall to commemorate a lynching that took place in Rockwall many, many years ago. Fowler generally expressed that he had conveyed to those with whom he had met that he prefers to commemorate and celebrate positive accomplishments in the community instead of the two lynching(s) that took place many years ago and are recorded in Rockwall’s history. He believes there are much more positive things to celebrate and commemorate instead. He shared that Councilmember Campbell has expressed that she would like to be the Council liaison assigned to this exploratory committee.

Mr. Crowley indicated that staff will come back with some options for Council to discuss and consider at a future date. No formal action was taken at this time.

4. Discuss and consider a flag pole entry feature on Interstate 30, and take any action necessary.

Assistant City Manager Joey Boyd provided information concerning this agenda item. The proposed location for this flag pole entry feature would be near the corner of Laguna Drive, Interstate 30 and Village Drive (just down from the Starbucks, in TXDOT (TX Department of Transportation) right-of-way). Based on the recent FAA (Federal Aviation Administration) study, the flag pole is approved to be up to 198’ above ground level, and no strobe light would be required at the top of the pole. In addition, consultants thru the countywide road consortium have evaluated the plans and compared them against TXDOT’s future plans for the expansion of IH-30, and no conflicts exist (other than keeping an eye on potential utility relocate necessities, should those arise). Boyd generally explained that next steps would be to proceed with a design phase with that information then needing to be forwarded on to TXDOT for review and consideration. Updated budget numbers are estimated at \$119,000 for this flag pole project.

Councilmember Johannesen generally expressed support for this agenda item, sharing that with the current state of divisiveness, it would be nice to have some unity, especially if said unity is related to our U.S. flag.

Mayor Pruitt generally expressed concern about this and other projects that are not absolutely essential and vital, especially in light of the city not yet having a really good idea of the negative impacts that the COVID pandemic has had on our local revenues/economy. He shared that he does not wish to see the City have to cut employees / job positions as a result of revenue losses. He thinks we will have a better idea of actual budgetary impacts related to COVID within about six months from now or so. He cautioned that he will very likely be expressing these types of concerns as the upcoming budget process ensues and/or other topics arise related to funding.

City Manager Rick Crowley shared that this project, whatever it may look like, will likely be funded out of “General Fund Reserves,” and whatever the Council desires to do in that

regard, he feels confident that the “Reserves fund” is healthy enough to move forward with the ‘design phase’ of this project at this time.

Mayor Pruitt then made a motion to move forward with approving the funds for the design phase of this project and then return to Council at a later date for possible, further action. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).

5. Discuss and consider upcoming Parks & Recreation events and programs, and take any action necessary.

Pruitt indicated that we have made it thru the Fourth of July events, Concerts by the Lake, and Baseball Nation tournaments. Parks Director, Travis Sales, then came forth and briefed the Council on current registration associated with fall baseball. Essentially, with registrations being notably low at this point, staff can either (1) move forward with running a fall season of baseball with limited teams (only the divisions that ‘make’), or (2) cancel the fall season altogether and revisit baseball in the Spring. Councilmember Johannesen and Hohenshelt both generally expressed a desire for the City to move forward with providing and allowing ‘fall baseball’ to continue on. Councilmember Macalik shared that she disagrees – she is generally opposed to allowing anything to continue on that is government sponsored and may result in large crowds. She believes that social distancing and limiting large gatherings is important. Pruitt generally expressed support for fall ball continuing on. Sales shared that right now there will be four to five teams that will end up playing each other twice. Pruitt indicated he believes this is reasonable. So, general direction was given that fall ball will proceed.

Discussion took place regarding whether or not the “Angel League” (for special needs kids) should ensue this fall season or not. It was informally decided that it will proceed as long as the teams “make” (there are enough people and teams signed up).

Discussion took place related to groups renting rooms / space at The Center and the Community Center. Mr. Crowley, City Manager, generally suggested that staff would like to bring back some recommendations to Council to consider how potential renters (citizens / the public) might be able to make use of these facilities while observing and adhering to social distancing.

Regarding senior programs, Sales briefed Council on these activities (i.e. BINGO, Bridge, exercise class, “Yarn and Darn” (quilting), Senior Luncheons and “Out to Lunch Bunch,” etc.). Pruitt shared that he is okay with any activities that will allow the Seniors to stay spread out and practice social distancing (i.e. BINGO is ok. The exercise class is ok.). The other activities, Council generally agreed should not be reinstated at this point.

Regarding evening tap and dance classes for ages 5 thru 8 at The Center and the RIPPED exercise class for adults, indication was given that social distancing could easily be adhered to during these classes.

Regarding “Outdoor Days” at Harry Myers Park (is essentially “Movies in the Park”) – Council generally indicated that it is outdoors and attendees should be able to effectively spread out and practice social distancing. So, they are ok with this program ensuing.

Regarding “Little Athletes,” which is ages 3 – 5, they would be on a soccer field and run thru drills. Parents would be sitting on the sidelines, and social distancing can be observed. Plus, it’s outdoors.

Regarding the upcoming mother/son dance, Council generally indicated that they do not believe ‘social distancing’ is practicable at that event. Therefore, they do not believe that this program should be held. Staff will cancel it.

Regarding the San Jacinto Music Series, Council generally indicated agreement with it continuing to be held, as it is outdoors, attendance is limited, and people can spread out and socially distance.

Regarding the Rib Rub, Run and Roll – general discussion took place regarding the possibility of moving the BBQ competition to Harry Myers Park. Staff was asked to put some thought into some options for this event and return to Council in two weeks to discuss those potential alternatives.

**Council took no formal action pertaining to these discussions at this time.**

6. Discuss and consider (re)appointments to the City's Park Board, Animal Advisory Board, and Airport Advisory Board, and take any action necessary.

**Macalik moved to appoint to the Airport Advisory Board Jacob North (for a two-year term) and Fred Hansen (for a one-year term) to fill the two, current vacancies. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).**

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

1. 2020 Census Update
2. Fire Department Monthly Report - June 2020
3. Police Department Monthly Reports - June 2020
4. Recreation Department Monthly Report - June 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**There being no questions concerning the above named reports, no discussion took place and no action was taken. Mayor Pruitt expressed his condolences at the passing of Rockwall Police Officer Tracy Gaines, who died this morning from complications related to COVID-19.**

**XI. EXECUTIVE SESSION.**

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
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)

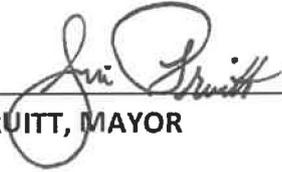
**XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**Council did not reconvene in Ex. Session following the close of the 6:00 p.m. public meeting agenda.**

**XIII. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 6:51 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 17<sup>th</sup> DAY OF AUGUST, 2020.**

  
\_\_\_\_\_  
**JIM PRUITT, MAYOR**

**ATTEST:**

  
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**KRISTY COLE, CITY SECRETARY**





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 17, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza joined Ex. Session via telephone. Councilmember Dana Macalik arrived to the meeting and joined Ex. Session at 5:05 p.m.

### II. EXECUTIVE SESSION.

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks 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)

**Consent Agenda Item # 2.** Consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (2nd Reading)

**Action Item #1. P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a *Preliminary Plat* for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary. pursuant to Section §551.071 (Consultation with Attorney)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:25 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02 p.m. with all seven city council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL

**Councilmember Campbell delivered the invocation and led the Pledge of Allegiance.**

**VI. PROCLAMATIONS**

**1. Tom Egan Appreciation Day**

**Mayor Pruitt called forth Tom Egan to be honored. He then read and presented him with a proclamation, declaring today as “Tom Egan Appreciation Day” in the City of Rockwall. Afterwards, Mr. Egan said a few words. Mayor Pruitt thanked Mr. Egan for all of his contributions to the community and thanked those who were in attendance tonight to recognize this honor.**

**VII. OPEN FORUM**

**No one was present for Open Forum.**

**VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

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

**IX. CONSENT AGENDA**

- 1. Consider approval of the minutes from the August 3, 2020 regular City Council meeting, and take any action necessary.**
- 2. Consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (2nd Reading)**
- 3. Consider approval of a contract with Custard Construction Services to perform kitchen and restroom renovations at The Center in the amount of \$26,729.32 to be funded from the Internal Operations Department budget, and take any action necessary.**
- 4. Consider approving the Highland Drive, First Street, Kaufman Street, Lakeshore Drive, Rusk Street, and West Street paving, drainage, water, and wastewater improvement projects, and authorize the City Manager to execute a contract with McMahon Contracting, LP in an amount of \$3,037,817.50 to be paid for out of the *Street Bond Fund* and the *Water/Sewer Fund*, and take any action necessary.**
- 5. Consider approving the construction materials testing costs for Highland Drive, First Street, Kaufman Street, N. Lakeshore Drive, Rusk Street, and West street paving, drainage, water, and wastewater improvements projects and authorize the City Manager to execute a contract with Alliance Geotechnical Group in the amount of \$63,390.00 which will be funded by *Street Bond Funds*, and take any action necessary.**

**Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Hohenshelt seconded the motion. The ordinance caption was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-32**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW**

**CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**X. PUBLIC HEARING ITEMS**

- 1. Z2020-030 - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property, with four notices having been received back in favor and one notice receive in opposition.

Mayor Pruitt opened the public hearing. The applicant briefly came forth and indicated he would be happy to answer any questions council may have. There being no one else wishing to come forth and speak, Mayor Pruitt then closed the Public Hearing.

General discussion ensued pertaining to the applicant's request and what he is wanting to do. Extensive discussion also took place pertaining to the way the city's code(s) is currently written pertaining to these types of structures and if, potentially, those regulations need to be changed.

Mayor Pro Tem Fowler moved to approve Z2020-030. Mayor Pruitt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 6 ayes with 1 nay (Macalik).**

2. **Z2020-031** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an **ordinance** for a Zoning Amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] for the purpose of amending the development standards contained in *Ordinance No. 16-39* for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary **(1st Reading)**.

**Planning Director, Ryan Miller provided background information pertaining to this agenda item. 32 notices were mailed out to adjacent property owners located within 500' of the subject property, and one notice was received back in favor. In addition, the Planning & Zoning Commission has recommended approval of this item.**

**Pat Atkins  
Saddlestar Development  
3076 Hayes Lane  
Rockwall, TX**

**Mr. Atkins, the applicant, came forth and provided a presentation to Council pertaining to this request.**

**Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.**

**Bob Wacker  
309 Featherstone  
Rockwall, TX**

**Mr. Wacker came forth and provided a diagram and associated comments pertaining to j-swing and 'modified j-swing' driveways / garages.**

**Jim Turner  
1691 Old E. Quail Run Drive  
Rockwall, TX**

**Mr. Turner came forth and shared that he has concerns about construction debris that has been sitting on the existing construction site (for the phase that's currently under construction) for a very long time at this point. He generally expressed that he would like for developers to keep construction debris cleaned up.**

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

General discussion ensued pertaining to the front entry and j-swing garages as well as the setback requirements.

Councilmember Macalik moved to approve Z2020-031. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-35**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [ORDINANCE NO. 19-40] THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *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 by a vote of 7 ayes to 0 nays.

3. **Z2020-032** - Hold a public hearing to discuss and consider a request by Erick Cruz Mendoza for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners and residents within 500' of the property. Three notices were received back in favor of the request. In addition, the Planning & Zoning Commission has recommended approval of the agenda item this evening.

Mayor Pruitt called forth the applicant, Mr. Mendoza, who came forth and briefly addressed the Council concerning his request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Johannesen moved to approve Z2020-032. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-36**  
**SPECIFIC USE PERMIT NO. S-232**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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. ACTION ITEMS**

1. **P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a *Preliminary Plat* for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary.

**The mayor indicated that the Council lacks jurisdiction to address this item. So, it was not discussed at all, and no action was taken.**

2. Discuss and consider options for the Parks and Recreation Rib Rub Run & Roll Special Event to be held in the Downtown area on Saturday, October 3, 2020, and take any action necessary.

**Councilmember Johannesen indicated that he believes Option #1 outlined in the staff memo sounds like the best one. Mayor Pro Tem Fowler expressed that he would like to skip the 'People's Choice Pulled Pork' contest. Parks Director, Travis Sales, shared that staff will move forward with Option #1. No formal action was taken by Council.**

3. Discuss and consider approval of a resolution establishing an ad hoc exploratory committee to determine the best means by which to recognize the diverse history of Rockwall, and take any action necessary.

**Mayor Pro Tem Fowler moved to approve the resolution as presented. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

4. Discuss and consider (re)appointments to city advisory boards and commissions, including the Main Street Advisory Board, Park Board, and Animal Advisory Board, and take any action necessary.

**Councilmember Johannesen moved to reappoint Peggy Marhouff, Kevin Johnson and Brandon Morris to the Park Board. Mayor Pro Tem Fowler seconded the motion, which passed**

**CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**X. PUBLIC HEARING ITEMS**

1. **Z2020-030** - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property, with four notices having been received back in favor and one notice receive in opposition.

Mayor Pruitt opened the public hearing. The applicant briefly came forth and indicated he would be happy to answer any questions council may have. There being no one else wishing to come forth and speak, Mayor Pruitt then closed the Public Hearing.

General discussion ensued pertaining to the applicant's request and what he is wanting to do. Extensive discussion also took place pertaining to the way the city's code(s) is currently written pertaining to these types of structures and if, potentially, those regulations need to be changed.

Mayor Pro Tem Fowler moved to approve Z2020-030. Mayor Pruitt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 6 ayes with 1 nay (Macalik).**

2. **Z2020-031** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an **ordinance** for a Zoning Amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] for the purpose of amending the development standards contained in *Ordinance No. 16-39* for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary **(1st Reading)**.

**Planning Director, Ryan Miller provided background information pertaining to this agenda item. 32 notices were mailed out to adjacent property owners located within 500' of the subject property, and one notice was received back in favor. In addition, the Planning & Zoning Commission has recommended approval of this item.**

**Pat Atkins  
Saddlestar Development  
3076 Hayes Lane  
Rockwall, TX**

**Mr. Atkins, the applicant, came forth and provided a presentation to Council pertaining to this request.**

**Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.**

**Bob Wacker  
309 Featherstone  
Rockwall, TX**

**Mr. Wacker came forth and provided a diagram and associated comments pertaining to j-swing and 'modified j-swing' driveways / garages.**

**Jim Turner  
1691 Old E. Quail Run Drive  
Rockwall, TX**

**Mr. Turner came forth and shared that he has concerns about construction debris that has been sitting on the existing construction site (for the phase that's currently under construction) for a very long time at this point. He generally expressed that he would like for developers to keep construction debris cleaned up.**

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

General discussion ensued pertaining to the front entry and j-swing garages as well as the setback requirements.

Councilmember Macalik moved to approve Z2020-031. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-35**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [ORDINANCE NO. 19-40] THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *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 by a vote of 7 ayes to 0 nays.

3. **Z2020-032** - Hold a public hearing to discuss and consider a request by Erick Cruz Mendoza for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners and residents within 500' of the property. Three notices were received back in favor of the request. In addition, the Planning & Zoning Commission has recommended approval of the agenda item this evening.

Mayor Pruitt called forth the applicant, Mr. Mendoza, who came forth and briefly addressed the Council concerning his request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Johannesen moved to approve Z2020-032. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-36**  
**SPECIFIC USE PERMIT NO. S-232**

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

**XI. ACTION ITEMS**

1. **P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a *Preliminary Plat* for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary.

**The mayor indicated that the Council lacks jurisdiction to address this item. So, it was not discussed at all, and no action was taken.**

2. Discuss and consider options for the Parks and Recreation Rib Rub Run & Roll Special Event to be held in the Downtown area on Saturday, October 3, 2020, and take any action necessary.

**Councilmember Johannesen indicated that he believes Option #1 outlined in the staff memo sounds like the best one. Mayor Pro Tem Fowler expressed that he would like to skip the 'People's Choice Pulled Pork' contest. Parks Director, Travis Sales, shared that staff will move forward with Option #1. No formal action was taken by Council.**

3. Discuss and consider approval of a resolution establishing an ad hoc exploratory committee to determine the best means by which to recognize the diverse history of Rockwall, and take any action necessary.

**Mayor Pro Tem Fowler moved to approve the resolution as presented. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

4. Discuss and consider (re)appointments to city advisory boards and commissions, including the Main Street Advisory Board, Park Board, and Animal Advisory Board, and take any action necessary.

**Councilmember Johannesen moved to reappoint Peggy Marhouff, Kevin Johnson and Brandon Morris to the Park Board. Mayor Pro Tem Fowler seconded the motion, which passed**

unanimously of those present. Johannesen then moved to newly appoint to the Park Board Amanda Fowler (to replace Charles Johnson). Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes to 1 abstention (Fowler).

Mayor Pro Tem Fowler moved to reappoint Steve Albers and Gary Freedman to the Animal Advisory Board. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Campbell moved to appoint Gary Cannavo to the Main Street Advisory Board (to replace Stuart Smith for a term to expire in Jan. of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks 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)

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

Council did not convene in Ex. Session following the close of the public meeting agenda.

**XIV. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:36 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2020.**

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY





# MINUTES - Budget Work Session

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## ROCKWALL CITY COUNCIL SPECIAL MEETING

Monday, August 24, 2020 – 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:04 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, various department directors and staff. Council Member Anna Campbell joined the meeting at 5:17 p.m.

### II. OPEN FORUM / PUBLIC COMMENTS

Mayor Pruitt asked if anyone would like to come forth and speak at this time.

Nick Grant  
1569 Old E. Quail Run Road  
Rockwall, TX

Mr. Grant came forth and complimented the Council on a couple of city-related maintenance contracts that are currently in place (i.e. right-of-way maintenance on John King Boulevard).

No one else indicated a desire to come forth and speak at this time, so Mayor Pruitt closed Open Forum.

### III. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE PROPOSED FISCAL YEAR 2021 CITY OF ROCKWALL MUNICIPAL BUDGET

City Manager, Rick Crowley and Assistant City Manager/Finance Director, Mary Smith briefed Council on the overall proposed budget as well as the General Fund (including reserves), the Water/Sewer Fund, and the Debt Services Fund. Following the briefing, a series of questions and answers ensued between Council and staff.

City Management generally indicated that staff will be keeping a pulse on sales tax and other revenue streams and may request budget-related adjustments accordingly, should those needs arise throughout the upcoming fiscal year. However, for now, the proposed budget is very 'slim' out of an abundance of caution, since the lasting effects of the COVID-19 pandemic are not fully known at this juncture.

Mayor Pruitt suggested that, in the future, staff work on developing a marketing plan to 'market' encouraging residents to move to Rockwall in lieu of purchasing a home outside of our city limits within a Municipal Utility District (MUD). He wants home buyers to know that they could purchase a much

larger, nicer home within Rockwall's city limits if they chose not to devote so much money to the extra taxes and fees associated with living in a MUD.

He also encouraged that, in the future, there be one, single staff member that assists residents who are navigating the 'building permits' process (i.e. storage/accessory buildings at their home, fences, driveway extensions, etc.). He suggested that the person be in the City Manager's office, perhaps the Public Information Officer, and that the staff person act as a liaison between the resident pulling the permit and staff. He believes that designating one point of contact will help curtail misunderstandings and miscommunications.

Indication was given that a public hearing on the proposed budget and tax rate will be held at a regular city council meeting in September, and the Council will be asked to adopt the budget at the second meeting of next month. The budget will go into effect starting October 1.

Council took no formal action pertaining to this work session.

#### IV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 5:58 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 08, 2020 - 4:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Legal Counsel, Patrick Lindner.

### II. WORK SESSION

1. Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, and take any action necessary.

Planning Director, Ryan Miller, briefed the Council on proposed changes to this portion of the Code, mainly related to changes associated with itinerant vendors. Council took no action concerning this work session item at this time. However, Mayor Pruitt pointed out that this topic is listed as an "Action Item" on tonight's agenda. Council members generally indicated that they would like to take action on this later this evening.

2. Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

Planning Director, Ryan Miller, briefed Council on this topic. No action was taken as a result of this work session discussion. Indication was given that staff will bring forth formal changes to the ordinance provisions at a future Council meeting.

Mayor Pruitt read the following discuss items into the public record before recessing the meeting to go into Executive Session at 4:53 p.m.

### III. EXECUTIVE SESSION.

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

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

4. 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)

#### **IV. ADJOURN EXECUTIVE SESSION**

**Executive Session was adjourned at 5:58 p.m.**

#### **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

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

#### **VI. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK**

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

#### **VII. PROCLAMATIONS**

1. American Legion Day

**Mayor Pruitt called forth several members of the local chapter of the American Legion. He then read and presented them with this proclamation. The guests briefly commented about veteran and youth leadership related efforts that the Legion undertakes and supports.**

#### **VIII. OPEN FORUM**

**Saron Regassa  
1389 Stewart Drive  
Rockwall, TX 75032**

**Saron came forth and shared that she is a "Girls State" representative. Ms. Regassa went on to provide comments pertaining to the creation of Rockwall's Diverse History Committee. She encouraged the creation of a memorial to commemorate the lynching of a black man (Anderson Ellis) in Rockwall many years ago. She hopes that she and her friend, Christian Giadolor, are able to continue**

**Carva Gordon  
2849 Lost Creek Court  
Rockwall, TX**

**Ms. Gordon thanked members of the American Legion for their service to the community. Ms. Gordon went on to share that she sat thru a four-part training for her role as a volunteer with Court Appointed Special Advocates (CASA). She explained she had to listen with both her ears and her heart. She went on to applaud the formation of Rockwall's Diverse History Committee. She encouraged everyone to provide their full support to Councilmember Anna Campbell as she oversees said committee. She encouraged that we can't be afraid to call out injustices or claim that 'it's not our problem.' She generally spoke enthusiastically about this committee and the work it will tend to.**

#### **IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

Mayor Pro Tem Fowler moved to appoint Derek Deckard and Dr. Jean Conway to the Planning & Zoning Commission. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Hohenshelt moved to appoint the following to the Rockwall Economic Development Corporation with initial terms to commence January 1, 2021: Carin Brock, Justin Lee and Mark Stubbs. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

**X. CONSENT AGENDA**

1. Discuss / act on approval of the minutes from the August 17, 2020 regular city council meeting, and take any action necessary.
2. Discuss / act on approval of the minutes from the August 24, 2020 Budget Work Session, and take any action necessary.
3. **Z2020-031** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] for the purpose of amending the development standards contained in *Ordinance No. 16-39* for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary (**2nd Reading**).
4. **Z2020-032** - Consider a request by Erick Cruz Mendoza for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (**2nd Reading**).
5. Consider approval of the Turtle Cove & Windmill Ridge Sanitary Sewer Rehabilitation Project and authorize the City Manager to execute a construction contract with NO-DIGTEC, LLC. in the amount of \$757,933.00 to be funded by the Water/Sewer fund, and take any action necessary.
6. **P2020-033** - Consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval of a Replat for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2701 Sunset Ridge Drive, and take any action necessary.
7. Consider approval of the purchase of network technology equipment in the amount of \$37,677.30 to be funded from the Technology Fund, and take any action necessary.
8. Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2020 Rate Review Mechanism filing, adopting tariffs as part of the settlement, and take any action necessary.

Councilmember Macalik moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, and 8). Councilmember Daniels seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL

**ORDINANCE NO. 20-35**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [ORDINANCE NO. 19-40] THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *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. 20-36  
SPECIFIC USE PERMIT NO. S-232**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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. APPOINTMENT ITEMS**

1. Appointment with representative(s) from the Rockwall Central Appraisal District (RCAD) to discuss and consider a request pertaining to the RCAD's proposed new building/facility, and take any action necessary.

Mark Moeller, who serves on the RCAD Board of Directors, came forth and briefed the Council on this request. He explained that the RCAD would like to add 15,000 square feet to the existing building to expand it, including adding a second floor. The purpose of the expansion is to accommodate much needed office, conference room and waiting area space for both staff and the public. They believe that the expansion will serve the county for the next 10-20 years. He respectfully asked that Council consider approving this request for expansion this evening.

Mayor Pruitt provided brief comments pertaining to the RCAD in general and to this proposed expansion request. He expressed that he believes this request is needed and reasonable.

Councilmember Johannesen moved to approve the RCAD's expansion proposal, as presented. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Hohenshelt).

## XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive comments regarding the Proposed FY2021 City of Rockwall Budget and tax rate and take any action necessary.

City Manager Rick Crowley provided introductory comments pertaining to this agenda item. He generally indicated that this budget reflects a very conservative approach, especially in light of COVID-19 and its potential impacts on the local economy. He went on to explain that the city's charter does allow for budget amendments, so staff will remain mindful of this and will be sure to come to Council, accordingly, should the need for amendment requests arise.

Following Mr. Crowley's comments, Mayor Pruitt shared that a work session on the budget was held with staff and Council about two weeks ago.

Mrs. Mary Smith, Assistant City Manager/Finance Director, then provided comments, sharing a little more details regarding 'numbers' associated with both the budget and proposed tax rate.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker  
309 Featherstone Drive  
Rockwall, TX

Mr. Wacker came forth and shared that he lives in a very vibrant area of the city. He generally encouraged that the City consider finding additional revenue sources in the future. He acknowledged that City of Rockwall residents enjoy one of the lowest (total) tax bills of any other place/county in the area. He thanked the Council for all it does.

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

Mayor Pruitt moved to advertise the adoption of the tax rate on September 21, 2020 at a rate of .3700 per \$100 of valuation. Mayor Pro Tem Fowler seconded the motion. Following brief, clarifying comments, the motion passed by a vote of 6 ayes to 1 nay (Macalik).

## XIII. ACTION ITEMS

1. **Z2020-030** - Discuss and consider a request by Mark Klecha for the approval of an ordinance for a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall,

Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (2nd Reading).

**Mayor Pro Tem Fowler moved to approve Z2020-030. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-34  
SPECIFIC USE PERMIT NO. S-231**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 5 ayes with 2 nays (Daniels, Macalik).**

2. **P2020-031** - Discuss and consider a request by Kerry Joshua Sparks for the approval of a *Final Plat* for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

**Planning Director Ryan Miller provided background information pertaining to this agenda item. Councilmember Johannesen asked for clarification on the lot frontage requirements, and Mr. Miller provided said clarification.**

**Councilmember Johannesen moved to approve P2020-031. Councilmember Macalik seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).**

3. Discuss and consider proposal from Republic Waste to extend the current Solid Waste Collection agreement and take any action necessary.

**Mary Smith, Assistant City Manager / Finance Director, introduced Rick Bernas from Republic Waste. Mr. Bernas came forth and provided brief comments to Council, generally indicating that his company is requesting a five-year extension of the current contract. There has been about a 37% increase in residential volume since COVID-19 hit. He went on to share details of what Republic did for its own employees during COVID (i.e. buying lunch for its employees and their families (up to 4 people) every Friday and issuing gift cards to stimulate the local economy).**

Mayor Pruitt shared that the City of Rockwall has not gone out for bid for trash service in about 19 years. Councilmember Johannesen called upon City Manager Rick Crowley to explain a little bit about what “going out for bid” would look like. Indication was given that City of Rockwall residents enjoy twice per week, regular trash pick-up service and unlimited bulk pick-up. Mr. Bernas indicated that there has been about a 15% decrease in commercial volume. General discussion ensued pertaining to residential versus commercial rates. Mayor Pruitt shared that he deals with a lot of mayors around the area, and they deal with a lot of trash-related complaints from their own residents. He acknowledged that the City of Rockwall does not get a lot of complaints, in general. Also, our residents enjoy twice per week pick up and no restrictions on the volume of “bulk” that is picked up. Councilmember Macalik commented that she took a tour of Republic’s facility not long ago, and she was impressed with the facility and with the professionalism of Republic’s staff.

Mrs. Smith shared that she believes this is a fair price for the level of service that it affords Rockwall residents. Also, Republic has always been very receptive as far as rectifying issues when they do arise.

Councilmember Johannesen moved to authorize staff to negotiate and execute a new contract extension. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary.

Mayor Pruitt moved to move forward with the ordinance amendments as was discussed in the work session. Mayor Pro Tem Fowler seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 12, *BUSINESSES AND SALES*, FOR THE PURPOSE OF CLAIFYING THE PROCESS FOR PERMITTING AND LICENSING PEDDLERS, SOLICITORS, AND ITINERANT VENDORS IN THE CITY OF ROCKWALL; 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.

5. Discuss and consider offering outdoor park facilities, including amphitheatres, for use by the Rockwall Independent School District (RISD), and take any action necessary.

Mayor Pruitt began discussion of this agenda item. He explained that, while RISD has not approached the City regarding this topic, he would like the City to be able to proactively offer use of these outdoor facilities / venues to the school district for use this school year

**(rental fee free) for things such as choir, band, or orchestra concerts.**

6. Discuss and consider (possible alternative to) Parks & Rec's Halloween Extravaganza Event on October 24, 2020 at The Harbor, and take any action necessary.

**Travis Sales, Parks Director, came forth and briefed Council on this agenda item, generally indicating that staff is looking for an alternative to the city's annual Halloween Extravaganza that typically occurs at The Harbor. In lieu of that event, staff is suggesting that Council consider a 'movie in the park' at The Harbor instead (possibly showing a kids movie such as Monsters Inc. or Hotel Transylvania). Council generally seemed to like this idea; however, they took no formal action concerning this agenda item.**

7. Discuss and consider 2020 Fall RBSL (Rockwall Baseball & Softball League) Covid 19 Action Plan, and take any action necessary.

**Parks Director, Mr. Sales, provided explanatory comments pertaining to this agenda item. Council took no formal action pertaining to this agenda item, but general indication was given that staff should proceed with the action plan as presented.**

8. Discuss and consider a resolution updating the bylaws of the city's Youth Advisory Council (YAC) as well as consider associated programming and guidelines, and take any action necessary.

**Councilmember Kevin Fowler provided brief comments pertaining to this agenda item. Indication was given that staff will send these documents out to parents of existing (and recent past) YAC students for feedback. The item will then be brought back before the Council for formal action at a regular council meeting in October. No action was taken at this time.**

9. Discuss and consider appointments to 'Rockwall's Diverse History' ad hoc committee, and take any action necessary.

**Mayor Pruitt generally indicated that Council members are still working on identifying possible appointees to this committee. So this topic will be revisited at the next city council meeting.**

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

1. Census 2020 Update
2. Building Inspections Monthly Report - July 2020
3. Fire Department Monthly Report - July 2020
4. Parks & Recreation Monthly Report – July 2020
5. Police Department Monthly Report - July 2020
6. Sales Tax Historical Comparison
7. Water Consumption Historical Statistics

**General discussion took place pertaining to the Fire Department report, specifically related to volunteer firefighters who currently dedicate time and service to the department. Mayor Pruitt expressed that the City probably needs to decide if it wants to focus on recruiting and retaining volunteer firefighters or not in the future.**

City Manager Rick Crowley pointed out that he gave each council member a handout related to the countywide roadway traffic consortium and its recent activities. He encouraged the Council to be thinking about what future roadway related projects it would like to see, as the consortium is seeking said input from each member entity that participates in these countywide roadway planning projects.

Mayor Pruitt then indicated that Council would be going back into Executive Session to address item #1 shown below. He recessed the public meeting to do so at 7:30 p.m.

**XV. EXECUTIVE SESSION.**

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

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. 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)

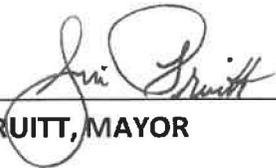
**XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**Council came out of Ex. Session and took no action.**

**XVII. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 8:25 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21<sup>ST</sup> DAY OF SEPTEMBER, 2020.**

  
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**JIM PRUITT, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**





# MINUTES

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**ROCKWALL CITY COUNCIL REGULAR MEETING**  
**Monday, September 21, 2020 - 5:00 PM**  
**City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087**

**I. CALL PUBLIC MEETING TO ORDER**

**Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen.**

**Mayor Pruitt read the following items into the public record before recessing the meeting to go into Executive Session.**

**II. EXECUTIVE SESSION.**

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

1. Discussion regarding possible acquisition of real property in the vicinity of SH 205 and Sids Road and SH 205 near downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
4. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
6. 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 from Executive Session at 6:00 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Pruitt reconvened the public meeting at 6:05 p.m. with all seven council members being present.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER HOHENSHELT**

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

**VI. PROCLAMATIONS**

1. Constitution Week

Mayor Pruitt called forth members of the Daughters of the America Revolution, who were present and handed out United States flags and copies of the U.S. Constitution. He then read and presented the proclamation to them.

**VII. OPEN FORUM**

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

**Joe Rochier**  
901 S. Alamo  
Rockwall, TX

Mr. Rochier indicated that he and his family are opposed to the proposed, nearby Taco Bell. Mayor Pruitt indicated that the applicant has requested to be able to withdraw this request. Council will be making a decision later in the meeting as to whether or not it will allow the applicant to withdraw.

**Bob Wacker**  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and shared comments pertaining to Hartman Elementary and Williams Middle School and associated sidewalks, crosswalks and school crossing zones. He complimented staff and the city for taking care of these matters.

**Michael Hunter**  
220 W. Quail Run Road  
Rockwall, TX

Mr. Hunter shared that the city's contractor, Republic Services, recently did a phenomenal job. He recently had to remove a 90 foot, one hundred year old tree, and the trash collection service removed all of the debris. He was very grateful and complimentary, indicating they did a wonderful job.

Mayor Pruitt shared that he passed out to council members a leasing agreement dealing with public parking at the Trend Tower located on the hill above The Harbor. He went on to generally explain that the City had previously paid into the construction of that parking garage, and the City is entitled to 311 parking spaces between the hours of 5 p.m. to 7 a.m. daily. He explained that Saturday evening, a security guard was blocking the public's ability to utilize the parking garage at all, which – the pointed out – is in breach of the contract that the City has in place related to the use of that parking garage. He indicated that this topic will be placed on the next city council meeting for discussion.

**Steve Simons**  
4513 Dartmoor Lane  
Colleyville, TX

Mr. Simons shared that he is happy to see a government entity say the prayer and the Pledge of Allegiance.

**VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

Mayor Pro Tem Fowler made a motion as follows: in the matter of the Petition of the cities of Plano, Richardson, Garland and Mesquite appealing North TX Municipal Water District water rates; PUC Docket No. 46662, I move to authorize the City Manager with the Mayor's consent to sign a potential settlement agreement, any other ancillary agreements and any matters related thereto consistent with the terms discussed in Executive Session. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

**IX. CONSENT AGENDA**

1. Consider the approval of the minutes from the September 8, 2020 regular city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to execute a renewal contract with Cigna Health to secure Stop Loss coverage for the City's health insurance plan, applying to claims exceeding \$100,000, and take any action necessary.
3. Consider approval of an **ordinance** establishing the speed limit along the reconstructed portion of SH 276 to 50 mph between SH 205 and FM 549/Corporate Crossing, and take any action necessary. **(1st Reading)**
4. Consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary. **(2nd Reading)**
5. **P2020-034** - Consider a request by Chad DuBose of JCDB Holdings, LLC for the approval of a *Final Plat* for Lots 1, Block A, Pecan Valley Retail Addition being a 2.356-acre tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive and 3005 N. Goliad Street [SH-205], and take any action necessary.

**Councilmember Daniels moved to approve the entire Consent Agenda. Councilmember Macalik seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 276 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-39**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 12, *BUSINESSES AND SALES*, FOR THE PURPOSE OF CLAIFYING THE PROCESS FOR PERMITTING AND LICENSING PEDDLERS, SOLICITORS, AND ITINERANT VENDORS IN THE CITY OF ROCKWALL; 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.

X. APPOINTMENT ITEMS

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.

Jerry Welch from the P&Z Commission came forth and briefed the Council on recommendations of the Commission relative to planning-related items on this evening's city council meeting agenda. Council took no action pertaining to this particular agenda item.

2. Appointment with John Brown of Rudy's to discuss and consider allowing a flight school and aircraft rental business to operate at the Ralph Hall Municipal Airport, and take any action necessary.

This item was not addressed, as Mr. Brown was not present. Planning Director, Ryan Miller, indicated that staff will contact Mr. Brown to see if he would like to reschedule.

XI. PUBLIC HEARING ITEMS

1. Z2020-033 - Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary. (1st Reading)

Planning Director Ryan Miller provided background information on this agenda item. He shared, in part, that 50 notices were sent out to property owners and residence within 500' of the subject property. No notices have been received back by staff to date. The Planning & Zoning Commission has recommended approval of this request.

Patrick Wells  
711 Stillwater Drive  
Rockwall, TX

Mr. Wells came forth and generally indicated that he would like to construct a single family home on this property.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Hohenshelt moved to approve Z2020-033. Mayor Pro Tem Fowler seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-42  
SPECIFIC USE PERMIT NO. S-233

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.216-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 3, BLOCK A, RICHARD HARRIS #3 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.**

- 2. Z2020-035** - Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of an ordinance for a Specific Use Permit (SUP) to allow a *Restaurant with 2,000 SF or More with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary (1st Reading).

**Planning Director, Ryan Miller, indicated that the applicant has made a request to be able to withdraw this request. The applicant indicated that they will be withdrawing and terminating the contract on the property.**

**Mayor Pro Tem Fowler moved to allow the applicant to withdraw. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes to 1 nay (Pruitt).**

- 3. Z2020-036** - Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of an ordinance for a Specific Use Permit (SUP) to allow a *structure that exceeds 60-feet in height in a Light Industrial (LI) District* for the purpose of constructing a flag pole on an existing motor vehicle dealership (i.e. *Clay Cooley Hyundai*) being a 4.39-acre parcel of land identified as Lot 1, Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary. (1st reading)

**Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to adjacent property owners and residents. One notice was received back in favor. In addition, the Planning & Zoning Commission voted 5-1 to recommend denial of this request this evening. As a result, its approval will require a 6-1 vote of Council this evening.**

**Steve Simons  
4513 Dartmoor Lane  
Colleyville, TX**

**Mr. Simons handed out ordinance regulations for some other cities (i.e. Lewisville) regarding their regulations on U.S. flags and associated flag poles. He shared that Mr. Cooley has very tall U.S. flag poles at his dealerships in Irving, TX. He understands that 120' flag pole is the tallest that the City of Rockwall may potentially approve.**

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

**Councilmember Johannesen moved to deny Z2020-036. Councilmember Hohenshelt seconded the motion. Following brief discussion, the motion to deny the request passed by a vote of 7 ayes to 0 nays.**

**City Attorney Frank Garza briefly weighed in, sharing that any ordinance that would attempt to regulate "content" of what is actually placed on a flag pole is a "gray area" that would pose**

challenges on what is and is not Constitutional. It would have to be an ordinance that only regulated height and not content. Councilmembers Daniels and Johannesen instructed staff to go through the process of bringing back an ordinance that would change the regulations and allow increased heights for flag poles.

4. **Z2020-037** - Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary. (1st reading)

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to 35 residents and property owners located within 500' of the subject property. Thirteen responses were received back in opposition, and one notice was received back in favor. In addition, the Planning & Zoning Commission voted 4 to 2 to recommend denial of this request. As such, if it is to be approved this evening, it will require at least 6 council members to vote in favor of it.

Following brief discussion, Councilmember Johannesen moved to remand Z2020-037 back to the Planning & Zoning Commission. Councilmember Hohenshelt seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

5. **Z2020-038** - Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. 144 notices were sent out to adjacent property owners and residents located within 500' of the subject property; however, no notices were received back by staff.

The applicant briefly came forth and introduced himself. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Macalik moved to approve Z2020-038. Councilmember Johannesen seconded the motion. Following extensive discussion about septic systems being allowed on lots less than one acre (note: this will not be on city sewer service), the ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-45  
SPECIFIC USE PERMIT NO. S-236**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75)  
[ORDINANCE NO. 16-01] AND THE UNIFIED DEVELOPMENT CODE (UDC)**

**[ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL , ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 1286 & 1287, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 to approve passed by a vote of 6 ayes to 1 nay (Pruitt).**

**XII. ACTION ITEMS**

1. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2021 and amended budget for fiscal year 2020 and take any action necessary.

**Phil Wagner with the REDC came forth and provided brief comments. Councilmember Hohenshelt moved to approve the amended FY20 and the proposed FY21 budget of the REDC. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

2. Discuss and consider IH-30 expansion aesthetic plan, and take any action necessary.

**Assistant City Manager Joey Boyd provided background information pertaining to this agenda item. He generally explained and showed photos related to aesthetic options for artwork to be on the wall and 'end caps' of the IH-30 overpass at Horizon Road.**

**Mayor Pruitt called for a brief break and recessed the meeting at 7:31 p.m. He reconvened the meeting at 7:42 p.m.**

**This item was again discussed briefly, however, no formal action was taken at this time.**

3. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2021 and amended budget for fiscal year 2020, and take any action necessary

**Councilmember Hohenshelt moved to approve the amended FY20 budget for the Tech Park and the FY21 proposed budget. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

4. Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2021, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

**Councilmember Joahannesen moved to approve the funding recommendations of the subcommittee, as presented. Councilmember Macalik seconded the motion. Following brief discussion, the motion passed by a vote of 7 ayes to 0 nays.**

5. Discuss and consider approval of an ordinance amending the budget for fiscal year 2020, and take any action necessary.

**Mayor Pruitt moved to pass the budget amendment. Councilmember Hohenshelt seconded the motion.**

**CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 20-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.**

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

6. Discuss and consider approval of an ordinance adopting the proposed budget for fiscal year 2021, and take any action necessary.

Mrs. Smith, Assistant City Manager, provided brief comments pertaining to this agenda item. Indication was given that the City of Rockwall did receive over \$3 million in SAFER Grant Funding, which will pay for 12 (entry level) firemen for a period of 3 years. City Manager Rick Crowley indicated that the city's budget will need to be carefully evaluated in the coming years to address (city) funding related to these 12 positions. Following brief comments by Mayor Pruitt and Chief Cullins, Councilmember Hohenshelt moved to approve the budget for FY2021. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-38**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

7. Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2020, and take any action necessary.

Mayor Pruitt provided brief comments and then moved to approve the ordinance, lowering the tax rate, and specifying that the Maintenance & Operations rate shall be at 21.54 cents and the Debt Service shall be at 15.46 cents. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 20-40**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2020 AT A RATE OF \$.3700 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2020 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2020 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.**

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

8. Discuss and consider appointments to 'Rockwall's Diverse History' ad hoc committee, and take any action necessary.

**Councilmember Campbell recommended and moved to appoint the following slate of individuals to serve on this ad hoc committee:**

- **Kathy Krikorian**
- **Adan Tovar**
- **Donna Jacobs**
- **Carolyn Holt**
- **Coleman Taylor**

**Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays. Councilmember Campbell indicated that she is working on the two, additional appointees (so that, eventually, there will be a total of seven individuals on this committee).**

9. Discuss and consider parades and similar processions, and take any action necessary.

**City Manager Rick Crowley provided background information pertaining to this agenda item, generally indicating that the city has an ordinance in place that requires that an official parade receives a permit from the city before being held. However, if a group of 30 cars wants to get together and drive for a specific cause, stopping at all traffic lights and observing all traffic laws, the Mayor indicated that he does not believe that doing so should require a parade permit or any sort of city approval. Indication was given that the 'dedication' of the naming of the SH-66 bridge (as "Heroes Bridge") will occur this Saturday, and it will be a very crowded, well attended event.**

**Following brief discussion, Council took no action pertaining to this agenda item.**

10. Discuss and consider (re)appointments to city advisory boards/commissions, including the Youth Advisory Council, the Historic Preservation Advisory Board and the Architectural Review Board, and take any action necessary.

**Mayor Pruitt indicated that Judge Sweet has moved to Royse City, so there will be a vacant seat on the ART Commission that will need to be filled. Councilmember Campbell moved to appoint Alma McClintock and Sarah Freed to the Historic Preservation Advisory Board (HPAB). Mayor Pruitt seconded the motion, which passed unanimously (7-0).**

**Mayor Pro Tem Fowler briefly spoke about recent interviews held with Youth Advisory Council applicants. Mayor Pro Tem Fowler then moved to approve the appointment of the following slate of students for the 2020-2021 school year.**

<u>Name</u>	<u>Grade</u>	<u>School</u>	<u>City of Residency</u>	<u>Reappointment or New Appt.</u>
Mary Claire Weible	Senior	Homeschooled	Rockwall	Reappointment
Parker Yarbrough	Senior	Homeschooled	Fate*	Reappointment
Mazie Johnson	Junior	RHS	Rockwall	Reappointment
Peyton Nielsen	Junior	RHS	Rockwall	Reappointment
Katharine Castro	Senior	Poetry Christian	Rockwall	Reappointment
Jaxson Stuart	Soph.	RHS	Rockwall	Reappointment
Marvin Villalobos	Soph.	RHS	Rockwall	Reappointment
Evelyn Valk	Senior	RHS	Rockwall	New
Morgan Crosby	Soph.	RHS	Rockwall	New

Miriam Gamez	Freshman	RHS	Rockwall	New
Carissa Heimer	Junior	RHS	Rockwall	New
Rylee Braaten	Junior	RHS	Fate*	New

**Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Mayor Pruitt recessed the public meeting at 8:15 to go back into Executive Session to discuss item #5 as specified below (City Manager’s performance evaluation).**

**XIII. EXECUTIVE SESSION.**

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

1. Discussion regarding possible acquisition of real property in the vicinity of SH 205 and Sids Road and SH 205 near downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
4. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
6. 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)

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

**Council came out of Executive Session and took no action.**

**XV. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 9:30 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5<sup>th</sup> DAY OF OCTOBER, 2020.**

  
 \_\_\_\_\_  
**JIM PRUITT, MAYOR**

**ATTEST:**

  
 \_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**



**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, October 05, 2020 - 4:00 PM**

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

**I. CALL PUBLIC MEETING TO ORDER**

Mayor Pruitt called the meeting to order at 4:04 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza.

City Council Member Anna Campbell joined the meeting at 4:07 p.m.

**II. WORK SESSION**

1. Hold a work session to discuss the traffic calming circles in South Lakeshore and Summit Ridge Reconstruction Project.

Mayor Jim Pruitt began discussion of this item, briefly indicating that he is partially responsible for this work session item being on today's agenda.

City Councilmember Anna Campbell arrived to the meeting at this point (4:07 p.m.).

City Engineer, Amy Williams, went on to brief the Council on options associated with traffic calming measures along the S. Lakeshore / Summit Ridge reconstruction project. Council took no action at this time.

2. Hold work session to discuss FEMA's "Staffing for Adequate Fire and Emergency Response" (SAFER) Grant, which was recently awarded to the City of Rockwall Fire Department, as well as associated budgetary impacts.

Assistant City Manager, Mary Smith and Fire Chief, Kenneth Cullins briefed Council on the city's receipt of this grant, which will fund 12 entry level firefighters for a period of three years. Cullins explained that the city applied for this grant last year, when there were 'matching funds' required, but was not awarded it at the time. However, the city reapplied this year, and the grant funding was awarded; however, thankfully, this year no 'matching funds' are required. Cullins and Smith proceeded to brief Council on budgetary impacts, generally explaining that, although there is no 'cost sharing (matching funding)' needed, there will still be costs involved on the city's part (i.e. overtime to cover holiday pay). Discussion ensued pertaining to staffing costs associated with 'overtime' pay and wise budgeting that will be necessary over the course of the upcoming years. No action was taken at the conclusion of this work session discussion item.

At 4:42 p.m., Mayor Pro Tem Fowler read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

**III. EXECUTIVE SESSION.**

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

1. Discussion regarding possible acquisition of real property in the vicinity of SH 205 near the downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding cellular leases on city-owned property in the vicinity of N. Lakeshore Drive and SH 205, Interstate 30 and White Hills Road, and Interstate 30 and TL Townsend Drive, pursuant to Section 551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC), Board of Adjustments, and discussion on other Boards & Commissions, pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
5. 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)
6. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)  
**PULLED FROM PUBLIC MEETING AGENDA :**

Appointment with John Brown of Rudy's to discuss and consider allowing a flight school and aircraft rental business to operate at the Ralph Hall Municipal Airport, and take any action necessary. (Pursuant to Section §551.071 (Consultation with Attorney))

**IV. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Ex. Session at 5:58 p.m.**

**V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Pruitt reconvened the public meeting at 6:0\_\_ p.m. with all seven council members being present.**

**VI. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRUITT**

**Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.**

**VII. PROCLAMATIONS**

1. Parks Maintenance Champions Day

**Mayor Pruitt called forth Travis Sales, Parks Director, who came forth with several of his Parks Maintenance Department employees. He then read and presented a proclamation to staff members, recognizing them for this noteworthy achievement at a recent, regional competition.**

**VIII. OPEN FORUM**

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

**IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Mayor Pro Tem Fowler made a motion to adopt a Resolution authorizing the Mayor or City Manager, with the Mayor's consent, to sign the Settlement Agreement, the Amended Agreement and all other documents related in the matter of the Petition of the cities of Plano, Richardson,**

**Garland and Mesquite regarding the North Texas Municipal Water District PUC case, Docket No. 46662. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**X. CONSENT AGENDA**

1. Consider the approval of the minutes from the September 21, 2020 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** establishing the speed limit along the reconstructed portion of SH 276 to 50 mph between SH 205 and FM 549/Corporate Crossing, and take any action necessary. **(2nd Reading)**
3. **Z2020-033** - Consider a request by Patrick Wells for the approval of an **ordinance** for a Specific Use Permit (SUP) to allow Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary. **(2nd Reading)**
4. **P2020-035** - Consider a request by Brad Williams of Winstead PC on behalf of Brian Thornton of Mountainprize, Inc. for the approval of a Replat for Lot 3, Block A, Woods at Rockwall Addition being a 2.46-acre parcel of land identified as a portion of Lots 1 & 2, Block A, Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the intersection of Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.
5. **P2020-038** - Consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund, LP for the approval of a Replat for Lots 10 & 11, Block A, Stone Creek Retail Addition being an eight (8) acre parcel of land identified as Lot 8, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located north of the intersection of Stone Creek Drive and Bordeaux Drive, and take any action necessary.
6. **P2020-041** - Consider a request by Brad Bacon of Bacon Property, LLC for the approval of a Final Plat for Lot 1, Block A, Bacon Addition being a 3.57-acre tract of land identified as Lot 1-M of the Bodin Industrial Tract, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.
7. **P2020-042** - Consider a request by Wesley & Carlee Kuenstler and Bandon & Pare Underwood for the approval of a Final Plat for Lots 1 & 2, Block A, K. U. Ranch and Rec Addition being a 6.83-acre tract of land identified as Tract 26 of the J. P. Davis Survey, Abstract No. 249, Collin County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), address 11644 County Road 536, and take any action necessary.
8. Consider authorizing the City Manager to request CARES Act funding in the amount of \$30,000 from TXDOT Aviation for improvements at the Ralph M Hall / Rockwall Municipal Airport, and take any action necessary.
9. Consider authorizing the City Manager to execute a Professional Engineer Services Agreement with Birkhoff, Hendricks, and Carter, L.L.P. to provide general engineering services for water and wastewater improvements to the City, and take any action necessary.
10. Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Cardinal Strategies Engineering Services, LLC to provide professional engineering services for miscellaneous consulting on storm water issues and floodplain impacts in the City of Rockwall, and take any action necessary.
11. Consider authorizing the City Manager to execute a Professional Engineering Services Agreement with Binkley & Barfield, Inc. to provide general engineering services for the preparation and review of all Traffic Impact Analysis (TIAs) submitted to the City of Rockwall, and take any action necessary.
12. Consider approval for the purchase of a replacement sanitary sewer pump for FM 3097 Lift Station #2 in the amount of \$38,633.00 to be funded by the Sewer Operations Budget, and take any action necessary.

13. Consider authorizing the City Manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs for fiscal year 2021 in the amount of \$45,000 to be funded from the Administration Department Operating Budget, and take any action necessary
14. Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.
15. Consider authorizing the City Manager to execute a contract between the City of Rockwall and STAR Transit for transportation services for fiscal year 2021 in the amount of \$95,163.96 to be funded by the Administration Department Operating Budget, and take any action necessary.
16. Consider authorizing the City Manager to execute an interlocal agreement between the city and Rockwall County regarding fire protection services, and take any action necessary.

**Councilmember Daniels moved to approve the entire Consent Agenda, as written (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16). Councilmember Macalik seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-41**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 276 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-42  
SPECIFIC USE PERMIT NO. S-233**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.216-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 3, BLOCK A, RICHARD HARRIS #3 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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. APPOINTMENT ITEMS**

1. Appointment with John Brown of Rudy's to discuss and consider allowing a flight school and aircraft rental business to operate at the Ralph Hall Municipal Airport, and take any action necessary.

John Brown  
2504 Chaney Drive  
Sachse, Texas 75048

Mr. Brown indicated that he has been working with Assistant City Manager, Joey Boyd and Planning Director, Ryan Miller to discuss his desire to open up a flight school and aircraft rental business at the local, municipal airport. He explained he needs of the Council because he would like to open up a business at the municipal airport (an aircraft rental and flight school).

Mayor Pruitt explained that in March, a lot of the existing airport hangars will become city property, and the Council will be trying to decide what the city should do with those hangars once it takes those over early next year. Pruitt went on to express that the city is not allowing new businesses to start up at the airport until the Council decides what direction it would like to take concerning the airport starting next year.

Mr. Brown went on to generally express that he is unsure why he has to be here to seek Council's approval, sharing that he does not consider this business he proposes to start to be a "permanent business." Rather, he considers this to be a 'temporary business' to put 'feelers out' to see what it would be like for the area. He expressed that he does not feel he actually needs Council's permission since it will not be a 'permanent' business.

In conclusion, Mr. Brown sought clarification on direction he should take as 'next steps.' Mayor Pruitt told him to go and try to obtain a permit, and the city's lawyers will tell him if it is legal and if it is allowable or not. Mr. Brown indicated that he would like to have Council's approval; however, Mayor Pruitt let him know that he was not going to get that from the Council tonight.

## XII. PUBLIC HEARING ITEMS

1. **Z2020-037** - Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) to allow a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary. (1st reading)

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He shared that the applicant has submitted a request to be allowed to withdraw this case. The Planning & Zoning Commission recently re-heard this case after Council remanded it back to P&Z for further consideration. When this case was re-heard, a motion to approve this item failed by the P&Z Commission.

Mayor Pruitt moved to deny the request to withdraw the case. Councilmember Hohenshelt seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

Chad Bubose  
7218 Colgate Avenue  
Dallas, TX 75225

Mr. Dubose came forth and provided brief comments to Council regarding this case.

Mayor Pruitt opened the public hearing and asked if anyone else would like to come forth and speak at this time.

Bob Wacker  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and expressed concern about some of the discussions that took place at recent P&Z Commission meetings. He generally explained that an existing, local Smoothie King franchise owner had written a letter of opposition concerning this request. One P&Z Commission member in particular referenced that letter and expressed that he did not believe the new franchise / location would be financially viable / successful. Mr. Wacker felt concern about so much stock being placed in that opposition letter.

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

Mayor Pruitt then made a motion to deny Z2020-037. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt then reordered the Council agenda to address Action Item #6 next.

### XIII. ACTION ITEMS

1. **Z2020-038** - Discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take any action necessary (**2nd Reading**).

Mayor Pro Tem Fowler moved to approve Z2020-038. Councilmember Hohenshelt seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. ~~20-43~~  
SPECIFIC USE PERMIT NO. ~~S-234~~**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 1286 & 1287, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 6 ayes to 1 nay (Pruitt).**

2. **MIS2020-012** - Discuss and consider a request by Harold D. Fetty III on behalf of Robert Avalos and Latonia Baker for the approval of a *Miscellaneous Case* for a special request in accordance with the requirements of Planned Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.179-acre tract of land identified as Lots 280 & 281, Block B, Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 840 & 848 Lakeside Drive, and take any action necessary.

**Planning Director, Ryan Miller provided background information pertaining to this agenda item. The Planning & Zoning Commission has recommended approval of this item by a vote of 7 to 0. Councilmember Johannesen moved to approve MIS2020-012. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

3. Discuss and consider IH-30 expansion aesthetic plan, and take any action necessary.

**Mayor Pruitt moved to approve the City moving forward with the “top option” (not the sailboat insignia, but the “swoosh” looking image). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

4. Discuss and consider potential changes to the neighborhood traffic circles for S. Lakeshore and Summit Ridge Reconstruction Project, and take any action necessary.

**Richard Marks  
204 W. Boydston Avenue  
Rockwall, TX**

**Mr. Marks came forth and expressed that he would like to better understand what discussions previously took place concerning traffic circles on these streets.**

**Mayor Pruitt and City Engineer, Amy Williams proceeded to recap discussions held during today’s work session, explaining where these traffic circles will be placed. The purpose of the circles is to allow traffic to keep moving while slowing traffic down along these roadways. These circles will be in lieu of stop signs and roadway humps, which both did not prove to be very effective.**

**Council generally indicated that it would like to move forward with the original plan, which is to have the traffic calming circles installed on this reconstruction project.**

5. Discuss and consider acceptance of SAFER Grant Funding for the Rockwall Fire Department and associated FY2021 budget amendments related to funding the City’s share of said grant program, and take any action necessary.

**Mayor Pruitt indicated that a work session was held earlier this afternoon concerning this agenda item. So, it was discussed at length during the 4 o’clock hour earlier today. This year, the City secured a grant for \$1,013,871.36/year (for the next three years) to hire 12 additional**

firefighters. He generally provided positive comments pertaining to the city having secured this grant funding; however, he also pointed out that these positions will be grant funded for a period of 3 years only. Thereafter, the City will have to pay for the positions on its own. Careful and methodical budgetary planning will be needed over the course of the upcoming 3-4 years so that the city will be ready to absorb the entire cost of these full-time, paid firefighters once the grant funding expires (starting in year four).

Mayor Pro Tem Fowler moved to approve the grant as presented, to amend the Fire Operations Budget for the eight months at \$821,179 with grant proceeds revenues being \$675,948. Councilmember Macalik seconded the motion, which, after brief comments, passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider requiring use of certain decals on city police vehicles, and take any action necessary.

Mayor Pruitt shared that some city police vehicles currently display a decal that has the State of TX on it, "Back the Blue" colors and "In God We Trust." He then made a motion to require the use of these decals on all city police vehicles. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays. Mayor Pruitt went on to offer a "thank you" to resident, John Germer, who recently brought this matter to the city's attention.

7. Discuss and consider Mayor's update on COVID and status of current rules and regulations, and take any action necessary.

City Manager, Rick Crowley, briefed the Council on recent COVID-19 reporting via the State of Texas, generally explaining some of the difficulties involved in the reliability of the information/data. He shared that he continues to carefully evaluate the number of active cases in both the city and the county as a whole, and he is evaluating the best way to report factual information to the public about the numbers. Bottom line, Mr. Crowley shared that there are seven positive COVID-19 cases in the City of Rockwall (out of a population of over 46,000 people). Councilmember Hohenshelt generally suggested that a 14 day, rolling numbers approach be taken if this is going to be tracked at all.

Mayor Pruitt expressed concern about the Governor's directive that essentially seems to require masks within our city buildings. He clarified that the city itself does not have any local ordinance in place to dictate 'masks required' in any business or public establishment within the City of Rockwall.

Councilmember Macalik shared that she likes the signs at City Hall that specify that those who enter are asked to wear a mask. She likes the idea of the City Manager requiring his staff to wear masks; however, she believes that said decision is at the city manager's discretion.

Mayor Pruitt generally expressed the belief that there should be no signs on city facilities that 'require masks' before entering the building(s).

Council took no formal action pertaining to this agenda item; however, by a 'show of hands,' 6 of the 7 Council Members agreed that they are ok with removing the signage at City Facilities that essentially say "masks are required before entry." (Macalik did not indicate being in favor of the signage being removed).

8. Discuss and consider upcoming 2020-2021 Rockwall Parks & Recreation Events, and take any action necessary.

**Parks Director Travis Sales indicated that staff needs direction from Council regarding the serving of cookies and hot chocolate at the city's annual Christmas Tree Lighting ceremony as well as photos with Santa (in light of the COVID-19 pandemic). Council generally indicated to staff the belief that those in attendance should take their own, personal responsibility when attending the event. They are okay with the Women's League baking and bringing cookies to hand out. They are okay with hot chocolate being served, and they have no preference about Santa photos (as long as "Santa" is okay with it).**

**Staff will forego the "breakfast" part of "Breakfast with Santa" this year, and – instead – Santa will be in the San Jacinto plaza for photos on a certain Saturday so that those who want to may attend.**

**It was furthermore agreed that the city's fireworks show for the year 2021 will occur on July 3, 2021.**

**Councilmember Macalik asked when the Christmas tree lighting will happen. Mrs. Smith indicated that it will occur on Sat., Dec. 5, 2020 (and there will be a Christmas parade earlier that morning too).**

9. Discuss and consider a resolution approving a Professional Services Agreement with the Texas Coalition For Affordable Power and a Commercial Electric Service Agreement with Gexa for electric power to be provided on and after January 1, 2023, authorizing the City Manager to execute agreements on behalf of the City of Rockwall, and take any action necessary.

**Councilmember Hohenshelt moved to approve the resolution (approving both agreements) as presented. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

10. Discuss and consider a resolution updating the bylaws of the city's Youth Advisory Council (YAC) as well as consider associated program related forms, and take any action necessary.

**Mayor Pro Tem Fowler shared that the City Secretary, Kristy Cole, worked with the city attorney (Mr. Garza) to create some more structure and protection for the city's YAC program and the local students who participate in it.**

**Following those brief comments, Mayor Pruitt moved to approve the resolution and associated forms. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

11. Discuss and consider appointments to and related matters for the following: 'Rockwall's Diverse History' ad hoc committee, the Architectural Review Board, the ART Commission, the Board of Adjustments, the Rockwall Economic Development Corporation, and other Boards & Commissions, and take any action necessary.

**Councilmember Campbell moved to appoint Freddie Jackson, Edna Cecilia Sullivan, and Jason Moore to the "Diverse History" ad hoc committee. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present.**

**Councilmember Daniels moved to appoint Quint Avenetti to the Architectural Review Board (ARB). Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Mayor Pro Tem Fowler moved to reappoint board members David Smith and Glenn Carr to the Board of Adjustments. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Mayor Pruitt shared that some folks have been talking about the City possibly appointing a 'citizen review board' to look at the actions of the Rockwall Police Department. Pruitt clarified that this Council has never made any inkling that it wishes consider forming a board like that, and – in fact – he knows for certain that no one has made that type of request. This is a 'dead' issue at this point, one that would need Council approval if it were to come to fruition; however, no Councilmember has ever indicated a desire to form one such committee, and it is not going to happen.**

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

1. Building Inspections Department Monthly Report - August 2020
2. Parks & Recreation Department Monthly Report - August 2020
3. Fire Department Monthly Report - August 2020
4. Police Department Monthly Report - August 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**No discussion / questions took place concerning monthly reports, and no action was taken. Mr. Crowley thanked the city's new Human Resources Director, Shawn Yerks, for his efforts pertaining to setting up protocols and policies that have helped the city handle COVID-19 related matters.**

**XV. EXECUTIVE SESSION.**

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

1. Discussion regarding possible acquisition of real property in the vicinity of SH 205 near the downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding cellular leases on city-owned property in the vicinity of N. Lakeshore Drive and SH 205, Interstate 30 and White Hills Road, and Interstate 30 and TL Townsend Drive, pursuant to Section 551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC), Board of Adjustments, and discussion on other Boards & Commissions, pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
5. 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)

6. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)

**XVI. 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. (See action taken out of the pre-meeting Executive Session as noted above).

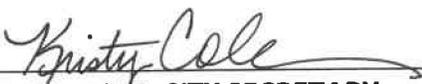
**XVII. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:28 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19<sup>th</sup> DAY OF OCTOBER, 2020.**

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, October 19, 2020 - 5:00 PM**

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

**I. CALL PUBLIC MEETING TO ORDER**

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members John Hohenshelt, Bennie Daniels, Dana Macalik, and Anna Campbell (Macalik and Campbell were present remotely via ZOOM). Also present were Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmember Trace Johannesen and City Manager Rick Crowley were absent from the meeting in its entirety.

**II. WORK SESSION**

1. Hold a work session to discuss and consider the permitted height of flag poles as stipulated by Subsection 03.04, *Flag Poles*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

Planning Director, Ryan Miller, briefed Council on this potential amendment to the city's UDC, as was previously requested by City Council. Council took no action as a result of this work session discussion item.

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:13 p.m.

**III. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding purchase, sale or lease of real property in the vicinity of FM 552 & John King Blvd and SH 276 and Pinebluff Lane pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

**IV. ADJOURN EXECUTIVE SESSION**

Council adjourned from Executive Session at 5:40 p.m.

**V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

Mayor Pruitt reconvened the public meeting at 6:04 p.m. Councilmember Johannesen was absent from the meeting. Councilmembers Anna Campbell and Dana Macalik were present virtually, via ZOOM. Mayor Pruitt, Mayor Pro Tem Fowler, and Councilmembers John Hohenshelt and Bennie Daniels were present (in person).

**VI. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM FOWLER**

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

**VII. PROCLAMATIONS**

1. "Happy 100th, Herman" Day

**Mayor Pruitt called forth Mike Donnegan and other members of the local American Legion post. He then read aloud a proclamation declaring October 31, 2020 as "Happy 100<sup>th</sup>, Herman Day" to commemorate Mr. Herman Billnitzer's (local resident) 100<sup>th</sup> birthday.**

2. Hispanic Heritage Month

**Mayor Pruitt read this proclamation aloud.**

3. Domestic Violence Awareness Month

**Mayor Pruitt called forth Connie Pettitt, Executive Director of the local "Women in Need" organization, along with several members of her staff and others in the community who work with the organization (i.e. Rockwall Police Dept. Detective Laurie Burks, Rockwall County Judge David Sweet, and State Representative Justin Holland). He then read and presented this proclamation.**

4. Chamber of Commerce Week

**Mayor Pruitt called forth Darby Burkey from the Rockwall Area Chamber of Commerce, along with several other Chamber-related representatives. He then read and presented them with this proclamation.**

5. Fire Prevention Month

**Mayor Pruitt called forth Fire Chief Kenneth Cullins. He then read and presented him with this proclamation, declaring the month of October as "Fire Prevention Month" in the City.**

6. National Community Planning Month

**Mayor Pruitt called for the city's Planning Director, Ryan Miller. He then read and presented him with this proclamation.**

#### **VIII. OPEN FORUM**

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

#### **IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Mayor Pro Tem Fowler moved to authorize the sale of real property identified as Parcel 16 on SH-276 owned by the City of Rockwall to TXDOT for the amount of \$9,482 and a Possession Use Agreement in the amount of \$3,000, for the purposes of reconstructing the roadway, authorizing the City Attorney to finalize all necessary documents to complete the transaction and authorizing the City Manager to execute all necessary agreements on behalf of the City. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).**

**Mayor Pro Tem Fowler moved to authorize the sale of real property identified as Parcel 23 and 23E on FM-552 owned by the City of Rockwall to TXDOT for the amount of \$7,559 and a Possession Use**

Agreement in the amount of \$3,000, and drainage easement for the purposes of reconstructing the roadway, authorizing the City Attorney to finalize all necessary documents to complete the transaction and authorizing the City Manager to execute all necessary agreements on behalf of the City. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

Mayor Pro Tem Fowler moved to appoint Chris Kosterman to serve on the city's ART Commission (to replace former member, David Sweet, for an initial term to run thru August of 2021). Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

**X. CONSENT AGENDA**

1. Consider approval of the minutes from the October 5, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-036** - Consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe Investors, LLC for the approval of a *Final Plat* for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.
3. **P2020-037** - Consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a *Preliminary Plat* for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.
4. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Caterpillar Mini Excavator in the amount of \$27,760 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
5. Consider awarding a bid to EH Wachs and authorizing the City Manager to execute a Purchase Order for a new Valve Maintenance Trailer in the amount of \$85,625 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

**Councilmember Hohenshelt moved to approve the entire Consent Agenda, as presented (#s 1, 2, 3, 4, and 5). Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (Johannesen – absent).**

**XI. APPOINTMENT ITEMS**

1. Appointment with Planning & Zoning Commission Chairman (or rep.) to discuss and answer any questions regarding planning-related cases on the agenda, and take any action necessary.

**This item was not addressed by Council, as the Chairman was not present.**

2. Appointment with the Rockwall County Sheriff's Posse to discuss and consider street closures for the Rockwall County Sheriff's Posse Roundup being held on Saturday, November 7, 2020, and take any action necessary.

**State Representative Justin Holland, member of the Rockwall County Sheriff's Posse, came forth to address the Council concerning this request. He shared that the County Commissioner's Court has already approved use of the county's historic courthouse property. The closures will be needed from in the morning time (about 9 AM) until late afternoon (3:30 p.m. or so).**

Mayor Pruitt moved to allow the requested street closures, as requested. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (Johannesen – absent).

Mayor Pruitt then reordered the meeting agenda to address Action Item #2 next during the meeting.

**XII. PUBLIC HEARING ITEMS**

1. **Z2020-039** - Hold a public hearing to discuss and consider approval of an ordinance for a *Text Amendment* to Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of amending the accessory structure standards, and take any action necessary (**1st Reading**).

Ryan Miller, Planning Director, provided background information concerning this agenda item. Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Mayor Pro Tem Fowler moved to approve Z2020-039. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 07.04, ACCESSORY STRUCTURE DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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 ayes with 1 absence (Johannesen).

2. **Z2020-040** - Hold a public hearing to discuss and consider approval of an ordinance for a *Text Amendment* to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller, provided background information concerning this agenda item. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Hohenshelt moved to approve Z2020-040. Councilmember Daniels seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED**

**IN THE OURHOMETOWN 2040 COMPREHENSIVE PLAN IN ACCORDANCE  
WITH THE CITY'S HOME RULE CHARTER.**

**The motion passed by a vote of 6 ayes with 1 absence (Johannesen).**

**XIII. ACTION ITEMS**

- 1. MIS2020-011** - Discuss and consider a request by J. W. Jones for the approval of a *Miscellaneous Case* for a special request in accordance with the requirements of Planning Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary.

**Planning Director Ryan Miller provided background information concerning this agenda item.**

**The applicant then came forth to address the Council:**

**J.W. Jones  
555 N. 5<sup>th</sup> Street, No. 113  
Garland, TX 75040**

**Mr. Jones came forth and addressed, providing additional details concerning this request and the reason(s) behind it.**

**Councilmember Hohenshelt moved to approve MIS2020-011. Councilmember Daniels seconded the motion, which passed unanimously of Council (Johannesen – absent).**

- 2.** Discuss and consider a recommendation from the Parks & Recreation Board related to the renaming of the swimming pool at Gloria Williams Park, and take any action necessary.

**Parks Director Travis Sales came forth and provided detailed background information concerning this agenda item.**

**Randall Bryant  
2603 Norwood Drive  
Dallas, TX 75228**

**Mr. Bryant came forth and shared that he graduated from Rockwall High School in the year 2005. He indicated he is speaking on behalf of the Dabney Family; however, he is not actually a member of the Dabney Family. He went on and generally explained that the Ruby Dabney Family has not been able to get in touch with the Gloria Williams Family to discuss the matter together. He would like the Council to consider tabling any action on this topic to allow time for such meeting between the families to be facilitated and take place.**

**Mayor Pruitt moved to table this topic to allow time for the two families to meet and discuss the matter further. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).**

**XIV. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding purchase, sale or lease of real property in the vicinity of FM 552 & John King Blvd and SH 276 and Pinebluff Lane pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

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

Council members did not reconvene in Executive Session following the close of the public meeting agenda. See action taken at the start of the 6:00 p.m. public meeting for action taken as a result of the pre-public meeting Executive Session.

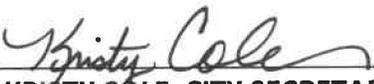
XVI. ADJOURNMENT

Mayor Pruitt adjourned the public meeting at 7:05 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2020.

  
JIM PRUITT, MAYOR

ATTEST:

  
KRISTY COLE, CITY SECRETARY



**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, November 02, 2020 - 5:00 PM**

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

**I. CALL PUBLIC MEETING TO ORDER**

**Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members John Hohenshelt, Bennie Daniels, Trace Johannesen, Dana Macalik, and Anna Campbell. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza.**

**II. EXECUTIVE SESSION.**

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

- 1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)**
- 2. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).**

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Ex. Session at 6:05 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Pruitt reconvened the public meeting at 6:05 p.m. with all seven council members being present.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCIL MEMBER DANIELS**

**Council Member Daniels delivered the invocation and led the Pledge of Allegiance.**

**VI. PROCLAMATIONS/AWARDS**

- 1. Life Saving Award - Sergeant John Arrowood**

**Mayor Pruitt and Chief Geron called forth Sergeant Arrowood (Marty) to present him with the Life Saving Award for his actions in saving a life on 8/29/20. Chief Geron read the plaque and congratulated Sergeant Arrowood on the award. The Mayor Pruitt then thanked Sergeant Arrowood for his service and stated how proud he was of the entire Rockwall Police Department. Sergeant Arrowood said, "thank you" and that he is very blessed to serve this community.**

**VII. OPEN FORUM**

**Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.**

Bob Wacker  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and thanked the City of Rockwall for their hard work, and that he enjoys living here. Mr. Wacker then spoke about a “train” event held last Sunday. His wife, Mrs. Wacker (Katherine) organized the event last minute. The parade, with an attendance of approximately 365 people, started at the new courthouse. There were many people standing and waving flags along the route. He then praised Chief Geron and other Rockwall Police officers, who quickly took swift action to address an incident that occurred during the parade. He went on to thank the citizens of Rockwall, stating they make it a great place to live.

Mayor Pruitt mentioned that he had recently been in Colorado to help rescue his wife’s uncle from the wildfires. He is now living with them. He had asked the Mayor about the horns blowing on the bridge, which were apparently associated with the parade that Mr. Wacker spoke of.

Mayor Pruitt closed the public forum and mentioned the incident last Friday, which involved one of our police officers who was struck in the chest (he was wearing his bulletproof vest) by a bullet from a suspect’s gun. Chief Geron said he sustained minor injuries. He and all of the other Rockwall Police officers involved are doing well and in quarantine (per protocol) at this time. The Mayor stated that all our prayers are with them. He shared that the City of Rockwall cannot provide any of the event-related information regarding the incident, as TXDPS and the Texas Rangers are investigating the incident.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler made a motion to appoint Shannon Bennett to replace Todd White and appoint Glenn Carr to replace Stuart Smith to the Board Adjustments. Council Member Hohenshelt seconded the motion, which passed unanimously by a vote of 7 ayes with 0 nays. Council Member Hohenshelt made a motion to appoint Eric Burress to serve on the city’s Rockwall Economic Development Corporation (REDC) for an initial term of 2 years starting January 1, 2021. Council Member Daniels seconded the motion which passed unanimously by a vote of 7 ayes with 0 nays.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the October 19, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-039** - Consider approval of an ordinance for a Text Amendment to Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of amending the accessory structure standards, and take any action necessary (**2nd Reading**).
3. **Z2020-040** - Consider approval of an ordinance for a Text Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary (**2nd Reading**).
4. Consider approval of an ordinance amending the Code of Ordinances in Chapter 26 “Motor Vehicles & Traffic”, Article VII “Stopping, Standing, or Parking,” Section 26-505 “Prohibited in Specific Places” to include the prohibition of parking on South Lakeshore Drive and Summit Ridge, and take any action necessary. (**1st Reading**)
5. **P2020-039** - Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract

No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochellee Road, and take any action necessary.

6. **P2020-040** - Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District land uses, generally located on the northside of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.
7. **P2020-043** - Consider a request by Tony Degelia of A & W Surveyors, Inc. on behalf of Siren Brewing Company, LLC for the approval of a Replat for Lot 2 of the Cain Properties No. 1 Addition being a 1.233-acre parcel of land identified as Lot 1 of the Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, and take any action necessary.
8. **P2020-045** - Consider a request by John F. Dudek for the approval of a Replat for Lot 57 of Chandler's Landing, Phase 2 being a 0.248-acre tract of land identified as Lots 35 & 36 of Chandler's Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 428 Columbia Drive, and take any action necessary.
9. Consider awarding a bid to Waukesha Pearce (WPI) and authorizing the City Manager to execute a Contract for the purchase and install of emergency power generators fixed on site at the Community Building, Soroptimist House and Justin Road lift stations for a total amount of \$228,050 to be funded out of the Water Sewer Fund, Sewer Operations Budget, and take any action necessary.
10. Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for \$152,878, to be funded by the Water and Sewer Fund, and take any action necessary.
11. Consider awarding a bid to Rockdale Country Ford and authorizing the City Manager to execute a Purchase Order for a new 2021 model truck in the amount of \$25,508 to be funded out of the Water Sewer Fund, Sewer Operations Budget, and take any action necessary.

**Council Member Hohenshelt moved to approve the entire Consent Agenda as written, and Council Member Macalik seconded the motion (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11). The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-44**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 07.04, *ACCESSORY STRUCTURE DEVELOPMENT STANDARDS*, OF ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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. 20-45**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED IN THE OURHOMETOWN 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.**

CITY OF ROCKWALL

ORDINANCE NO. 20-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO THE PROHIBITED PARKING REQUIREMENTS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

X. ACTION ITEMS

1. Discuss and consider Parks & Recreation events for first quarter 2021, and take any action necessary.

Travis Sales briefed the Council on the upcoming events in 2021, which included the Daddy Daughter dance and the Special Needs prom dance.

There was no motion made, as Mayor Pruitt stated that a decision to have the above events will be addressed again at the next month's City Council Meeting. Mayor Pruitt told Mr. Sales he would like the Parks and Recreation Department to gather input from the community regarding the dances. Mr. Sales stated that the 2021 pool season is set to be open and running this coming summer (2021). If they have to adapt, however, they will be able to do so.

Mr. Sales spoke lastly regarding the bridge (game) group who has asked permission to have their games at The Lone Star room (at The Center). They have agreed to adhere to COVID-related rules.

The Council did agree with the bridge group's request to play their games at The Center.

2. Discuss and consider a resolution regarding governance of the North Texas Municipal Water District (NTMWD), and take any action necessary.

Mayor Pruitt discussed the resolution on the agenda today and the previous resolution (#15-29) in 2015. These resolutions give the City Council power to appoint and remove board or commission members appointed by the Rockwall City Council specifically noted in the City's charter. Resolution #15-29 was an agenda item at the December 2015 North Texas Municipal Water District Board (NTMWD) meeting. The City's representative voted a "no," and it failed. The Mayor stated that with the lawsuit settled and the legislative session coming up in less than two months, the North Texas Municipal Water District Board (NTMWD) needs to have this item on its December 2020 agenda. This resolution today is asking the board, which is chaired by one of our representatives, to get a vote as to whether the Water District will support it for the legislative session.

Council Member Trace Johannesen moved to approve the Resolution #20-15 as written. Council Member Macalik seconded the motion, which passed unanimously by a vote of 7 ayes to 0 nay.

**XI. WORK SESSION**

1. Hold a work session to discuss changes to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

**City Planning Director, Ryan Miller, presented possible changes on the city's Takeline ordinance provisions. General discussion took place pertaining to possible changes; however, Council took no action concerning this work session item.**

2. Hold work session to discuss strategic plan for the Rockwall Police Department.

**City Manager, Rick Crowley stated the draft strategic plan for the Rockwall Police Department (year 2022), has been reviewed by Council Member Hohenshelt. Council Member Hohenshelt sent his comments/recommendations to Mr. Crowley and the Police Department. Mr. Crowley stated that he and the Police Department will review the recommendations and have responses to present at the next City Council meeting.**

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

1. Building Inspections Monthly Report - September 2020
2. Fire Department Monthly Report - September 2020
3. Parks and Recreation Monthly Report - September 2020
4. Police Department Monthly Report - September 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**No discussion / questions took place concerning monthly reports, and no action was taken.**

**Mr. Crowley addressed the Council about CARE Act funding. He indicated that with very limiting state regulations, the City could perhaps be able to take advantage of receiving some of the grant money. For example, the City could try to submit for "straight time" reimbursement for our Police and Fire. This is a very positive development for the City of Rockwall.**

**Mr. Crowley stated the City is going to submit the (grant) application for this funding, and he will keep the Council updated on this topic.**

**XIII. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).

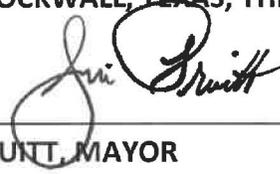
**XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

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

**XV. ADJOURNMENT**

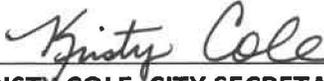
**Mayor Pruitt adjourned the meeting at 7:00 p.m.**

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16<sup>th</sup> DAY OF NOVEMBER 2020.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY



**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, November 16, 2020 - 5:00 PM**

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

**I. CALL PUBLIC MEETING TO ORDER**

**II. EXECUTIVE SESSION.**

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding business allowed at the Ralph M. Hall Municipal Airport under state and federal law, pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding possible acquisition of real property in the vicinity of SH 66 and W. Washington Street pursuant to Section §551.072 (Real Property).
5. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
6. Pulled From Public Meeting Agenda: Public Hearing Item #1 (Z2020-043) pursuant to Section §551.071 (Attorney/Client Consultation).
7. Pulled From Public Meeting Agenda: Public Hearing Item #3 (Z2020-045) pursuant to Section §551.071 (Attorney/Client Consultation).

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Executive Session at 6:00 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Pruitt reconvened the public meeting at 6:05 p.m.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCIL MEMBER JOHANNESSEN**

**Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.**

**VI. OPEN FORUM**

**Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.**

**Jim Turner  
1691 Old East Quail Run Road  
Rockwall, TX 75087**

**Mr. Turner came forth and shared photos of what he indicated is contractor produced trash and debris that exists near his home and is associated with homes that are currently under**

construction within the City. He expressed extreme dissatisfaction with contractor waste/debris/trash that is left outside of the front of homes that are under construction. He pointed out that the trash gets scattered, especially when wind storms blow through. He shared that he researched the city's Codes today, and the city does have regulations in place to address this type of debris; however, it is not being enforced. He would like the Council to have an open dialogue / discussion about this and truly come up with a viable solution at the next city council meeting.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt closed Open Forum.

**VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Councilmember Hohenshelt moved to reappoint Craig Renfro to the Rockwall Economic Development Corporation (REDC) for a two-year term, starting January 2021. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**VIII. CONSENT AGENDA**

1. Consider approval of the minutes from the November 2, 2020 regular City Council meeting, and take any action necessary.
2. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 26 "Motor Vehicles & Traffic", Article VII "Stopping, Standing, or Parking," Section 26-505 "Prohibited in Specific Places" to include the prohibition of parking on South Lakeshore Drive and Summit Ridge, and take any action necessary. **(2nd Reading)**
3. Consider entering into a Cooperative Purchasing Agreement with the City of Pearland, Texas and authorizing the City Manager to execute a Cooperative Purchasing agreement and take any action necessary.
4. **P2020-044** - Consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDGT/Rockwall/2016, LLC for the approval of a *Preliminary Plat* for the Saddle Star North Subdivision consisting of 92 single-family residential lots on 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 Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.
5. **P2020-046** - Consider a request by Humberto Johnson of the Skorburg Co. on behalf of the Gideon Grove Addition, LTD for the approval of a *Preliminary Plat* for Phase 2 of the Gideon Grove Subdivision consisting of 84 single-family residential lots on a 30.36-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses, generally located at the northwest corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

**Councilmember Johannesen moved to approve the entire Consent Agenda, as presented (#s 1, 2, 3, 4, and 5). Councilmember Daniels seconded the motion. The ordinance caption was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-46**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL**

**STREETS SUBJECT TO THE PROHIBITED PARKING REQUIREMENTS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) 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.

**IX. APPOINTMENT ITEMS**

1. Appointment with Planning & Zoning Commission chairman to discuss and answer any questions regarding planning-related cases on the agenda.

**Jerry Welch from the city's P&Z Commission came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action following Mr. Welch's comments.**

2. Appointment with Jim Rosenberg to hear presentation regarding a concept plan for Harbor Bay Marina, and take any action necessary.

**Mr. Rosenberg indicated he's owned Harbor Bay Marina since 1987. He would like the Council to consider renewing the concession agreement that's currently in place. He would also like the Council to consider his proposed redevelopment and expansion package, as many improvements are needed. Mr. Rosenberg generally went on to explain that the bank wants to have an updated concession agreement in place to use as collateral. Mayor Pruitt spoke up, generally expressing concern about how the city might protect itself and ensure that the proposed expansion / improvements will actually take place and come to fruition. Council generally indicate that the City has several concerns that need to be talked through and addressed before ever potentially moving forward with approving Mr. Rosenberg's request. It was suggested that Mr. Rosenberg perhaps return at a later date to participate in a work session with the Council to talk through some of the concerns. Councilmember Daniels shared that he believes there are some things proposed in Phase II that should actually take place in Phase I. Also, he urged Mr. Rosenberg to meet with the Lakeside Village representatives to discuss his proposed plans. He indicated that he is on that HOA's meeting agenda for mid-December. For now, Council took no action concerning this agenda item, indicating that it would like to schedule a work session on this item for some time in January of 2021.**

**X. PUBLIC HEARING ITEMS**

1. **Z2020-043** - Hold a public hearing to discuss and consider a request by Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage Investments-Rockwall EDP, LLC for the approval of an ordinance amending an existing *Specific Use Permit* for the purpose of increasing the number of storage units permitted by *Ordinance No. 14-25* to account for the number of storage units constructed on a 2.857-acre parcel of land identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1245 SH-276, and take any action necessary (1st Reading).

**Planning Director, Ryan Miller provided background information concerning this agenda item. He explained that a notable number of additional storage units ended up being constructed compared to the number of units that were actually approved (via an ordinance) back in 2014 when this development was first proposed to be built. The property has since changed hands (was sold), and the purpose of this request is to seek approval for the additional units (both internal, within the facility and one external (boat/RV parking space) storage space in order to bring the property into legal compliance. Mr. Miller explained that notices were sent out to adjacent property owners located within 500' of the subject property, and one nearby**

homeowner's association (HOA) was notified as well. One notice was received back from the original developer, who is 'in favor' of this request. This case did recently go before the city's P&Z Commission, which approved a motion to deny this request (by a vote of 5 ayes to 2 nays). As a result, because of P&Z's denial, its approval at the council level this evening will require a 'super majority vote' in order to pass.

Jonathan Vinson  
2323 Ross Avenue, Ste. 600  
Dallas, TX 75201

Mr. Vinson came forth and explained that he is an attorney who represents the applicant regarding this P&Z case. He went on to generally express positive comments pertaining to this storage unit development and encourage Council to approve this request tonight.

Benjamin Carr  
7715 McGill Heights Road  
Charlotte, North Carolina 28277

Mr. Carr spoke next concerning "precedence" versus "practicality." He shared that the units overall are currently about 85% occupied. He generally urged the city council to act favorably on his behalf and approve this request tonight.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Daniel Carrasco  
2417 Oscar Ragon Road  
Harleton, TX 75651

Mr. Carrasco came forth and shared that he is a 20% owner / investor in this storage unit facility (he is essentially a business partner with Mr. Carr and his wife). He went on to read a pre-prepared statement to the Council, strongly encouraging Council Members to approve the request that is before them this evening.

Bob Wacker  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forth and shared that it is obvious that a mistake was made (not sure if it was on the part of the original developer or the city). He acknowledged that sometimes people make mistakes, and he generally urged the Council to act in the interest of these current owner by approving this request tonight.

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

Councilmember Johannesen provided brief comments pertaining to this case, generally expressing that he does not typically go against a recommendation of one of our city's boards or commissions; however, in this particular circumstance, he does not believe that this current applicant is attempting to do anything malicious or pull the wool over the Council's eyes.

Mayor Pruitt acknowledged that a mistake of this magnitude did not just happen 'by chance.' He pointed out that since 2014, the city certainly does things differently; however, he expressed he really does wish the city had inspected what was actually built and had actually counted the number of units before a Certificate of Occupancy (C.O.) was issued to the original developer / owner. Pruitt asked the city attorney for some clarification, and brief dialogue took place.

Following additional comments, Councilmember Johannesen moved to approve Z2020-043. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *EXISTING MINI-WAREHOUSE FACILITY* ON A 2.857-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK A, PLATINUM STORAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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 to approve passed by a vote of 7 ayes to 0 nays.

2. Z2020-044 - Hold a public hearing to discuss and consider a request by Casey Cox of Costal Plains Estates for the approval of an ordinance for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.21-acre parcel of land identified as Lot 24, Block A, Chandler's Landing, Phase 7, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 102 Thistle Place, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. The proposed house does meet all of the requirements specified in PD-8 and in the city's Unified Development Code with the exception of the proposed garage orientation (which is proposed to be situated one foot in front of the front façade of the home). 159 Notices were sent out to residents and homeowner's associations adjacent to/associated with this location; however, no notices were received back. The Planning & Zoning Commission did review the case and voted to recommend its approval by a vote of 7 to 0.

The applicant briefly came forth:

Casey Cox  
102 Thistle Place  
Rockwall, TX 75087

He indicated that he will be constructing this home (his home) himself, and it has already been approved by the HOA's Environmental Committee. He generally asked the Council to approve his request this evening.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Macalik moved to approve Z2020-044. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. ~~20-XX~~  
SPECIFIC USE PERMIT NO. ~~S-2XX~~**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.21-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK A, CHANDLER'S LANDING, PHASE 7, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

3. **Z2020-045** - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of an **ordinance** for a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing a single family residential home subdivision that will have 193 lots that are 60'x120' and 72 lots that are 70'x120'. Mr. Miller further described the proposed development. He indicated that 37 notices were sent out to property owners and residents located within 500', and one HOA was notified. A total of three notices were received back in opposition of this proposal. The city's P&Z Commission did vote to deny this request (by a vote of 4 to 3). As such, if it is to be approved this evening, it will require a super majority vote of Council in order to pass.

**Ryan Joyce  
1189 Waters Edge Drive  
Rockwall, TX**

Mr. Joyce came forth and shared that this is a new, proposed residential development within the City and is located on 121 acres. This is being proposed as the Breezy Hill and Stone Creek developments begin to close out. He has partnered with Skorburg and Windsor Homes on this proposed development.

Adam Buczek  
Skorburg Company and Windsor Homes  
8214 Westchester Drive, Suite 900  
Dallas, TX

Mr. Buczek came forth and gave a lengthy presentation to Council, further explaining his proposal for this new residential subdivision. Following Mr. Buczek's presentation, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Steve Curtis  
2130 FM 1141  
Rockwall, TX

Mr. Curtis came forth and pointed out that the city's Comprehensive Plan was very thoughtfully put together. He shared that large, estate lots with low density were envisioned for this area. He pointed out that what is being proposed with this development as far as lot size is concerned is notably smaller than what has been planned for this area. He has concerns that a large portion of this acreage is located within a flood plain, and he believes this area will flood. He generally does not believe that this development represents 'low density residential.' He is opposed to approval of this development, as presented.

Jim Turner  
Old East Quail Run Road  
Rockwall, TX

Mr. Turner came forth and expressed concern about the developer asking for exemptions associated with his request. 30% of this property is located within a FEMA floodplain, and he does not believe that a lot of it should be developed. He too pointed out that this proposal is not in sync with the city's 2040 Comprehensive Plan. He believes it is too dense as far as the size and number of homes that are being proposed. He is opposed to this development being approved.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed the Public Hearing.

Councilmember Hohenshelt asked for clarification on who is going to maintain the portion of land within this proposed development that is located within a floodplain. Planning Director Ryan Miller shared that the property will be owned by the HOA and maintained by the HOA. The areas will be natural, wildlife areas (and will therefore, essentially, not really be 'maintained' (manicured) at all).

Mayor Pruitt and staff then had dialogue related to the 'lake' and how the city (not an HOA) gets called when a lake like this becomes too full and begins to overflow. Discussion also took place pertaining to maintenance of these floodplain areas. Mr. Miller reiterated that the HOA

will be responsible for maintaining those areas, and that will be specified on the plat. Pruitt asked for clarification on sewage service for this proposed area. City Engineer, Amy Williams indicated that there is a line that the developer would have to tie into on the Dalton side, and a preliminary look at this indicates that it will work with a few modifications.

Extensive discussion ensued pertaining to this proposal.

Mayor Pruitt moved to approve this development with 6' setback on 70 ft. lots and that the minimum square footage of the homes will be 2,200 square feet. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX**

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 A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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 failed by a vote of 5 ayes with 2 nays (Campbell and Macalik against) (due to lack of a "super majority" vote of Council that was required for its approval).

4. **Z2020-046** - Hold a public hearing to discuss and consider a request by Mike Whittle of Whittle & Johnson Custom Homes for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.15-acre parcel of land identified as Lot 24, Block E, Chandler's Landing #16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 295 Victory Lane, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. In general, the proposed home meets all of the requirements of the PD and the city's Unified Development Code. One exception is that the garage is proposed to be situated in front of the front façade of the home. Notices were sent out to adjacent property owners and homeowners as well as the relevant HOA. Staff received one notice (of 129 sent out) back in opposition of this request. The Planning & Zoning Commission did vote 7 to 0 to recommend approval of this request.

Indication was given that the applicant was not present this evening. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. Councilmember Johannesen moved to approve Z2020-046. Councilmember Macalik seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-2XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.15-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK E, CHANDLER'S LANDING, PHASE 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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. ACTION ITEMS**

1. Discuss and consider the Boydstun reconstruction project, and take any action necessary.

**Mayor Pruitt began discussion of this item, indicating that he placed this item on tonight's meeting agenda after hearing from several residents who live along this street and made a lot of sense pertaining to their concerns related to sidewalks being planned for installation. Pruitt indicated that he has consulted with the City Engineer, and redesigning this project at this juncture is notably cost prohibitive and not a viable option. However, he went on to suggest that 4' sidewalks be placed abutted to the back of the curb (instead of 6' sidewalks on each side of the street).**

**Mayor Pruitt moved to reduce the sidewalks on this project to 4' instead of 6' with the street size remaining the same (increasing by 2'). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

2. Discuss and consider appointments to the city's Park Board and Airport Advisory Board, and take any action necessary.

**Johannesen moved to appoint Marcia Hasenyager and Angela Kleinhessel to the Park Board. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding business allowed at the Ralph M. Hall Municipal Airport under state and federal law, pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding possible acquisition of real property in the vicinity of SH 66 and W. Washington Street pursuant to Section §551.072 (Real Property).
5. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).

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

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:42 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 7<sup>th</sup> DAY OF DECEMBER, 2020.

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



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**ROCKWALL CITY COUNCIL REGULAR MEETING**  
**Monday, December 07, 2020 - 5:00 PM**  
**City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087**

**I. CALL PUBLIC MEETING TO ORDER**

Mayor Pro Tem Fowler called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Jim Pruitt was present, virtually, via ZOOM. Councilmember Anna Campbell was absent from the meeting.

Mayor Pro Tem Fowler read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

**II. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).

**III. ADJOURN EXECUTIVE SESSION**

Council adjourned from Executive Session at 5:45 p.m.

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

Mayor Pro Tem Fowler reconvened the meeting at 6:00 p.m. Five of the seven council members were present in person, with Mayor Pruitt participating virtually via ZOOM, and Council Member Campbell being absent.

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL**

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

**VI. OPEN FORUM**

Mayor Pro Tem Fowler explained how Open Forum is conducted, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed Open Forum.

**VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

Councilmember Macalik moved to reappoint Eric Chodun and Jerry Welch to an additional three-year term to the Planning & Zoning Commission thru August of 2023. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).

Macalik also moved to appoint Ginger Womble to the ART Commission to replace Betty Houglund (with a term to run thru August of 2022). Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).

#### VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 16, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-043** - Consider a request by Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage Investments-Rockwall EDP, LLC for the approval of an **ordinance** amending an existing *Specific Use Permit* for the purpose of increasing the number of storage units permitted by *Ordinance No. 14-25* to account for the number of storage units constructed on a 2.857-acre parcel of land identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1245 SH-276, and take any action necessary (**2nd Reading**).
3. **Z2020-044** - Consider a request by Casey Cox of Costal Plains Estates for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.21-acre parcel of land identified as Lot 24, Block A, Chandler's Landing, Phase 7, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 102 Thistle Place, and take any action necessary (**2nd Reading**).
4. **Z2020-046** - Consider a request by Mike Whittle of Whittle & Johnson Custom Homes for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.15-acre parcel of land identified as Lot 24, Block E, Chandler's Landing #16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 295 Victory Lane, and take any action necessary (**2nd Reading**).
5. **P2020-048** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a *Replat* for Lots 4-7, Block A, Dalton Goliad Addition being a 5.683-acre parcel of land identified as Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the N. SH-205 Overlay (N. SH-205 OV) District, generally located on the west side of SH-205 north of the intersection of SH-205 and FM-552, and take any action necessary.
6. Consider approval of an emergency purchase of a pump at the FM 3097 Lift Station in the amount of \$60,877.58 and authorizing the City Manager to execute a purchase order to Barco Pump to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
7. Consider approval of a bid award for the purchase of a Police accident/crime scene reconstruction system in the amount of \$57,541.40 and authorizing the City Manager to execute a purchase order to FARO Technologies to be funded out of General Fund Reserves, and take any action necessary.
8. Consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, and 8). Councilmember Johannesen seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-47  
SPECIFIC USE PERMIT NO. S-235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *EXISTING MINI-WAREHOUSE FACILITY* ON A 2.857-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK A, PLATINUM STORAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, 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.

CITY OF ROCKWALL  
ORDINANCE NO. 20-48  
SPECIFIC USE PERMIT NO. S-236

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.21-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK A, CHANDLER'S LANDING, PHASE 7, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

CITY OF ROCKWALL  
ORDINANCE NO. 20-49  
SPECIFIC USE PERMIT NO. S-237

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.15-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK E, CHANDLER'S LANDING, PHASE 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 6 ayes with 1 absent (Campbell).**

### **IX. APPOINTMENT ITEMS**

1. Appointment with Randall Bryant to discuss and consider a request related to the naming of the swimming pool located at Gloria Williams Park, and take any action necessary.

**Randall Bryant  
2603 Norwood Drive  
Dallas, TX 75228**

**Mr. Bryant came forth and explained that two months ago he came to Council and indicated he would attempt to locate members of the Gloria Williams family to discuss this matter with them, especially related to the ‘anonymously submitted opposition’ concerning the potential renaming of this swimming pool. However, he has not had success in securing an opportunity to speak to the Williams family, despite having passed his request and phone number along to the Williams’ family via city staff. He went on to respectfully request that the Council go ahead and move forward with taking action on his request to rename the swimming pool after Ruby Dabney.**

**Mayor Pro Tem Fowler expressed a desire to have some additional information to review before moving forward with formal action on this request. As such, indication was given that this will be brought back before City Council as an “Action Item” at the next city council meeting.**

**Pricylla Bento  
2002 S. Lakeshore Drive  
Rockwall, TX**

**Ms. Bento came forth and shared that she is in support of the request to rename the swimming pool, and she generally encouraged the Council to move forward with renaming the swimming pool in Mrs. Dabney’s honor.**

2. Appointment with Rockwall resident Patty Griffin, 2140 Airport Road, regarding Blackland Water Supply Company’s (WSC) customer services policies and procedures, and take any action necessary.

**Patty Griffin came forth and shared that she owns the property at 2140 Airport Road. Ms. Griffin generally explained that she had a renter living in this home on Airport Road for a period of time, and that renter did not ever pay her water bill. So, Blackland shut off the water for ‘non-payment’ and indicated that the property owner is responsible for the outstanding, unpaid water bill, including all late fees that accumulated. She went on to basically explain the play-by-play of the events associated with the unpaid water bill, late fees, the water being turned off, turned back on and turned off again. She shared that 15 years ago, this property was annexed into the City of Rockwall, and she believes that – since it was annexed by the City years ago – city services, including city provided water should be extended to her address. She went on to speak about the contracts that are in place related to Blackland Water Supply furnishing water to her address and the immediate area in**

general. She wants the City Council to look into what it would take for the City of Rockwall to purchase the rights to serve her and her neighbor's addresses with CITY provided water.

Mayor Pro Tem Fowler asked staff to explain how services end up being extended to properties after they are annexed into the City. Mr. Crowley and Mrs. Smith from the City Manager's Office both briefly replied, explaining – in general – that the process to potentially purchase the 'right to serve' previously annexed properties can take a long period of time. The cases usually end up with the Public Utility Commission (PUC) and involve a lot of negotiation to arrive at a price. City Attorney Frank Garza generally indicated that, even if Blackland was willing to give up the 'right to serve,' the City of Rockwall could not currently serve this particular area.

General discussion took place pertaining to Blackland Water Supply Company and the City of Rockwall evaluating 'the right to serve' this and other previously annexed areas that have been brought into its city limits.

Council generally indicated that it will in fact look into this matter. However, it is uncertain how things will play out. No action was taken at this time as a result of the discussion.

#### **X. ACTION ITEMS**

- 1. MIS2020-016** - Discuss and consider a request by Charles Smith of Pentagon on behalf of Dynacap Holdings Limited for the approval of a *Miscellaneous Request* for a variance to the proximity requirements for the sale of alcoholic beverages stipulated by the Unified Development Code (UDC) for a 2.202-acre tract of land identified as Tract 12 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1541 E. IH-30, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He generally explained that the applicant currently owns the building in question, and a portion of the property is occupied by a church (tenant). He would like to place a winery in the other portion of the building. In order to do so, Mr. Miller, generally explained, the applicant will need to obtain a variance to the proximity requirements associated with the sale of alcoholic beverages.

Mr. Charles Smith  
611 E. Boydston  
Rockwall, TX

Mr. Smith came forth and introduced himself generally indicating that the church (current tenant) is okay with this winery being placed at this location; however, at this point it was only a verbal conversation, and he does not yet have the church's 'okay' in writing.

Mayor Pruitt moved to table this item in order to allow time for the applicant to obtain a letter from the church to indicate the church is in fact okay with this request. He would also like written indication from the school district and any other pertinent parties that may have an interest in this request as to whether or not they're okay with the request too. Councilmember Daniels seconded the motion. After brief discussion, the motion passed by a vote of 6 ayes with 1 absence (Campbell).

2. **MIS2020-017** - Discuss and consider a request by Jim Ziegler of PegasusAblon on behalf of Ablon at Harbor Village, LP for the approval of a Miscellaneous Request for a variance to the underground utility requirements stipulated by the Municipal Code of Ordinances and the Unified Development Code (UDC) for a 1.064-acre parcel of land identified as Lot 11, Block A, The Rockwall-Harbor Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located between 2125 & 2600 Lakefront Trail, and take any action necessary.

**Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant, Jim Ziegler, came forth and shared that he would like his garage to have power, and that is the reason behind this request. Councilmember Hohenshelt moved to approve MIS2020-017. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).**

3. Discuss and consider 2021-2031 Park Master Plan, and take any action necessary.

**Parks Director, Travis Sales shared that this plan has taken about a year to complete (COVID has delayed it by a few months, overall). MHS Planning & Design is the consulting firm that was hired to undertake this planning project, and staff (including the Planning Department) worked closely with MHS to complete it. The Park Board has also provided input into the process. The purpose of the plan is that it will be used for guidance over the course of the upcoming ten year period to help the city plan and address parks and recreation related needs and desires.**

**Kevin Johnson  
Park Board Chairman  
944 Sunset Hill Drive  
Rockwall, TX 75087**

**Hunter Rush  
MHS Planning & Design**

**Mr. Rush came forth and provided a presentation to Council to brief members on the new Park Master Plan that has been developed.**

**Following Mr. Rush's presentation, City Manager Rick Crowley provided follow-up comments, pointing out that specific costs and funding plans for every project would have to be developed and evaluated in the future. The Park Dedication regulations and associated fees were touched on as well as previous, voter-approved funding for a large community park in the south side of the city. Mr. Crowley pointed out that locating and securing land for a south community park has been challenging.**

**Councilmember Johannesen moved to approve the 2021-2031 Park Master Plan as presented. Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell). (See adopted resolution No. 20-17).**

4. Discuss and consider 2021, 1st quarter Parks & Recreation Events, and take any action necessary.

Mr. Sales, Parks Director, came forth and shared that regarding the upcoming Daddy Daughter Dance, because of the COVID-19 pandemic, the Hilton Hotel is requiring that the body temperature of each attendee be checked outside of the hotel before entrance into the hotel will be permitted. Mr. Sales shared that over 750 people typically attend this event. Brief discussion took place related to how staff will manage taking temperatures while also managing and hosting the event. It was suggested that the city hold two, separate ticketed events to 'break up' the crowd and limit the attendance, per event. Councilmember Macalik indicated that she is not in favor of it being held at all (even if broken up into two, separate events); however, the majority of Council members did generally indicate that they are ok with moving forward with two, separate Daddy Daughter Dance events.

Brief discussion ensued pertaining to other, proposed and upcoming Parks & Rec events. Council took no formal action pertaining to this discussion item.

5. Discuss and consider on-street parking related concerns on Kyle Drive, Industrial Boulevard and Justin Road, including consideration of an ordinance amending the Code of Ordinances in Ch. 26 'Motor Vehicles & Traffic,' Article VII. 'Stopping, Standing or Parking,' Section 26-505 'Prohibited in Specific Places' to address prohibition of parking, and take any action necessary. (1<sup>st</sup> Reading)

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item. Indication was given that about 5 years ago, a crosswalk was installed and 'no parking signs' were erected on Kyle Drive at the request of the school district; however, staff recently discovered that no ordinance prohibiting parking along this stretch of road was actually ever adopted. Therefore, it has not been enforceable. So, at a minimum Council is being asked to consider an ordinance prohibiting parking along Kyle Drive. In addition, Mr. Boyd shared details about parking along Industrial and Justin Road, sharing that the Council may wish to consider 'no parking' along these stretches of roadway as well.

Clarification was given that the draft ordinance that has been brought before the Council this evening only reflects prohibition of parking along Kyle Drive. Mr. Boyd shared that, if Council is ok with staff doing so, staff would like to just watch and keep an eye out on Industrial and Justin Road before potentially moving forward with parking prohibitions along those roadways.

Councilmember Hohenshelt expressed disagreement with instituting "no parking" along Kyle Drive thru passage of an ordinance, especially considering that drivers from "visiting sports teams" (associated with the high school) have no other good place to park, and they do and will continue to park along the Kyle Drive roadway.

City Engineer Amy Williams shared that, yes, the street was designed to accommodate "on street" parking. Following brief, additional comments, Councilmember Johannesen moved to remove the "no parking signs" from Kyle Drive and to actually allow it to be utilized for on-street parking. Mayor Pruitt seconded the motion. The motion passed by a vote of 5 ayes, 1 nay (Macalik) and 1 absence (Campbell).

6. Discuss and consider submission of future transportation-related projects to the Rockwall County Roadway Consortium, and take any action necessary.

**Indication was given that this item will be delayed until the next, regular city council meeting. So, no discussion took place concerning this item, and no action was taken.**

**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. Building Inspections Monthly Report - November 2020
2. Fire Department Monthly Report - October 2020
3. Parks & Recreation Monthly Report - October 2020
4. Police Department Monthly Report - October 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**City Manager Rick Crowley shared that staff is happy to answer any questions Council may have pertaining to monthly reports. There being no questions, Mayor Pro Tem Fowler summarized some recent city-related events that were held (i.e. annual Christmas parade and tree lighting). Council took no action pertaining to these reports.**

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).

**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. See action taken after the "Call to Order" (at 6:00 p.m.) above.**

**XIV. ADJOURNMENT**

**Mayor Pro Tem Fowler adjourned the meeting at 7:30 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21<sup>ST</sup> DAY OF DECEMBER, 2020.**

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY



**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, December 21, 2020 - 4:00 PM**

**City Hall Council Chambers - 385 Goliad St., Rockwall, TX 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 Kevin Fowler, and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Councilmember Trace Johannesen was absent from the first part of Ex. Session but joined (in person) at 5:25 p.m. Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go back in Executive Session at 4:01 p.m.

**II. EXECUTIVE SESSION.**

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

1. Discussion regarding the appointment/employment process for the position of City Manager, pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).
2. Discussion regarding possible legal issues related to Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
4. **Pulled from Public Mtg. Agenda (pursuant to Section 551.071 (Consultation with Attorney))- Z2020-051** - Hold a public hearing to discuss and consider a request by Travis Redden for the approval of an ordinance for a Specific Use Permit (SUP) allowing *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8, Block A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary (**1st Reading**).

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Executive Session at 5:58 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

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

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK**

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

**VI. PROCLAMATIONS / AWARDS & OPEN FORUM**

**Mayor Pruitt called forth Fire Chief, Kenneth Cullins and City of Rockwall Streets Crew Leader, Ricky Castillo. Mr. Castillo was then presented with a "Life Saving Award."**

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

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Ex. Session.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 7, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-047** - Consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Preliminary Plat for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

**Councilmember Hohenshelt moved to approve the Consent Agenda as presented (#s 1 and 2). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

IX. PUBLIC HEARING ITEMS

1. **Z2020-041** - Hold a public hearing to discuss and consider approval of an ordinance for a Text Amendment to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the requirements for land use and development within the *Lake Ray Hubbard Takeline*, and take any action necessary (**1st Reading**).

Mayor Pruitt began discussion of this item. He requested that the item be broken up into two, separate matters – the text amendment to the Code and the fees. He indicated that he would like to do this because both he and Mayor Pro Tem Fowler (live along the takeline and therefore) have a conflict of interest when considering the lowering of fees paid by homeowners associated with takeline. So, the two of them will be recusing themselves.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The purpose of this item is to provide clear requirements regarding land uses, building materials and construction standards in the takeline. This item changes the way that view corridors are measured / calculated. Also, it has been determined that the lease fees can be reduced. Lastly, the requirements associated with sea walls are being proposed for modification. The Planning & Zoning Commission has recommended approval of this item by a vote of 7 to 0. Proper public notice was also published in the Herald Banner newspaper and online.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Johannesen moved to approve Z2020-041 (the ordinance re: the text amendments, less the fee schedule). Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, AND CREATING SECTION 07.05, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; 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.

Mayor Pruitt and Mayor Pro Tem Fowler recused themselves from the "fee schedule" portion of this agenda item. Councilmember Daniels asked if anyone has any objection to the proposed fees, either in the audience or on the City Council. There being no one indicating such, Councilmember Macalik moved to accept the fee schedule, as proposed. Councilmember Campbell seconded the motion. The motion passed by a vote of 5 ayes with 2 recusals (Pruitt and Fowler).

2. **Z2020-048** - Hold a public hearing to discuss and consider a request by Brenda Kennedy for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.34-acre parcel of land identified as Lot 1, Block A, Richard Harris Subdivision #5, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 T. L. Townsend Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He shared that 47 notice were sent out to adjacent property owners and residents located within 500'. Staff received four emails and 3 notices in opposition of the request. The P&Z Commission has recommended approval of this request by a vote of 6 ayes to 1 nay (Conway dissenting).

Brenda Kennedy  
1630 Shores Boulevard  
Rockwall, TX

Mrs. Kennedy came forth and shared that this is going to be her retirement home. She has lived in Rockwall for more than 30 years. She respectfully asked that the Council approve her request.

Mayor Pruitt opened the public hearing. There being no one indicating a desire to speak during the public hearing, Mayor Pruitt closed the public hearing.

Following brief discussion, Councilmember Macalik moved to approve Z2020-048. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. ~~21-XX~~  
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.34-ACRE TRACT OF LAND, IDENTIFIED AS LOT 1, BLOCK A, RICHARD HARRIS SUBDIVISION #5, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

3. **Z2020-049** - Hold a public hearing to discuss and consider a request by Sam Hernandez for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2342-acre parcel of land identified as Lot 48 of the Canup's Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 304 E. Bourn Street, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out (108 notices) to adjacent land and property owners; however, none were received back by staff. The Planning & Zoning Commission has recommended approval of this agenda item.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt moved to approve Z2020-049. Councilmember Daniels seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 21-XX  
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2342-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 48, CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

4. Z2020-050 - Hold a public hearing to discuss and consider a request by Perry Bowen on behalf of Kyle Bryan for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.9655-acre parcel of land identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing to construct a single family home. It meets all the requirements except that the garage is on the front façade of the home, and it does not meet setback requirements. Notices were sent out to 87 adjacent property owners and residents, and one notice was received back in favor of the request. The Park Place Homeowners Association was also notified. The Planning & Zoning Commission has recommended approval of this request by a vote of 7 to 0.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Hohenshelt moved to approve Z2020-050. Councilmember Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 21-XX  
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF

ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.9655-ACRE PARCEL OF LAND, IDENTIFIED AS LOT A, BLOCK 107, B.F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

5. **Z2020-051** - Hold a public hearing to discuss and consider a request by Travis Redden for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8, Block A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. Council is being asked to consider if this proposed home is architecturally and visually similar to the existing homes within this established subdivision. Notices were sent out (81 of them) to property owners and residents located within 500' of the property. One notice was received back in favor, and 16 notices were received back in opposition. Also, nearby homeowner's associations were also notified. The Planning and Zoning Commission did recommend approval of this item by a vote of 6 ayes to 1 nay with Commissioner Conway dissenting.

Mayor Pruitt pointed out that recently, the Texas State Legislature removed certain powers from cities, so the city can no longer regulate building materials. The City can consider style and design in the context of 'if it fits in' with the surrounding area; however, the city cannot regulate the building materials (i.e. the proposed use of 'hardy board').

Chelsea and Travis Redden  
1115 Concan Drive  
Forney, TX

Mrs. and Mr. Redden went on to provide a lengthy PowerPoint presentation regarding her and her husband's proposed custom home.

Following the Redden's presentation and comments, Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak regarding this public hearing item. There being no one indicating such, he then closed the Public Hearing.

Councilmember Johannesen expressed concerns specifically related to the style and design.

Councilmember Hohenshelt moved to approve Z2020-051. Councilmember Campbell seconded the motion. Following brief comments, the ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 21-XX  
SPECIFIC USE PERMIT NO. S-2XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 9 (PD-9) AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.30-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 8, BLOCK A, SHADYDALE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 5 ayes with 2 nays (Johannesen and Pruitt).

6. **Z2020-052** - Hold a public hearing to discuss and consider a request by Thomas Jones of Tomden Engineering, LLP on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. A metal building that is operating as a 'house of worship' currently exists on this property. The applicant would like to expand the facility and add a parking lot. All areas adjacent to this property are zoned for "Commercial-Retail" land uses. Thirteen notices were sent out to adjacent land / property owners within 500' of the subject property; however, staff did not receive any notices in return.

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

Councilmember Hohenshelt moved to approve Z2020-052. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 21-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT ON A 3.94-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-8 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' AND FURTHER DESCRIBED IN 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.

7. **Z2020-053** - Hold a public hearing to discuss and consider a request by David Meinhardt of Meinhardt & Associates, PLLC on behalf of Ed Burke of Channell Commercial Corporation for the approval of an ordinance for a Zoning Change from a Light Industrial (LI) District to a Planned Development District for Light Industrial (LI) District land uses on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 Justin Road, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. On November 18, 2020, staff mailed 13 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOA's) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Staff has not received any notices back (neither in opposition nor in favor) pertaining to this case. The P&Z Commission has recommended approval of this case by a vote of 7 ayes to 0 nays.

Mayor Pruitt opened the public hearing. The applicant came forth briefly:

Mr. Meinhardt  
14643 Dallas Parkway  
Dallas, TX

Mr. Meinhardt came forth and shared that he is happy to answer any questions the Council may have. However, none were asked.

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

Mayor Pruitt moved to approve Z2020-053. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

**ORDINANCE NO. 21-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A LIGHT INDUSTRIAL (LI) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR LIGHT INDUSTRIAL (LI) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 18.762-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, CHANNELL SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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 7 ayes to 0 nays.**

**Mayor Pruitt called for a break at 7:31 p.m.**

**Mayor Pruitt reconvened the meeting at 7:43 p.m.**

- 8. Z2020-054 - Hold a public hearing to discuss and consider a request by Corky Belanger for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing an accessory structure on a 0.161-acre parcel of land identified as Lot 9, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 707 Parks Avenue, and take any action necessary (1st Reading).**

**Planning Director Ryan Miller provided background information pertaining to this agenda item. 115 notices were sent out to property owners and residents located within 500' of the property. One notice was received back in favor and none were received in opposition. The Planning & Zoning Commission has recommended denial of this request by a vote of 7 to 0. Therefore, if it is to be approved by Council this evening, it will require a super majority vote for approval.**

**Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the Public Hearing.**

**Councilmember Hohenshelt moved to deny Z2020-054. Councilmember Johannesen seconded the motion. Following brief comments, the motion to deny passed by a vote of 7 ayes to 0 nays.**

**X. ACTION ITEMS**

- 1. Discuss and consider a request related to the naming of the swimming pool located at Gloria Williams Park, and take any action necessary.**

Mayor Pruitt moved this item up on the agenda, asking if anyone in the audience would like to come forth and speak regarding this topic.

**Shirley Williams**  
706 Davey Crockett  
Rockwall, TX 75087

Mrs. Williams came forth and shared that she is Gloria Williams' sister. She shared that the Williams family previously submitted a letter expressing the family's opinion about the request to name the swimming pool after Ruby Dabney. She went on to generally state that she and her family are in opposition of the swimming pool being named after Ms. Dabney. She expressed that sister Dabney did nothing towards the park or the swimming pool, and she stated that she knows this to be true because she personally was there / was present. She respectfully requested that the pool be kept 'as is' and that it not be named after Dabney.

**Cheryl Gray**  
549 Frontier Boulevard  
Mesquite, TX

Ms. Gray came forth and shared that she is the daughter of Ms. Shirley Williams who just spoke, and she is the niece of the late Mrs. Gloria Williams. She expressed that she and her family did write the "anonymous" letter of opposition regarding the request to name the swimming pool after Mrs. Dabney. She generally expressed opposition to the swimming pool being named. She respectfully requested that the Council leave the swimming pool 'as is' and NOT name it after Mrs. Dabney.

There being no one else wishing to come forth and speak regarding this agenda item, Mayor Pruitt opened the floor for discussion by council members.

Mayor Pro Tem Fowler made a motion to accept the Park Board's recommendation for erecting a plaque in honor of Ruby Dabney to be placed at the swimming pool. Councilmember Johannesen seconded the motion.

Councilmember Daniels provided brief, high compliments about the late Mrs. Gloria Williams and her character as a respected, honorable activist within the Rockwall Community. He went on to express his belief that the Park Board got it right, and he will support the motion.

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

2. **MIS2020-016** - Discuss and consider a request by Charles Smith of Pentagon on behalf of Dynacap Holdings Limited for the approval of a Miscellaneous Request for a variance to the proximity requirements for the sale of alcoholic beverages stipulated by the Unified Development Code (UDC) for a 2.202-acre tract of land identified as Tract 12 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH30 Overlay (IH-30 OV) District, addressed as 1541 E. IH-30, and take any action necessary.

Planning Director, Ryan Miller provided brief background pertaining to this agenda item. This item came before Council at a previous meeting. At that time, the applicant was asked to seek a letter from the church that currently occupies part of the space at this location to give indication that the church has no opposition to the request. The applicant has obtained said letter. Following brief discussion, Councilmember Johannesen moved to approve MIS 2020-016. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider the Rockwall Police Department's strategic plan, and take any action necessary.

Rockwall Police Chief, Max Geron came forth and addressed Council concerning this agenda item. He generally shared that input from various levels within the police department was sought and taken into consideration when drafting this strategic plan. He went on to share a broad overview of the six goals contained within the proposed plan. He thanked Councilmember Hohenshelt for his input pertaining to development of this plan.

Mayor Pruitt thanked Chief Geron for this presentation. He went on to read a recent letter that a past "Police Explorers" program participant wrote to Sgt. Brassil concerning him being accepted into several, noteworthy universities and associated scholarships that he has been offered.

**Council took no formal action pertaining to this agenda item.**

4. Discuss and consider submission of future transportation-related projects to the Rockwall County Roadway Consortium, and take any action necessary.

City Manager, Rick Crowley provided information to Council pertaining to this agenda item. Council generally indicated agreement with the projects that staff included in the council meeting packet for submission to the countywide roadway consortium. However, no formal action was taken as a result of this discussion item.

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

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding the appointment/employment process for the position of City Manager, pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).
2. Discussion regarding possible legal issues related to Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).

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

**Council did not convene in Ex. Session following the close of the public meeting agenda.**

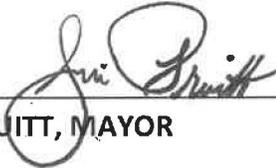
**XIV. ADJOURNMENT**

City Manager Rick Crowley indicated that he is retiring on January 31, and he is retiring 'happy.' He is grateful for his years of service to the City, and he thanked the mayor, council and staff for the opportunity to serve the City over the years.

Regarding Reese Manor, Mr. Crowley indicated that the city's Mayor appoints members of the Rockwall Housing Authority (RHA) Board of Directors, and that board oversees this facility. The facility has received its first positive COVID-19 test. The city will be extending an opportunity to each of the approximately 150 residents to be tested. Each test costs approximately \$150.

Mayor Pruitt adjourned the meeting at 8:19 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4<sup>th</sup> DAY OF JANUARY, 2021.**

  
\_\_\_\_\_  
JIM PRUITT, MAYOR

ATTEST:

  
\_\_\_\_\_  
KRISTY COLE, CITY SECRETARY

