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Minutes
Rockwall City Council
Tuesday, January 2, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Councilmember McCallum joined the meeting at 4:15 p.m. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session. Mayor Cecil adjourned the Pre-Council Meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of January, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, City Secretary



Minutes
Rockwall City Council
Tuesday, January 2, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

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50
51 **I. CALL TO ORDER**

52
53 Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and
54 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt
55 Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney
56 Pete Eckert.
57

58 **II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER BOB COTTI**
59

60 Prior to the invocation and Pledge of Allegiance, Councilmember Cotti spoke briefly
61 about the death of former Councilmember John King.
62

63 **III. PROCLAMATIONS / AWARDS [NONE]**
64

65 **IV. OPEN FORUM**
66

67 Mayor Cecil opened the floor to anyone in the audience who wished to address the
68 Council on any subject not schedule for a public hearing on tonight's agenda. The
69 following persons came forward to address the Council:
70

71 Mr. Vivian Craig
72 509 Bourn Avenue
73 Rockwall, Texas

74 Mr. Craig stated that he wanted his check. Ms. Couch instructed Mr. Craig
75 to see Police Chief Mark Moeller.
76

77 There being no one further to address the Council, Mayor Cecil closed the open forum.
78

79 **V. CONSENT AGENDA**
80

- 81 1. Consider approval of the Minutes of the December 11, 2006 City Council
82 meeting and take any action necessary.
- 83 2. Z2006-024 -- Consider approval of an **Ordinance** for a request by Shirley
84 Black for approval of an amendment to the existing Specific Use Permit
85 (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50)
86 Planned Development No. 50 district, at 502 N. Goliad on Lot 1, Block 1.
87 Black's Collectables Addition, specifically to designate areas for outside
88 display and merchandising, and take any action necessary. [2nd Reading]
- 89 3. P2006-058 -- Discuss and consider a request by Sean Flaherty of The
90 Wallace Group, Inc., for approval of Lots 6-8, Rockwall Business Park
91 East Addition, being a repital of a 45.624-acre tract zoned (PD-14)
92 Planned Development No. 14 district and (C) Commercial district.

- 93 currently known as Lots 1-4, Rockwall Business Park East Addition and a
94 remainder part of Lot 1, Block A, Rockwall Business Park East Addition,
95 and including the abandonment of Plaza Drive and Mayfair Drive, located
96 south of IH-30, west of SH 205 and north of Ralph Hall Parkway, and take
97 any action necessary.
- 98 **4.** This item was moved to Appointment Items.
- 99 **5.** Consider approval of an **Ordinance** amending the Code of Ordinances in
100 Chapter 6 (Building and Plumbing Codes) regarding restroom facilities
101 and drinking fountains and take any action necessary.
- 102 **6.** Discuss and consider authorizing the City Manager to execute a right-of-
103 entry with TXDOT for SH-205 construction and take any action
104 necessary.
- 105 **7.** Consider granting a request for a septic sewer system for BalfourBeatty
106 (contractor on SH-205 Project) at staging area located on National Drive
107 and take any action necessary.
- 108 **8.** Consider authorizing the City to continue working with NTMWD on the
109 design and construction of the Turtle Cove Lift Station reconstruction and
110 sanitary sewer gravity interceptor replacement along Lake Ray Hubbard
111 and take any action necessary.
- 112 **9.** Consider approval of the bid award for 2007 model trucks and take any
113 action necessary.
- 114 **10.** Consider approval of an **Ordinance** adopting the speed limits set by
115 TXDOT for FM-3097, SH-205 and the IH-30 Service Roads and take any
116 action necessary. [1st Reading]
- 117 **11.** Consider adoption of a policy relating to Chapter 3, Section 3-1-A of the
118 Code of Ordinances and take any action necessary. [Tabled at the 12-
119 11-06 meeting]
- 120 **12.** Consider approving a Resolution requesting that TXDOT make Rusk
121 Street (SH-66), between SH-205 and Fannin, one-way westbound and
122 take any action necessary.

123
124 **Councilmember Cotti requested that Consent Agenda Item #11 be pulled.**
125 **Councilmember Nielsen requested that Consent Agenda Item #10 be pulled.**
126 **Councilmember McCallum requested that Consent Agenda Items #2 and #8 be pulled.**
127 **Councilmember Straughan made a motion to approve the remaining Consent Agenda**
128 **Items (1, 3, 5, 6, 7, 9, and 12) and Councilmember Scott seconded the motion. The**
129 **ordinance was read as follows:**

130
131 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
132 **THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, IN**
133 **CHAPTER 6 BUILDINGS AND BUILDING REGULATIONS, ARTICLE I BUILDING CODE AND**
134 **ARTICLE IV, PLUMBING CODE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED**
135 **THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL**
136 **BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS;**
137 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
138 **PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]**
139

140 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 141
142 2. Z2056-024 -- Consider approval of an **Ordinance** for a request by Shirley
143 Black for approval of an amendment to the existing Specific Use Permit
144 (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-56)
145 Planned Development No. 50 district, at 502 N. Goliad on Lot 1, Block 1,
146 Black's Collectables Addition, specifically to designate areas for outside
147 display and merchandising, and take any action necessary. [2nd Reading]

148
149 Councilmember McCallum stated that he pulled Consent Agenda Item #2 because he did
150 not support it last time. Councilmember Straughan made a motion to approve Consent
151 Agenda Item #2 and Councilmember Cotti seconded the motion. The ordinance was read
152 as follows:

153
154 **ORDINANCE NO. 07-01**

155
156 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
157 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
158 PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (ORD. 05-26)
159 ALLOWING FOR ANTIQUE / COLLECTABLE SALES OF LESS THAN 2,000 SQUARE FEET
160 WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND
161 KNOWN AS LOT 1, BLOCK 1, BLACK'S COLLECTABLES ADDITION AND LOCATED AT 502
162 N. GOLIAD STREET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY
163 OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
164 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
165 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

166
167 The motion passed by a vote of 4 ayes [Cotti, Straughan, Cecil and Nielsen] and 3 nays
168 [Sevier, Scott and McCallum].

- 169
170 8. Consider authorizing the City to continue working with NTMWD on the
171 design and construction of the Turtle Cove Lift Station reconstruction and
172 sanitary sewer gravity interceptor replacement along Lake Ray Hubbard
173 and take any action necessary.

174
175 Councilmember McCallum stated pulled Consent Agenda Item #8 for clarification on how
176 the project would be paid for. Julie Couch stated this was a planned project and it would
177 not be paid for through a tax increase. Councilmember McCallum then made a motion to
178 approve Consent Agenda Item #8 and Councilmember Straughan seconded the motion.
179 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 180
181 10. Consider approval of an Ordinance adopting the speed limits set by
182 TXDOT for FM-3097, SH 205 and the IH-30 Service Roads and take any
183 action necessary. [1st Reading]

184 Councilmember Nielsen stated she pulled Consent Agenda Item #10 because she is
185 concerned about the speed limit on FM3097. Julie Couch advised that TxDOT performed
186 the traffic study and made the recommendations. TxDOT had requested we pass the
187 proposed resolution. Councilmember Nielsen then made a motion to approve the
188 Ordinance and Councilmember McCallum seconded the motion. The ordinance was read
189 as follows:

190
191 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
192 THE CODE OF ORDINANCES, AS PREVIOUSLY AMENDED, IN CHAPTER 16 MOTOR

193 VEHICLES, ARTICLE VI OPERATION, DIVISION 7 BY ALTERING THE PRIMA FACIE SPEED
194 LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTION
195 CODE, SECTION 545.356, UPON STREETS LISTED BELOW, OR PARTS THEREOF, WITHIN
196 THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A PENALTY
197 OF A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200); PROVIDING A
198 SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st Reading]
199

200 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 201
202 11. *Consider adoption of a policy relating to Chapter 3, Section 3-1-A of the*
203 *Code of Ordinances and take any action necessary. [Tabled at the 12-*
204 *11-06 meeting]*

205 **Councilmember Cotti made a motion to table Consent Agenda Item #11 until the January**
206 **16, 2007, City Council meeting and Mayor Cecil seconded the motion. The motion**
207 **passed unanimously by a vote of 7 ayes and 0 nays.**
208

209 **VI. APPOINTMENTS**

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

213 **The Planning and Zoning Chairman was not in attendance at this meeting.**

- 214
215 2. Appointment with Nancy Beaty to give report on the Pumpkin Patch and
216 take any action necessary.

217 **Nancy Beaty provided the Council with a report on the 2006 Pumpkin Patch and**
218 **presented the Council with a check in the amount of \$655.92 representing unused**
219 **operating funds.**

- 220
221 3. Appointment with Mr. Raymond Poche, of the Woodmont Corporation, to
222 submit a sign plan to determine the allowable number of freestanding
223 directory/identifications signs for the Plaza at Rockwall on I-30 and take
224 any action necessary.

225 **Jeffrey Widmer, Building Official, discussed the request for the variances. Mr. Raymond**
226 **Poche addressed the Council. After discussion, Mr. Poche agreed to add masonry to the**
227 **sign. Councilmember Cotti made a motion to approve the variances with the addition of**
228 **masonry to the signs. The masonry will not count against the sign size. Councilmember**
229 **McCallum seconded the motion and the motion passed unanimously by a vote of 7 ayes**
230 **and 0 nays.**

231
232 **Mayor Cecil announced that the Council would now consider Action Item #2.**

- 233
234 2. *Discuss and consider a proposed Ordinance amending Chapter 10 of the*
235 *Fire Protection and Prevention Ordinance regarding fire hydrant coverage*
236 *and take any action necessary. [1st Reading]*

237 **Fire Chief Mark Poindexter discussed the background of this request. Councilmember**
238 **Scott made a motion to approve the ordinance and Councilmember Cotti seconded the**
239 **motion. The ordinance was read as follows:**
240

241 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
242 AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 FIRE PREVENTION AND
243 PROTECTION REGARDING FIRE HYDRANT COVERAGE; PROVIDING FOR A
244 PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
245 (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH
246 DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING A SEVERABILITY
247 CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.
248 [1st Reading]
249

250
251 The motion passed unanimously by a vote of 7 ayes and 0 nays.

252
253 Mayor Cecil advised that the Council would return to the Appointment Items to consider
254 Appointment Item #4.

- 255
256 4. Appointment with Airport Subcommittee and consider approval of the
257 City's participation in overlay projects at the Ralph Hall Municipal Airport
258 as part of the Non-Primary Entitlement Grant and take any action
259 necessary.
260

261 Joey Boyd discussed the background of this item. Councilmember Cotti provided
262 additional information as pertaining to the status of current and planned upgrades at the
263 Airport. Councilmember McCallum asked for clarification on the funding.
264 Councilmember Straughan made a motion to move forward with the projects and
265 Councilmember Cotti seconded the motion. The motion passed unanimously by a vote
266 of 7 ayes and 0 nays.
267

268 VII. PUBLIC HEARING ITEMS

- 269
270 1. Z2006-025 -- Hold a public hearing and consider approval of an
271 Ordinance for a request by Tito Fuentes of T-Mobile USA for approval of
272 an amendment to (PD-47) Planned Development No. 47 District (Ord. No.
273 99-17), specifically to allow for a Commercial Antenna on Lot 1, Block A,
274 First Christian Church, Disciples of Christ Addition, located at 3375 Ridge
275 Road, and take any action necessary [1st Reading]

276 Robert LaCroix, Planning Director, discussed the background of this request. LaCroix
277 advised that the Planning and Zoning Commission had approved the request. The
278 applicant, Tito Fuentes of T-Mobile, came forward and requested that the Council
279 approve the request and assured the Council that this would be a stealth installation.
280 Fire Chief Mark Poindexter advised that the Council that fire suppression is required for
281 the equipment room. Mayor Cecil opened the public hearing, however, no one came
282 forward to address the Council, so the public hearing was closed. Councilmember
283 Straughan made a motion to approve the ordinance and Councilmember Scott seconded
284 the motion. The ordinance was read as follows:

285
286 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
287 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY
288 AMENDED SO AS TO APPROVE AN AMENDMENT TO (PD-47) PLANNED DEVELOPMENT
289 NO. 47 DISTRICT (ORD. NO. 99-17) TO ALLOW FOR AN COMMERCIAL ANTENNA ON A 5-
290 ACRE TRACT KNOWN AS LOT 1, BLOCK A, OF THE FIRST CHRISTIAN CHURCH,
291 DISCIPLES OF CHRIST ADDITION, AND MORE FULLY DESCRIBED HEREIN AS EXHIBIT
292 "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT
293 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;

294 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
295 PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

296
297 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
298

299 **VIII. SITE PLANS / PLATS**

300 1. SP2006-041 -- Discuss and consider a request by Mark Pross of Pross
301 Design Group, Inc. for approval of a special exception to the construction
302 materials requirements specified in Article V, Section 5.1, General
303 Industrial District Standards of the Unified Development Code, an
304 exception to the parking standards specified in Article VI, Parking and
305 Loading of the Unified Development Code, and a waiver to the sidewalk
306 requirements specified in the City's Subdivision Ordinance, in association
307 with an administrative site plan for SPR Packaging, a 55,000-sf industrial
308 development located on a 10.18-acre tract zoned (LI) Light Industrial
309 District and situated at the northwest corner of Industrial Blvd and the
310 future extension of Justin Drive, and take any action necessary.

311
312 **Robert LaCroix discussed the background of the request. LaCroix advised the Council**
313 **that the applicant was seeking waivers for the following:**

- 314
- 315 1. **To reduce the number of parking spaces.**
 - 316 2. **A waiver of the sidewalk requirements.** (This requested was not approved
317 by the Planning and Zoning Commission.)
 - 318 3. **A change in construction materials standards for elimination of the**
319 **20% stone standard.**

320 **LaCroix advised that the Planning and Zoning Commission approved requests number 1**
321 **and 3 above and that the applicant was okay with using option 2 or 3 for masonry**
322 **requirement. Councilmember Cotti made a motion to approve the requests to reduce the**
323 **number of parking spaces and the variance to the 20% stone so long as the applicant**
324 **chooses either option 2 or 3. The request for the waiver of the sidewalk requirement is**
325 **not included in this motion. Councilmember Sevier seconded the motion and the motion**
326 **passed unanimously by a vote of 7 ayes and 0 nays.**
327

328 **IX. ACTION ITEMS**

329

- 330 1. Discuss and consider assigning an action to the Youth Advisory Council
331 to review and report to the Council on the matter of a Community Athletic
332 Facility and take any action necessary.

333 **Councilmember Cotti discussed the background of this item. Councilmember Straughan**
334 **made a motion to move forward with the assignment to the Youth Advisory Council and**
335 **Councilmember Sevier seconded the motion. The motion passed unanimously by a vote**
336 **of 7 ayes and 0 nays.**
337

338 2. Discuss and consider a proposed **Ordinance** amending Chapter 10 of the
339 Fire Protection and Prevention Ordinance regarding fire hydrant coverage
340 and take any action necessary. [1st Reading] – **See above**

341
342 **X. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING**
343 **MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
344

- 345 1. Departmental Reports
346 Finance Department Monthly Report
347 Police Department Monthly Report
348 Fire Department Monthly Reports - November 2006
349
350 2. City Manager's Report

351 Assistant City Manager Rick Crowley gave an update on the water conservation effort.
352 Julie Couch gave an update on various road construction projects. The contractor is
353 ready to start construction of the Justin/Townsend extension. The first contract on the
354 Bypass will be presented in February with a pre-construction meeting scheduled for mid-
355 January. The first section will be from Yellowjacket to Slds Road. Discussion also took
356 place regarding a dedication ceremony for the 205 construction start. The date for the
357 event will be provided to the Council at the next meeting.
358

359 Councilmember McCallum requested that the City Attorney review the cable franchise
360 contract regarding the increase in fees. Pete Eckert stated he would contact Connie
361 Canaday.
362

363 Chuck Todd, City Engineer advised that the water line extension to Oaks of Buffalo Way
364 would take about 8-9 months and construction should start this summer. Todd stated
365 that the Fannin Street construction bids would be going out soon. Construction will take
366 12 - 15 months. Mayor Cecil stated that wants to see this project get done sooner. It
367 does not appear that we are putting an emphasis on getting this project done. Todd will
368 provide a time line on this project to the Council at the next meeting.
369

370 Councilmember Staughan complimented Fire Chief Mark Poindexter because no driver
371 had to go pick up an apparatus to get to a fire. Staughan stated that it was a "job well
372 done."
373

374 Per Councilmember Cotti's request, Joey Boyd discussed the communication system
375 update.
376

377 There being no further business to come before the Council in regular session, Mayor
378 Cecil adjourned the meeting into Executive Session at 7:52 p.m.
379

380 **XI. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087**
381 **OF TEXAS GOVERNMENT CODE TO DISCUSS:**
382

- 383 1. Deliberation regarding the purchase, exchange, lease, or value of real
384 property.
385 2. Personnel Issues, including Board, Commission, and Committee
386 Appointments, and Related Matters.
387 3. Commercial or financial information regarding business prospects that the
388 City seeks to have locate, stay, or expand in or near the territory of the

389 City of Rockwall and with which the Board is conducting economic
390 development negotiations.

391 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
392 with attorney with regard to a matter that it is the duty of the attorney to
393 consult with the Council and falls under the attorney-client privilege.
394

395 XII. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

396
397 Councilmember Scott made a motion to approve the following Subcommittee
398 recommendation regarding the fire station projects and Councilmember Sevier seconded
399 the motion.

400
401 "That the Council authorize the City Manager to terminate the City's
402 contract with Hill Wilkinson, Inc for construction management services."
403

404 The motion passed unanimously by a vote of 7 ayes and 0 nays.

405
406 Councilmember Scott made a motion to approve the following Subcommittee
407 recommendation regarding the fire station projects and Councilmember Sevier seconded
408 the motion.

409
410 "That the Council authorize the City Manager to negotiate with BRW
411 Architects to secure use of concept plans, designs, specifications, and any
412 related beneficial work from BRW Architects and that discussions be held
413 to retain BRW Architects as a consultant to the City on the fire station
414 projects during selection of a design/build contractor."
415

416 The motion passed unanimously by a vote of 7 ayes and 0 nays.

417
418 Councilmember Scott made a motion to approve the following Subcommittee
419 recommendation regarding the fire station projects and Councilmember Cotti seconded
420 the motion.

421
422 "That City Staff proceed with a Request for Qualifications and Request for
423 proposal for design/build services for two new fire stations. Once the
424 RFQ's are received and reviewed by the Subcommittee, a recommendation
425 for a design/build contractor will be presented to the Council for
426 consideration."
427

428 The motion passed unanimously by a vote of 7 ayes and 0 nays.

429
430 Councilmember Cotti made a motion to appoint Ron Harper to the Historic Advisory
431 Board and Councilmember Scott seconded the motion. The motion passed unanimously
432 by a vote of 7 ayes and 0 nays.

433
434 Councilmember Scott made a motion to approve the Transfer Without Warranty for the
435 property described as:

436
437 *BEING ALL OF THAT CERTAIN TRACT KNOWN AS E 75' OF LOT 1, BLOCK J, SANGER*
438 *ADDITION IN THE CITY OF ROCKWALL, ROCKWALL CONTY, TEXAS, SAID TRACT HAVING*

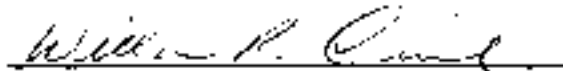
439 BEEN CONVEYED TO LAFAYETTE WHITLEY AND KATHERINE WHITLEY BY THAT CERTAIN
440 DEED OF RECORD IN VOLUME 118, PAGE 649 OF THE DEED OF RECORDS OF ROCKWALL
441 COUNTY, TEXAS (Account # R21986)
442

443 pending approval by the City Attorney of the 501.(c).3 documentation of the Rockwall
444 Southside Neighborhood Coalition.
445

446 Councilmember Sevier seconded the motion and the motion passed unanimously by a
447 vote of 7 ayes and 0 nays.
448

449 There being no further business to come before the Council, Mayor Cecil adjourned the
450 meeting at 11:30 p.m.
451

452 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
453 this 16th day of January, 2007.
454

455
456 
457 William R. Cecil, Mayor
458

458 ATTEST:

459 
460 Dorothy Brooks, City Secretary
461
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Minutes
Rockwall City Council
Tuesday, January 16, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Gollad, Rockwall, Texas 75087

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I. **CALL TO ORDER**

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Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan and Margo Nielsen. Councilmembers Tim McCallum and Cliff Sevier joined the meeting at 3:15 p.m. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

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II. **HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

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1. Deliberation regarding the purchase, exchange, lease, or value of real property.
 2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
 3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. **TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Councilmember Nielsen made a motion to approve the agreement with IRI subject to clarification on Exhibit 1 and language for the fully operational course. Councilmember Cotti seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Scott].

Mayor Cecil made a motion to settle the Bishop matter for \$70,000 (\$2.50 per square foot) and Councilmember Nielsen seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

Mayor Cecil made a motion to appointment Marcus Yarbrough to the Park Board and Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 absent.

Mayor Cecil closed the Pre-Council meeting at 5:58 p.m.

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PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this 5th day of February, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:
Dorothy Brooks
Dorothy Brooks, City Secretary



56 **Minutes**

57 **Rockwall City Council**

58 **Tuesday, January 16, 2007**

59 **6:00 p.m. Regular Meeting**

60 **City Hall, 385 S. Goliad, Rockwall, Texas 75087**

61
62 **I. CALL TO ORDER**

63
64 **Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and**
65 **Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Cliff**
66 **Sevier. Councilmember Matt Scott was absent. Also present were City Manager Julie**
67 **Couch and City Attorney Pete Eckert.**

68
69 **Mayor Cecil announced that the Youth Advisory Council was shadowing the**
70 **Councilmembers tonight and they were introduced by various Councilmembers and**
71 **Staff. Youth Advisory Councilmembers present were Miguel Chavira, John Vuckovic,**
72 **Travis Griswold, Sean Mehl, Justin Corneau, Kacey Valley, Kelly Case, Laura Packer,**
73 **Marisa Olind and Samantha Kirk.**

74
75 **II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER CLIFF SEVIER**

76
77 **III. CONSENT AGENDA**

- 78
79 1. Consider approval of the Minutes of the January 2, 2007 City Council
80 meeting and take any action necessary.
- 81 2. Consider approval of an Ordinance amending the Code of Ordinances in
82 Chapter 6 (Building and Plumbing Codes) regarding restroom facilities
83 and drinking fountains and take any action necessary. [2nd Reading]
- 84 3. Consider approval of an Ordinance adopting the speed limits set by
85 TXDOT for FM-3097, SH-205 and the IH-30 Service Roads and take any
action necessary. [2nd Reading]
- 87 4. Consider a proposed Ordinance amending Chapter 10 of the Fire
88 Protection and Prevention Ordinance regarding fire hydrant coverage and
89 take any action necessary. [2nd Reading]
- 90 5. Z2006-025 -- Consider approval of an Ordinance for a request by Tito
91 Fuentes of T-Mobile USA for approval of an amendment to (PD-47)
92 Planned Development No. 47 District (Ord. No. 99-17), specifically to
93 allow for a Commercial Antenna on Lot 1, Block A, First Christian Church,
94 Disciples of Christ Addition, located at 3375 Ridge Road, and take any
95 action necessary. [2nd Reading]
- 96 6. P2006-060 -- Discuss and consider a request by Billy Kimbrough of Gulf
97 States Toyota for approval of a preliminary plat of Lot 1, Block A, Toyota
98 of Rockwall Addition, being 11.2561-acres zoned (LI) Light Industrial
99 district and located along the south side of IH-30 east of SH 205 and west
100 of Townsend Drive, and take any action necessary.
- 101 7. P2006-062 -- Discuss and consider a request by Randall Pogue of Pogue
102 Engineering & Development Co. for approval of a preliminary plat for SPR

- 103 Packaging Addition, being a 10.19-acre tract zoned (L1) Light Industrial
 104 district and located at the northwest corner of Industrial Blvd and the
 105 future Justin Road extension, and take any action necessary.
- 106 8. Consider authorizing the City Manager to enter into an Agreement to
 107 Contribute Funds with TxDOT for FM-740 road improvements from
 108 FM-3097 to FM-1140 and take any action necessary.
- 109 9. Consider authorizing the City Manager to execute a TXU easement for
 110 the electric service to the new pump station at the Eastside Pump Station
 111 Site and take any action necessary.
- 112 10. Consider approval of the reimbursement for the oversize waterline
 113 installed with the Crossing Phase 1 to Woodmont and take any action
 114 necessary.
- 115 11. Discuss and consider the recommendation for approval of a Resolution
 116 adopting the Fee Schedule for the Mandatory Park Land Dedication
 117 Ordinance and take any action necessary.
- 118 12. Discuss and consider approval of Construction Materials Testing Contract
 119 with Kleinfelder for the Justin Road Project and take any action
 120 necessary.

121 **Councilmember McCallum made a motion to approve all of the items on the Consent**
 122 **Agenda and Mayor Cecil seconded the motion. The ordinances were read as follows:**

123 **ORDINANCE NO. 07-02**

124 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
 125 THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, IN
 126 CHAPTER 6 BUILDINGS AND BUILDING REGULATIONS, ARTICLE I BUILDING CODE AND
 127 ARTICLE IV. PLUMBING CODE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED
 128 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL
 129 BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS;
 130 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
 131 PROVIDING FOR AN EFFECTIVE DATE.

132 **ORDINANCE NO. 07-03**

133 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
 134 THE CODE OF ORDINANCES, AS PREVIOUSLY AMENDED, IN CHAPTER 18 MOTOR
 135 VEHICLES, ARTICLE VI OPERATION, DIVISION 7 BY ALTERING THE PRIMA FACIE SPEED
 136 LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTION
 137 CODE, SECTION 545.358, UPON STREETS LISTED BELOW, OR PARTS THEREOF, WITHIN
 138 THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A PENALTY
 139 OF A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200); PROVIDING A
 140 SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

141 **ORDINANCE NO. 07-05**

142 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
 143 THE CODE OF ORDINANCES IN CHAPTER 10 FIRE PREVENTION AND PROTECTION
 144 REGARDING FIRE HYDRANT COVERAGE; PROVIDING FOR A PENALTY OF A FINE NOT TO
 145 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE
 146 SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION
 147 OCCURS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE;
 148 PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 07-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE AN AMENDMENT TO (PD-47) PLANNED DEVELOPMENT NO. 47 DISTRICT (ORD. NO. 99-17) TO ALLOW FOR AN COMMERCIAL ANTENNA ON A 5-ACRE TRACT KNOWN AS LOT 1, BLOCK A, OF THE FIRST CHRISTIAN CHURCH, DISCIPLES OF CHRIST ADDITION, AND MORE FULLY DESCRIBED HEREIN AS 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 6 ayes and 1 absent [Scott].

IV. APPOINTMENTS

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

Greg Burgamy, Planning and Zoning Chairman, discussed the planning and zoning items on tonight's agenda.

2. Appointment with Ms. Willie Strange to request that the City assume maintenance and operation of a private cemetery located at Damascus Road and SH-205 and take any action necessary

Rick Crowley discussed the background of this request and Ms. Strange came forward and asked the Council to take over the operation and maintenance of the cemetery. Councilmember McCallum made a motion instructing Staff to explore having the cemetery granted to the city so we will be able to take over the operation and maintenance of the cemetery, to include having the City Manager prepare a budget for this function. Councilmember Nielsen seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Scott].

Pastor Joe Robbins came forward and stated that the cemetery was purchased by St. Paul A.M.E. Church in 1917. Mayor Cecil requested Staff to take this information into account.

3. Appointment with Gary Hendricks with the consulting firm of Birkhoff, Hendricks & Conway to discuss the proposed schedule for the Fannin Street construction project and take any action necessary.

Gary Hendricks of Birkhoff, Hendricks & Conway discussed the Fannin Street Drainage and Street Improvements. Hendricks stated that it would take approximately 14 months to complete the project. After some discussion, Hendricks presented a proposed revised schedule to reduce the construction time from 14 to 12 months and stated that any additional changes to shorten the construction time would cost 10-15% more.

Councilmember Straughan had to leave the meeting due to a family emergency.

Mayor Cecil brought Action Item #1 forward for discussion and action.

206 1. MIS2007-001 -- Discuss and consider a request by David Block for
207 consideration of a special exception(s) to the Unified Development Code
208 in association with a proposed airplane hangar constructed of metal on
209 his 1.82-acre property situated along the west side of the Ralph Hail
210 Municipal Airport, and take any action necessary.

211 **Robert LaCroix, Planning Director, discussed the background of the request and stated**
212 **that the Planning and Zoning had recommended approval of the request. David Block,**
213 **2421 Kathryn Drive, Rockwall, came forward and asked the Council to approve his**
214 **request. Councilmember Cotti made a motion to approve the special exceptions and**
215 **Councilmember Nelson seconded the motion. The motion passed by a vote of 5 ayes**
216 **and 2 absent [Scott and Straughan].**

217
218 **V. PUBLIC HEARING ITEMS**

219
220 1. A2006-001 (6:00pm) -- Hold a public hearing and consider a City-initiated
221 request to annex land of approximately 316.91 acres generally located
222 north of SH 66, west of FM 549, and south of Cornelius Rd, and
223 contiguous to the existing City Limits line.

224 **Robert LaCroix discussed the background of this item and stated that no action by the**
225 **Council would be taken tonight. Mayor Cecil opened the public hearing and the following**
226 **persons came forward to address the Council on this issue:**

227
228 **Dwain Cain**
229 **305 Stonebridge**
230 **Rockwall, Texas**
231 **Mr. Cain is opposed to the annexation. Mr. Cain presented a list of**
232 **property owners who had signed a request that 212 Development**
233 **Agreements be entered into instead of being annexed into the City.**

234
235 **Debbie Hammond**
236 **883 Cornelius Road**
237 **Rockwall, Texas**
238 **Ms. Hammond is opposed to the annexation.**

239
240 **David Miller**
241 **821 Mt. Zion Estates**
242 **Rockwall, Texas**
243 **Mr. Miller is opposed to the annexation.**

244
245 **Scott Hammond**
246 **883 Cornelius Road**
247 **Rockwall, Texas**
248 **Mr. Hammond is opposed to the annexation.**

249
250 **There being no one further to address the Council, Mayor Cecil closed the public**
251 **hearing.**

252
253 **Councilmember Straughan returned to the meeting.**

254

255 Councilmember Sevier stated he had concerns regarding the annexation and made a
256 motion to postpone the second public hearing until the February 5, 2007 meeting.
257 Councilmember Nielsen seconded the motion. After discussion, the motion and second
258 were withdrawn.

259
260 2. A2006-001 (7:00pm) -- Hold a public hearing and consider a City-initiated
261 request to annex land of approximately 318.91 acres generally located
262 north of SH 66, west of FM 549, and south of Cornelius Rd, and
263 contiguous to the existing City Limits line.

264 Mayor Cecil opened the public hearing and the following persons came forward to
265 address the Council:

266
267 David Rakow
268 152 Hill Lane

269 Rockwall, Texas

270 Mr. Rakow stated that he is not opposed to coming into the City, but would
271 prefer the 212 agreement. He is opposed to the two public hearings being
272 held on the same night. He believes two separate hearings would be more
273 citizen friendly.

274

275 David Cain

276 305 Stonebridge

277 Rockwall, Texas

278 Mr. Cain suggested that a special work session be held with the Council.

279 Mr. Cain was advised that the Staff would work with him and the other
280 residents on the 212 agreements.

281

282 There being no one further to address the Council, Mayor Cecil closed the public
283 hearing.

284

285 Councilmember Nielsen made a motion to instruct Staff to work with area residents on
286 the 212 agreements and bring back the recommendations at the next meeting.
287 Councilmember Sevier seconded the motion. After a series of questions from
288 Councilmember Cotti, the Council was assured that this action would not alter the
289 originally posted and planned annexation schedule should we not be able to reach
290 agreement. The motion passed by a vote of 6 ayes and 1 absent [Scott].

291

292 3. Z2006-026 -- Hold a public hearing and consider approval of an
293 Ordinance for a city-initiated request to amend the Unified Development
294 Code (Ord. 04-38) of the City of Rockwall, specifically to create a new
295 "DT" Downtown Zoning District and establish form-based standards
296 relating to new development and redevelopment in the area specified in
297 the Downtown Plan, and take any action necessary. [1st Reading]

298 Robert LaCroix discussed the background of the Downtown form-based zoning plan.
299 LaCroix advised that the Council was only creating the district tonight, no property is
300 being zoned. Councilmember Cotti asked for clarification on whether the creation of the
301 district in any way diminishes the City's authority to protect older buildings. LaCroix
302 stated that it did not. Mayor Cecil opened the public hearing and the following persons
303 came forward to address the Council on this matter:

304

305 **Ross Ramsay**
306 **637 Stafford Circle**
307 **Rockwall, Texas**
308 **Mr. Ramsay stated that there is no reason to tear down a 125-year old stone**
309 **wall. Do you landmark a building as it is or as it was. Landmarking should**
310 **be on how the building originally looked. This should go as is tonight and**
311 **then find a way to protect downtown.**
312
313 **Barb Coleson**
314 **228 Sovereign Court**
315 **Rockwall, Texas**
316 **Ms. Coleson stated that the Council should accept this document with an**
317 **attachment -- attach a downtown historic district. Train people, i.e., the**
318 **business interests and the historic interests to work together.**
319
320 **Judy Holder**
321 **1036 Starlight**
322 **Rockwall, Texas**
323 **Ms. Holder stated that "Intent" is too open ended. It needs to be a**
324 **downtown historic district.**
325
326 **Carol Crow**
327 **504 Williams**
328 **Rockwall, Texas**
329 **Ms. Crow stated that the ordinance is written for new development - it does**
330 **not have preservation. She doesn't believe the Council will "landmark" the**
331 **downtown buildings. She wants a real preservation expert to write the**
332 **guidelines.**
333
334 **Mary Hanrahan**
335 **201 S. Clark**
336 **Rockwall, Texas**
337 **Ms. Hanrahan stated that our ordinance does not protect the historic**
338 **"core" and believes the ordinance needs to be tightened up. She wants a**
339 **historic downtown.**
340
341 **Sherry Pittman**
342 **300 Munson**
343 **Rockwall, Texas**
344 **Ms. Pittman likes the form-based zoning, unfortunately it does not include**
345 **a downtown historic district. Landmarking does not work well. Ms.**
346 **Pittman suggested looking into the National Register of Historic Places.**
347 **We need to have a survey done of the downtown.**
348
349 **Mark Russo**
350 **402B Fannin**
351 **Rockwall, Texas**
352 **Mr. Russo stated that history is vital - a historic district is important. We**
353 **need it - let's not lose our buildings due to a lack of money.**
354

355 There being no one further to address the Council, Mayor Cecil closed the public
356 hearing.

357
358 After discussion, Councilmember Straughan made a motion to approve the ordinance
359 and move forward with the downtown form-based zoning. Councilmember McCallum
360 requested that changes be made in certain uses. Councilmember Straughan amended
361 his motion to include those changes and Councilmember McCallum seconded the
362 motion. The ordinance was read as follows:

363
364 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
365 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS
366 PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE USES, TABLE 1, LAND
367 USE TABLES, TO ADD PERMITTED USES FOR THE DOWNTOWN (DT) DISTRICT, MORE
368 SPECIFICALLY DESCRIBED IN EXHIBIT "A," AND AMENDING ARTICLE V, DISTRICT
369 DEVELOPMENT STANDARDS, TO ADD A NEW SECTION 4.B, DOWNTOWN (DT) DISTRICT,
370 MORE SPECIFICALLY DESCRIBED IN EXHIBIT "B"; PROVIDING FOR A PENALTY OF A FINE
371 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
372 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
373 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (1st Reading)

374
375 The motion passed by a vote of 6 ayes and 1 absent [Scott].

376
377 Councilmember Straughan then made a motion directing Staff to look into the feasibility
378 and cost of setting up a Historic Overlay District for the downtown area and bring it back
379 to the Council at the first meeting in May. Councilmember McCallum seconded the
380 motion and the motion passed by a vote of 6 ayes and 1 absent [Scott].

381
382 4. Z2006-027 -- Hold a public hearing and consider a request by Tim and
383 Kelly Bray for approval of an amendment to (PD-61) Planned
384 Development No. 61 district, being a 2.63-acre tract known as Lot AB,
385 Block 87, B.F. Boydston Addition, and located south of the Highwood
386 Addition at the termination of Valley Drive, and take any action necessary.
387 [Applicant has submitted a request to withdraw this item from
388 consideration]

389 Mayor Cecil announced that this matter had been withdrawn.

390
391 Mayor Cecil stated that the Council would now consider Site Plans/ Plats.

392
393 VI. SITE PLANS / PLATS

394
395 1. SP2006-042 -- Discuss and consider a request by Billy Kimbrough of Gulf
396 States Toyota for approval of a variance to the I-30 Overlay District
397 Requirements specifically Section C, Architectural Standards, (1)
398 Masonry Requirements (3/4 majority vote required for approval) and
399 approval of a variance to allow bay doors to face the street (simple
400 majority vote for approval) in conjunction with the site plan for Toyota of
401 Rockwall on Lot 1, Block 1, Toyota of Rockwall Addition, being 11.2561-
402 acres zoned (LI) Light Industrial district and located along the south side
403 of IH-30 east of SH 205 and west of Townsend Drive, within the IH-30
404 Overlay District, and take any action necessary.

405 Robert LaCroix discussed the background of this item and stated that the Planning and
406 Zoning Commission had recommended approval. The applicant then gave a power point

407 presentation on the building and their requests. This would be the first car dealer in the
408 world to get a gold LEED certification.

409
410 After a short discussion, Councilmember Cotti made a motion to approve the variance
411 for the bay doors and Councilmember Nielsen seconded the motion. The motion passed
412 by a vote of 6 ayes and 1 absent [Scott].

413
414 Councilmember Cotti made a motion to approve all the variances for the masonry
415 requirements and Councilmember Straughan seconded the motion. The motion passed
416 by a vote of 5 ayes and 1 absent [Scott].

417 418 V. PUBLIC HEARING ITEMS

419
420 5. P2006-061 -- Hold a public hearing and consider a request by Ed Hurst of
421 Integrity Concepts, LLC, for approval of a final plat of Lots 1-3, Block A,
422 Integrity Addition, being a 0.66-acre tract zoned (ZL-5) Zero Lot Line
423 District and including a replat of Billy Peoples No. 3 Addition and a final
424 plat of part of a 0.393-acre tract known as B.F. Boydston, Lot 6'B,
425 located along Boydston west of Clark Street, and take any action
426 necessary.

427 Robert LaCroix discussed the background of this item. The applicant came forward and
428 requested that the Council approve this item. Mayor Cecil opened the public hearing but
429 no one came forward to address the Council, so the public hearing was closed.
430 Councilmember Straughan made a motion to approve the request and Councilmember
431 Cotti seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

432
433 6. AM2006-003 -- Hold a public hearing and consider City-initiated
434 amendments to the Comprehensive Land Use Plan (Resolution No. 01-
435 40), and take any action necessary.

436 Robert LaCroix discussed the background of this item. Councilmember Straughan
437 requested clarification regarding the floodplain. Mayor Cecil opened the public hearing
438 but no one came forward to address the Council, so the public hearing was closed.
439 Councilmember Cotti made a motion to approve the comprehensive land use plan and
440 Councilmember Nielsen seconded the motion. Mayor Cecil requested that the motion be
441 amended to provide for a change on page 6, F(1) - "up to 2 units per gross acre within a
442 Planned Development..." Councilmember Cotti amended his motion and
443 Councilmember Nielsen concurred. The motion passed by a vote of 5 ayes, 1 nay
444 [McCallum], and 1 absent [Scott].

445 446 VII. ACTION ITEMS

447
448 2. Discuss and consider Policy Relating to Chapter 3, Section 1 of the Code
449 of Ordinances and take any action necessary.

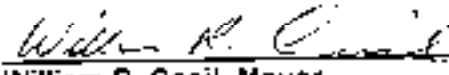
450 Brad Griggs, Parks Director, discussed the background of the policy. Councilmember
451 McCallum made a motion to approve the policy and Councilmember Cotti seconded the
452 motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

453
454 3. Discuss and consider draft Memorandum of Understanding with TxOOT
455 regarding the Bypass and SH-205 and take any action necessary.

456 Julie Couch discussed the background of this item. Councilmember Cotti made a motion
457 to approve the Memorandum of Understanding and Councilmember Straughan seconded
458 the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].
459

460 There being no further business to come before the Council, Mayor Cecil adjourned the
461 meeting at 10:56 p.m.
462

463 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
464 TEXAS, this 5th day of February, 2007.
465

466
467 
468 _____
469 William R. Cecil, Mayor
470

471 ATTEST:
472 
473 _____
474 Dorothy Brooks, City Secretary



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Minutes
Rockwall City Council
Monday, February 05, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Councilmember Stephen Straughan joined the meeting around 4:30 p.m. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION


No action was taken as a result of Executive Session. Mayor Cecil adjourned the Pre-Council meeting at 5:58 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of February, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, City Secretary



Minutes
Rockwall City Council
Monday, February 05, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MARGO NIELSEN

Mayor Cecil presented a proclamation to Pastor Joe Robbins in honor of Black History Month.

III. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

Sld Murphy
4940 Bear Claw Lane
Rockwall, Texas

Mr. Murphy is concerned about the alcohol policy at The Harbor. Murphy believes that the policy needs to be stricter.

Matt Scott stated that he had told Mr. Murphy to come speak to the Council tonight. He believes that the policy needs to be revised and will put the matter on a later agenda for Council consideration.

Pastor Joe Robbins
805 Peters Colony
Rockwall, Texas

Pastor Robbins stated that he had been in contact with the A.M.E. Bishop regarding the 205 cemetery. The Bishop has no problem with the City taking over maintenance and operation (ownership) of the cemetery and only requests that the City notify the Church of any major changes.

There being no one further to address the Council, Mayor Cecil closed the open forum session.

IV. CONSENT AGENDA

1. Consider approval of the Minutes from the January 16, 2007 City Council meeting and take any action necessary.

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122
2. Consider approval of a Resolution ordering the general election for the purpose of electing the position of Mayor and three Councilmembers (Place 1, Place 3 and Place 5); authorize the City Manager to execute the appropriate agreements for the election and take any action necessary.
 3. Consider approval of the contract for the 2007 Household Hazardous Waste Day event and take any action necessary
 4. P2007-001 -- Discuss and consider a request by Andrew Qualls of Arista Office, LP for approval of a replat of Lot 3R, Block A, Horizon Ridge Addition, being a 1.72-acre tract zoned (PD-9) Planned Development No. 9 and situated at 1010 W. Ralph Hall Parkway, and take any action necessary.
 5. P2007-002 -- Discuss and consider a request by Kaveen Patel of Rockwall RMKP, LP, for approval of a replat of Lot 4R, Block C, La Jolla Pointe Phase 1 Addition, being a 1.751-acre tract zoned (C) Commercial district and located at 1549 Laguna Drive, and take any action necessary.
 6. P2007-003 -- Discuss and consider a request by Randall Pogue of Pogue Engineering & Development Co. for approval of a final plat for SPR Packaging Addition, being a 10.19-acre tract zoned (LI) Light Industrial district and located at the northwest corner of Industrial Blvd and the future Justin Road extension, and take any action necessary.
 7. Consider approval of an Ordinance amending Chapter 5 of the Code of Ordinances regarding animal adoption fees and take any action necessary [1st Reading]
 8. Consider approval of the award of the construction contract for the Shoreline Trail Extension and Harbor Public Parking Lot and take any action necessary.
 9. Consider approval of a contract with Birkoff, Henricks & Conway for Engineering Design Services for the Kaufman Street Project and take any action necessary.

123 **Councilmember Cotti requested that Consent Agenda Item # 3 be pulled and then made a**
124 **motion to approve the remaining Consent Agenda Items (1, 2, 4, 5, 6, 7, 8 and 9).**
125 **Councilmember Scott requested that Consent Agenda Item #1 be pulled. Councilmember**
126 **Cotti amended his motion and Councilmember Scott seconded the motion. The**
127 **ordinance was read as follows:**

128
129 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
130 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS
131 PREVIOUSLY AMENDED, IN CHAPTER 5 ANIMALS; PROVIDING FOR A PENALTY OF
132 A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00);
133 PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st
134 Reading]

135
136 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 137
138
139
140
1. Consider approval of the Minutes from the January 16, 2007 City Council meeting and take any action necessary.

141 Councilmember Straughan made a motion to approve Consent Agenda #1 and Mayor
142 Cecil seconded the motion. The motion passed by a vote of 6 ayes and 1 abstain [Scott]

143
144 3. Consider approval of the contract for the 2007 Household Hazardous
145 Waste Day event and take any action necessary.

146 Councilmember Cotti stated that he pulled this item because he felt it was important that
147 the community be made aware of this important event. Cotti then made a motion to
148 approve Consent Agenda Item #3 and Councilmember Straughan seconded the motion.
149 The motion passed unanimously by a vote of 7 ayes and 0 nays.
150

151 V. APPOINTMENTS

152 Mayor Cecil announced that the Council would consider Action Item #4 immediately after
153 the first appointment item.
154

155
156 1. Appointment with Sherry Pittman of the Historic Preservation Advisory
157 Board to discuss the North Goliad Historic District and take any action
158 necessary.

159 Mary Hanrahan and Sherry Pittman of the Historic Preservation Advisory Board
160 addressed the Council. Ms. Hanrahan talked about the history of Old Town and Ms.
161 Pittman gave a power point presentation on the history of the houses along N. Goliad.
162 Jason Potts of the Historic Preservation Advisory Board also addressed the Council and
163 stated that he felt that the Planning and Zoning Commission and the HPAB have different
164 directions they want to go regarding the historic district. He believes the guidelines set
165 out by the HPAB is a best practices document.
166

167 IV. ACTION ITEMS

168
169 4. Discuss and consider recommendations from the Planning and Zoning
170 Commission and Historic Preservation Advisory Board for the creation of
171 the North Goliad Historic District and take any action necessary.
172

173 Greg Burgamy, Chairman of the Planning and Zoning Commission, discussed the
174 background of this matter. P&Z Member Bill Bricker addressed the Council and stated
175 that they felt that the proposed document had too much control, especially with regard to
176 the sale of items, that there was no clear path with regard to demolition and there should
177 be some demolition expected. He stated they do not believe N. Goliad should be in a
178 historical district. A PD is ok and should be guided by the Planning and Zoning
179 Commission without the Historic Preservation Advisory Board. P&Z Member Michael
180 Hunter stated that the Planning and Zoning Commission is looking at the redevelopment
181 of downtown. The main corridor is Goliad. How is it going to develop and go along with
182 the downtown changes? He believes the Planning and Zoning Commission is getting
183 things going in the right direction. If developers have to go before 2 boards it will cause
184 delays and restrict development. The Planning and Zoning Commission is in favor of
185 historic preservation - but it needs to be done in a systematic way. They do not feel that
186 turning N. Goliad into a historic district is a good idea.
187

188 Robert LaCroix gave a staff report. Councilmember Cotti made a motion to remand the
189 action to Staff and Planning and Zoning to develop the modifications to PD50 to
190 incorporate protection standards for historic homes. The Planning and Zoning
191 Commission is to set standards for the economic development that needs to occur.

192 Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes
193 and 1 nay [McCallum].
194

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

198 Planning and Zoning Chairman Greg Burgamy stated that the only other Planning and
199 Zoning item on tonight's agenda is the request by Roger Nielsen of Rockwall Housing
200 Development Corporation for a waiver to the masonry requirements in MIS2007-002.
201 Burgamy stated that the Commission had voted unanimously to approve the request.
202

203 3. Appointment with David Falls to discuss leasing of the Takeline and take
204 any action necessary.

205 Brad Griggs discussed the background of this item and the homeowner, David Falls,
206 requested that the Council approve his request. Councilmember Cotti made a motion to
207 approve leasing Mr. Falls the Takeline with the provision for an access easement so that
208 interior property owners will have access to the rear of their properties. Councilmember
209 Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes
210 and 0 nays.
211

212 4. Appointment with Kathy Holcomb of Super Suppers and Diane Palermo
213 of Her Secret Garden regarding sign issues and take any action
214 necessary.

215 Due to the illness of Diane Palermo, Mayor Cecil made a motion to table this item until
216 the next regular meeting of the Council and Councilmember Cotti seconded the motion.
217 The motion passed unanimously by a vote of 7 ayes and 0 nays.
218

219 5. Appointment with Judge Kortemier for his annual report to the Council.

220 Judge Kortemier gave the highlights of his annual report.
221

222 VI. ACTION ITEMS

223 1. MIS2007-002 -- Discuss and consider a request by Roger Nielsen of
224 Rockwall Housing Development Corporation for a waiver to the masonry
225 requirements set forth in Article V, Section 3.1, General Residential
226 District Standards, of the City of Rockwall Unified Development Code for
227 a proposed triplex located on a portion of Lots 3 & 4, Block H, Sanger
228 Brothers Addition, being 403, 405 and 407 Bourn Street, which is zoned
229 MF-14 District and located within the (SQ) Southside Residential
230 Neighborhood Overlay District, and take any action necessary.
231

232 Councilmember Nielsen recused herself from hearing or taking any action on this item.
233 Robert LaCroix discussed the background of the request. Councilmember Straughan
234 made a motion to approve the request and Councilmember Cotti seconded the motion.
235 The motion passed by a vote of 6 ayes and 1 abstain [Nielsen]. Councilmember Nielsen
236 returned to the meeting.
237

238 2. A2006-001 -- Discuss options for 212 Agreement and consider approval
239 of an ordinance for a City-initiated request to annex land of approximately
240 316.91 acres generally located north of SH 66, west of FM 549, and south

241 of Cornelius Rd, and contiguous to the existing City Limits line and take
242 any action necessary. [1st Reading]

243 **Robert LaCroix** discussed the background of this item. The following persons came
244 forward to address the Council regarding this item:

245
246 **Dewayne Cain**
247 **305 Stonebridge**
248 **Rockwall, Texas**

249 **Mr. Cain** stated that he felt like progress was made during the meeting he
250 had with Julie Couch, Robert LaCroix and Pete Eckert. He requested that
251 the Council not annex the area at this time and allow the property owners
252 to enter into 212 agreements.

253
254 **Robert MacTaggart, Attorney**
255 **2828 Routh Street, Suite 700**
256 **Dallas, Texas**

257 **Mr. MacTaggart** is the attorney for some of the property owners in the
258 annexation area. MacTaggart made reference to Sec. 43.056 and Sec.
259 43.056(b) of the Local Government Code. He has a problem with the public
260 hearing being held on the same night. He urged the Council to not pass
261 the ordinance tonight and to allow 90 days to work out 212 agreements
262 with the property owners.

263
264 **During the lengthy discussion of this item, City Attorney Pete Eckert** advised the Council
265 **to go ahead with the first reading of the ordinance. Councilmember McCallum made a**
266 **motion to approve the ordinance and Councilmember Straughan seconded the motion.**
267 **The ordinance was read as follows:**

268
269 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING**
270 **FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL,**
271 **TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 316.91 ACRES**
272 **OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND AJOINS THE PRESENT**
273 **BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE**
274 **DATE.**

275
276 **The motion passed by a vote of 6 ayes and 1 nay [Sevier].**

277
278 **Julie Couch** then discussed options for the 212 agreement. MacTaggart stated he
279 wanted flexibility on the all or nothing. Councilmember Scott made a motion directing
280 Staff to work with the property owners on 212 agreements for all property owners for a 3
281 year period with no development during that time and giving City Manager Julie Couch
282 the flexibility to request a strip of the properties, if necessary and do this within a
283 timeframe of 30 days. Councilmember Straughan seconded the motion

284
285 **Councilmember McCallum** suggested that there be a date certain of December 31, 2009
286 for the agreements to expire and that there be no renewals of the agreements. Mayor
287 Cecil requested that it be added to the agreement that at the end of the three years that
288 the land will be annexed into the city and that all city services would be provided in
289 accordance with state law. Councilmember Scott agreed to the additional language and
290 Councilmember Straughan concurred. Councilmember Cottl requested that the City
291 Attorney ensure that the suggested date of December 31, 2009 be allowable by law since
292 it is less than three years.

293
294 **David Rakow of 152 Hill Lane came forward and requested that the Council and Julie**
295 **keep in mind that he has his own water service with North Texas Municipal Water**
296 **District.**

297
298 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

299
300 **3. Z2006-026 -- Consider approval of an Ordinance for a city-initiated**
301 **request to amend the Unified Development Code (Ord. 04-38) of the City**
302 **of Rockwall, specifically to create a new "DT" Downtown Zoning District**
303 **and establish form-based standards relating to new development and**
304 **redevelopment in the area specified in the Downtown Plan, and take any**
305 **action necessary. [2nd Reading]**

306 **Robert LaCroix discussed the background of this matter. Councilmember Cotti made a**
307 **motion to approve the ordinance but with the addition of townhomes and urban**
308 **residences being permitted uses. Councilmember Nielsen requested that massage**
309 **therapist be added back in as a permitted use. Cotti agreed and Nielsen seconded the**
310 **motion. The ordinance was read as follows:**

311
312 **ORDINANCE NO. 07-06**

313
314 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
315 **AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF**
316 **ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE**
317 **USES, TABLE 1, LAND USE TABLES, TO ADD PERMITTED USES FOR THE DOWNTOWN**
318 **(DT) DISTRICT, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A," AND AMENDING**
319 **ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, TO ADD A NEW SECTION 4.8,**
320 **DOWNTOWN (DT) DISTRICT, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "B";**
321 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND**
322 **DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY**
323 **CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE**
324 **DATE.**

325
326 **The motion passed by a vote of 4 ayes [Cotti, Cecll, Straughan and Nielsen] and 3 nays**
327 **[Sevier, Scott and McCallum].**

328
329 **4. Discuss and consider recommendations from the Planning and Zoning**
330 **Commission and Historic Preservation Advisory Board for the creation of**
331 **the North Goliad Historic District and take any action necessary. [See**
332 **above]**

333 **5. Discuss and consider options for long-term sewer plans and take any**
334 **action necessary.**

335 **Chuck Todd, City Engineer, gave a power point presentation on the long-term sewer**
336 **plans and discussed his recommendations. Todd stated that no increase in the rates**
337 **was expected. Councilmember Cotti made a motion to proceed with Staff**
338 **recommendations and Councilmember Straughan seconded the motion. The motion**
339 **passed unanimously by a vote of 7 ayes and 0 nays.**

340
341 **VII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING**
342 **MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

343
344 **1. Departmental Reports**

345 Charter Communications Report
346 Finance Report
347 Fire Department Monthly Report – December 2006
348 Police Department Holiday Crime Initiative - 2006
349 Police Department Monthly Activity Report.
350 Police Department Quarterly Crime Report
351 Building Inspections Department Monthly Report -- December 2006
352 RCCOA Quarterly Update

353 2. City Manager's Report
354

355 City Manager Julie Couch stated that there was a possibility that the sales tax figures
356 would be down and that the Council should expect recommendations for cutting
357 expenditures.
358

359 There being no further business to come before the Council in regular session, Mayor
360 Cecil adjourned the meeting into Executive Session at 9:30 p.m.
361

362 VIII. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF
363 TEXAS GOVERNMENT CODE TO DISCUSS:
364

- 365 1. Deliberation regarding the purchase, exchange, lease, or value of real
366 property.
367 2. Personnel Issues, including Board, Commission, and Committee
368 Appointments, and Related Matters.
369 3. Commercial or financial information regarding business prospects that the
370 City seeks to have locate, stay, or expand in or near the territory of the
371 City of Rockwall and with which the Board is conducting economic
372 development negotiations.
373 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
374 with attorney with regard to a matter that it is the duty of the attorney to
375 consult with the Council and falls under the attorney-client privilege.
376

377 IX. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION
378

379 Councilmember Scott made a motion to re-appoint Gene Burton as a voting member of
380 the Rockwall Economic Development Corporation Board of Directors and
381 Councilmember Straughan seconded the motion. The motion passed unanimously by a
382 vote of 7 ayes and 0 nays.
383

384 Councilmember Scott made a motion to re-appoint Dale Morgan as an Ex-Officio Director
385 of the Rockwall Economic Development Corporation Board of Directors and
386 Councilmember Cottl seconded the motion. The motion passed unanimously by a vote
387 of 7 ayes and 0 nays.
388

389 Councilmember Scott made a motion to appoint Kirt Kinser to replace Judy Harris and
390 Corky Randolph to replace Jim Choate as Ex-Officio Directors of the Rockwall Economic
391 Development Corporation Board of Directors and the motion was seconded by
392 Councilmember Sevier. The motion passed unanimously by a vote of 7 ayes and 0 nays.
393


394 Councilmember Scott made a motion naming Councilmembers McCallum, Sevier and
395 himself to the Sport Facility Subcommittee. Councilmember Sevier seconded the motion
396 and the motion passed unanimously by a vote of 7 ayes and 0 nays.
397

398 Councilmember Scott made a motion authorizing Staff to post the land at I-30 and Mims
399 Road for sale by auction and Councilmember Straughan seconded the motion. The
400 motion passed unanimously by a vote of 7 ayes and 0 nays.
401

402 There being no further business to come before the Council, Mayor Cecil adjourned the
403 meeting at 11:30 p.m.
404

405 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
406 this 19th day of February, 2007.
407
408

409
410 
411 William R. Cecil, Mayor

412 ATTEST:
413
414 
415 Dorothy Brooks, City Secretary
416



**Minutes
Rockwall City Council
February 12, 2007**

**6:00 p.m. Special Council Meeting and Work Session
City Hall, 385 S. Goliad, Rockwall, Texas 75087**

1. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

2. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

- a. Deliberation regarding the purchase, exchange, lease, or value of real property.
- b. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations
- c. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege

3. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive session.

4. Discuss options for 212 Agreement and proposed annexation of approximately 316.91 acres generally located north of SH 66, west of FM 549, and south of Cornelius Rd. and contiguous to the existing City Limits line and take any action necessary.

Pete Eckert discussed the draft of the 212 Agreement. Due to recent activity in the area, discussion ensued regarding moving forward with the annexation. Council directed Staff not to move forward with the 212 Agreements and to put the annexation on the next agenda for discussion.

5. Discuss next steps, action items and priorities from the Council retreat, including economic planning for the City and destination business program and take any action necessary.

It was determined that there is a need to schedule a work session to discuss action items and priorities coming out of the retreat and the need for economic planning for the City. After discussion, Council agreed to set the 5th Monday of each month as a work session. April 30, 2007, will be the first work session.

There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 9:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
this 22 day of April, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:
Dorothy Brooks
Dorothy Brooks, City Secretary



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Minutes
Rockwall City Council
Monday, February 19, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Seyler. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

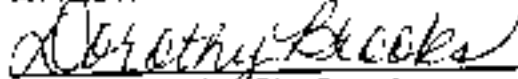
III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

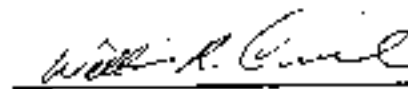
Councilmember Cotti made a motion to approve the settlement agreement with Caruth and Skorborg Company on the Caruth property and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Mayor Cecil adjourned the Pre-Council meeting at 4:45 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
this 19th day of March, 2007.

ATTEST:


Dorothy Brooks, City Secretary


William R. Cecil, Mayor



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AGENDA
ROCKWALL CITY COUNCIL

Monday, February 19, 2007
6:00 p.m. Regular Meeting

City Hall, 385 S. Goliad, Rockwall, Texas 75087

53
54

I. CALL TO ORDER

55 Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and
56 Councilmembers Bob Cottl, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt
57 Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney
58 Pete Eckert.

59
60
61

II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR BILL CECIL

62
63

III. PROCLAMATIONS / AWARDS

- 64 1. Shriners Hospitals for Children and IHOP -- IHOP's National Pancake Day

65
66 Roger Fuller, John Rodriguez, Betty Rodriguez, Heath Grub, and Dr. Bob Sparks
67 accepted the proclamation on behalf of IHOP and the Shriners.

68
69

IV. CONSENT AGENDA

- 70
71 1. Consider approval of the Minutes from the February 5, 2007 City Council
72 meeting and take any action necessary.
- 73 2. Consider approval of an Ordinance amending Chapter 5 of the Code of
74 Ordinances regarding animal adoption fees and take any action
75 necessary. [2nd Reading]
- 76 3. Consider approval of the award bid for Fox Chase Park Irrigation, Sod
77 and Hydromulch project and take any action necessary.
- 78 4. Consider approval of the Change Order for Townsend Drive Phase 1 for
79 the extension of the limits of the project and take any action necessary.
- 80 5. Consider approval of a variance to the construction hours for TXDOT and
81 their contractor for the SH-205 project and take any action necessary.
- 82 6. Consider approval of the abandonment of a portion of a utility easement
83 at 701 Justin Drive and take any action necessary.
- 84 7. Consider approval of a Resolution authorizing and directing the execution
85 of the North Texas Municipal Water District - City of Rockwall 2007
86 Sewage Treatment and Disposal Service Contract (Buffalo Creek Plant -
87 Turtle Cove project) and take any action necessary.
- 88 8. Consider approval of the award of the construction bid for the "A List"
89 Drainage Project and take any action necessary.

90 Mayor Cecil announced that Councilmembers Cottl and McCallum had requested that
91 Consent Agenda Items No. 4 and 5 be pulled. Councilmember Straughan made a motion

92 to approve the remaining items and Councilmember Scott seconded the motion. The
93 ordinance was read as follows:

94
95 **ORDINANCE NO. 07-07**

96
97 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
98 **AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS**
99 **PREVIOUSLY AMENDED, IN CHAPTER 5 ANIMALS; PROVIDING FOR A PENALTY OF**
100 **A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00);**
101 **PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

102
103 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

104
105 **Councilmember McCallum requested clarification on the funding for Consent Agenda**
106 **Item No. 4, which was approval of the Change Order for Townsend Drive Phase 1 for the**
107 **extension of the limits of the project. Councilmember McCallum then made a motion to**
108 **approve the item and Mayor Cecil seconded the motion. The motion passed**
109 **unanimously by a vote of 7 ayes and 0 nays.**

110
111 **With regard to Consent Agenda Item No. 5, which is approval of a variance to the**
112 **construction hours for TXDOT and their contractor for the SH-205 project,**
113 **Councilmember Cotti asked for clarification regarding access for the Catholic Church**
114 **during construction. Councilmember Cotti then made a motion to approve the request**
115 **and Councilmember McCallum seconded the motion. The motion passed unanimously**
116 **by a vote of 7 ayes and 0 nays.**

117
118 **V. APPOINTMENTS**

- 119
120 **1. Appointment with the Planning and Zoning Chairman to discuss and**
121 **answer any questions regarding cases on the agenda and related issues**
122 **and take any action necessary.**

123 **Greg Burgamy, Chairman of the Planning and Zoning Commission, discussed the**
124 **actions taken by the Commission on the planning and zoning items on tonight's agenda.**

- 125
126 **2. Appointment with Kathy Holcomb of Super Suppers and Diane Palermo**
127 **of Her Secret Garden regarding sign issues and take any action**
128 **necessary. [Tabled from 2-5-07 meeting]**

129 **Neither Holcomb Palermo appeared. Mayor Cecil made a motion to table the**
130 **appointment to the next meeting and Councilmember Cotti seconded the motion. The**
131 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 132
133 **3. Appointment with the Takeline Subcommittee to review and discuss**
134 **subcommittee recommendations and take any action necessary.**

135 **Councilmember Scott advised that the Takeline Subcommittee consisted of himself,**
136 **Mayor Cecil and Councilmember Cotti. Scott then discussed the changes they are**
137 **recommending. After discussion, Councilmember Scott made a motion to accept the**
138 **report and send the matter to Staff for presentation to the Planning and Zoning**
139 **Commission for action. Councilmember Straughan seconded the motion and the motion**
140 **passed unanimously by a vote of 7 ayes and 0 nays.**

141
142 **VI. PUBLIC HEARING ITEMS**

143
144 1. Z2007-001 -- Hold a public hearing and consider approval of an
145 Ordinance for a request by Preslon Engineering and Construction, Inc.,
146 for approval of a change in zoning from (Ag) Agricultural district to (C)
147 Commercial district on a 4.791-acre tract known as Tract 20, Abstract
148 145, J D McFarland Survey, and also being the location of the existing
149 TXDOT equipment yard at the northeast corner of Mims Rd and Ralph
150 Hall Parkway, and take any action necessary. [1st Reading]

151 **Robert LaCroix discussed the background of the request and advised that the Planning**
152 **and Zoning Commission had recommended approval. The applicant, Mike Lingman of**
153 **4308 Largetmont, Dallas, Texas, came forward and asked the Council for their approval.**
154 **Mayor Cecil opened the public hearing but no one came forward to address the Council,**
155 **so the public hearing was closed. Councilmember Straughan made a motion to approve**
156 **the request and Councilmember Scott seconded the motion. The ordinance was read as**
157 **follows:**

158
159 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
160 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
161 PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG)
162 AGRICULTURAL DISTRICT TO (C) COMMERCIAL ZONING DISTRICT FOR A 4.791-ACRE
163 TRACT OF LAND, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED
164 HERETO AND MADE A PART HEREOF; PROVIDING FOR A PENALTY OF FINE NOT TO
165 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
166 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
167 PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

168
169 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
170

171 2. Z2007-002 -- Hold a public hearing and consider approval of an
172 Ordinance for a request by Lewis Andrews and others, for approval of a
173 change in zoning from (SF-10) Single Family Residential district to (PD)
174 Planned Development district with underlying (RO) Residential Office
175 uses and requirements, for all properties located along the west side of
176 SH 205 (N. Goliad) north of Los Altos and south of Sonoma Drive,
177 including those properties within the Green Valley subdivision, and
178 specifically all those properties addressed as 1201 through 1401 N.
179 Goliad Street, and take any action necessary. [1st Reading]

180 **Robert LaCroix discussed the background of the request and advised that the Planning**
181 **and Zoning Commission had recommended approval with the condition that a group**
182 **home be a SUP. The applicant, Lewis Andrews of 1213 N. Goliad, Rockwall, Texas, came**
183 **forward and requested that the Council approve this request. Mayor Cecil opened the**
184 **public hearing and the following persons came forward to address the Council:**
185

186 **John Housewright**
187 **1324 Calistoga Drive**
188 **Rockwall, Texas 75087**

189 **Mr. Housewright stated that he was concerned about the property behind**
190 **him and what might be built. He believed it would always be residential. He**
191 **asked about the height of the buildings. Robert LaCroix stated that it**
192 **would be 36 ft – the same as Housewright's lot. Housewright is concerned**
193 **about the parking behind the houses and how it would affect property**

194 values. LaCroix advised that there is no indication that there would be a
195 change in property values.

196
197 **Marvin Dennis**
198 **1209 N. Goliad**
199 **Rockwall, Texas**

200 **Mr. Dennis stated that the tree line actually belongs to the people on**
201 **Calistoga.**

202
203 **There being no one further to address the Council, Mayor Cecil closed the public**
204 **hearing. Councilmember McCallum made a motion to approve with the removal of the**
205 **zero-lot line houses. Councilmember Straughan seconded the motion. The ordinance**
206 **was read as follows:**

207
208 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
209 **AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS**
210 **PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-10" SINGLE**
211 **FAMILY RESIDENTIAL TO "PD-69"; PLANNED DEVELOPMENT DISTRICT NO. 69 ON**
212 **A 5.9209-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9**
213 **GREENVALLEY ADDITION AND TRACTS 3, 10, 21, 22, 23, 24, 32, AND 33 OF THE J H**
214 **B JONES SURVEY, ABSTRACT NO. 124; INCLUDING PROPERTIES ADDRESSED AS**
215 **1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, AND 1401 N. GOLIAD STREET; MORE**
216 **SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART**
217 **HEREOF; PROVIDING FOR SPECIAL CONDITIONS; CORRECTING THE OFFICIAL**
218 **ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF**
219 **TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A**
220 **SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING**
221 **FOR AN EFFECTIVE DATE. (1st Reading)**

222
223 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

224
225 **3. Z2007-003 -- Hold a public hearing and consider approval of an**
226 **Ordinance for a request by Tim and Kelly Bray for approval of a zoning**
227 **change from (PD-61) Planned Development No. 61 district to Single-**
228 **Family (SF-10), being a 2.63-acre tract known as Lot AB, Block 87, B.F.**
229 **Boydston Addition, and located south of the Highwood Addition at the**
230 **termination of Valley Drive, and take any action necessary (1st Reading)**

231
232 **Robert LaCroix discussed the background of this item and stated that the Planning and**
233 **Zoning Commission had recommended approval. LaCroix advised that Dr. Bray was not**
234 **available tonight. City Attorney Eckert advised that we would need to continue the public**
235 **hearing to the next meeting. Mayor Cecil opened the public hearing. Councilmember**
236 **Cotti made a motion to continue the public hearing to our next meeting and**
237 **Councilmember Straughan seconded the motion. The motion passed unanimously by a**
238 **vote of 7 ayes and 0 nays.**

239
240 **VII. ACTION ITEMS**

241
242 **1. Discuss and consider a request from Pat Grady of Lakeside Chevrolet**
243 **regarding for an additional free-standing sign in accordance with the**
244 **provisions of a sign plan and take any action necessary.**

245 **Mr. Grady was not at the meeting. No action was taken by the Council.**

246 2. Discuss and consider a request from Bobby Nichols of Chandier Signs,
247 on behalf of Hampton Inn, regarding submittal of a sign plan for an
248 additional free-standing sign and four variances for the signage for this
249 property and take any action necessary.

250 **Mr. Nichols was not at the meeting. No action was taken by the Council.**

251
252 3. 2006 Racial Profiling Report and 2006 Crime Comparison Report from
253 Police Chief Mark Moeller

254 **Police Chief Mark Moeller gave his 2006 Racial Profiling Report and the 2006 Crime**
255 **Comparison Report.**

256
257 4. A2006-001 -- Discuss and consider approval of an ordinance for a City-
258 initiated request to annex land of approximately 316.91 acres generally
259 located north of SH 66, west of FM 549, and south of Cornelius Rd, and
260 contiguous to the existing City Limits line. [2nd Reading]

261 **Robert LaCroix discussed the background of this matter and showed pictures of**
262 **construction that had occurred since the 1st reading of the ordinance. The following**
263 **persons came forward to address the Council:**

264
265 **Dewayne Cain**
266 **305 Stonebridge**
267 **Rockwall, Texas**

268
269 **Robert MacTaggart, Attorney**
270 **2828 Routh Street, Suite 700**
271 **Dallas, Texas**

272
273 **Mr. Cain and Mr. MacTaggart talked about the benefits of a 212 agreement.**
274 **MacTaggart stated that Mr. Peoples did not violate the agreement not to**
275 **construct because the construction had been started before the last**
276 **meeting (February 5, 2006).**

277
278 **Councilmember Cotti made a motion to approve the ordinance on second reading and**
279 **Councilmember McCallum seconded the motion. After lengthy discussion, the ordinance**
280 **was read as follows:**

281
282 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING**
283 **FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL,**
284 **TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 316.91 ACRES**
285 **OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT**
286 **BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE**
287 **DATE.**

288
289 **The motion failed by a vote of 3 ayes [McCallum, Straughan and Cotti] and 4 nays [Scott,**
290 **Cecil, Nielsen and Sevier].**

291
292 **After discussion, Mayor Cecil made a motion instructing Staff to look at the 212**
293 **agreements and include in them that the agreement will bind the individuals to a**
294 **voluntary annexation at the end of the term of the agreement and that there will be no**
295 **development at all during the term of the agreement. There must also be 100%**

296 agreement among the property owners. Councilmember Nielsen seconded the motion.
297 The motion passed by a vote of 4 ayes [Scott, Cecil, Nielsen and Sevier] and 3 nays
298 [Cottl, Straughan and McCallum]. Pete Eckert advised that the ordinance must be placed
299 on the next agenda in case no agreement can be made as to the terms of the 212
300 agreement.

301
302 5. Discuss and consider the possibility of amending the sign ordinance to
303 require masonry standards for pole signs and take any action necessary.

304 Jeffery Widmer discussed the background of this item and gave a power point
305 presentation showing pictures of signs around town and area cities. After discussion,
306 Councilmember McCallum made a motion directing Staff to incorporate directory signs
307 as a part of the site review process and Councilmember Straughan seconded the motion.
308 The motion passed unanimously by a vote of 7 ayes and 0 nays.

309
310 6. Discuss and consider adopting the Harbor Event Guidelines and Fee
311 Schedule and take any action necessary.

312 Julie Couch discussed the background of this item and Andy Hesser of the Parks
313 Department filled in the specifics. After discussion, Councilmember Scott made a
314 motion to approve the request, with the change in the fees to \$100/\$200. Councilmember
315 McCallum seconded the motion and the motion passed unanimously by a vote of 7 ayes
316 and 0 nays.

317
318 There being no further business to come before the Council, Mayor Cecil adjourned the
319 meeting at 9:59 p.m.

320
321 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
322 this 5th day of March, 2007.

323
324
325
326 
327 William R. Cecil, Mayor

328 ATTEST:

329 
330 Dorothy Brooks, ARMC, City Secretary
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332



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Minutes
Rockwall City Council
Monday, March 05, 2007
2:00 p.m. Public Meeting with Restaurants;
Work Session and Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 2:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Tim McCallum, Matt Scott and Cliff Sevier. Councilmember Margo Nielsen was absent. Councilmember McCallum had to leave the meeting at 2:10 p.m. for a family matter involving his son. Councilmember Straughan joined the meeting at approximately 2:20 p.m. Also present was City Manager Julie Couch.

II. HOLD PUBLIC MEETING WITH AREA RESTAURANTS REGARDING
SMOKING REQUIREMENTS

[A quorum of the Council may or may not be present at this public meeting]

Jeffrey Widmer, Building Official, gave a power point presentation on the results of the Public Opinion Survey sent out with the water bills. Out of 10,500 Public Opinion Surveys mailed out, 1,796 surveys were returned and tabulated. Out of the 120 Rockwall Food Service Establishment Restaurant Owner/Manager Opinions sent out, 25 surveys were returned. 98% of the surveys returned which stated they felt the smoking ordinance should be changed, stated that it should be more restrictive.

The following restaurant owners/managers attended the meeting and spoke to the Council:

Paul Longinotti
105 Gonesta Placo
Rockwall, Texas
Oarhouse and Culpeppers

Greg Watson
Snuffers

Bob Wooden
Applebees

After a short discussion of some the issues raised by Longinotti, Watson and Wooden, Mayor Cecil closed the public meeting at 2:43 p.m. and immediately called the work session to order.

III. HOLD WORK SESSION TO DISCUSS:

1. Discuss smoking ordinance requirements.

40 Discussion ensued regarding whether to go ahead with a smoking ordinance and if so,
50 what should be included. Staff was directed to study or investigate enforcement options
51 and bring the information to the Council at the next meeting. Councilmember McCallum
52 rejoined the meeting at approximately 3:00 p.m.

53
54 **IV. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND**
55 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**


- 56 1. Deliberation regarding the purchase, exchange, lease, or value of real
57 property
- 58 2. Personnel Issues, including Board, Commission, and Committee
59 Appointments, and Related Matters
- 60 3. Commercial or financial information regarding business prospects that the
61 City seeks to have locate, stay, or expand in or near the territory of the
62 City of Rockwall and with which the Board is conducting economic
63 development negotiations.
- 64 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
65 with attorney with regard to a matter that it is the duty of the attorney to
66 consult with the Council and falls under the attorney-client privilege.

67 **V. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**
68

69 **Mayor Cecil made a motion to add language to the Amended and Restated Agreement to**
70 **Lease with IRI, that IRI comply with the provisions of 10.2 of the lease regarding**
71 **"competent management," which states: "competent management" shall mean**
72 **demonstrated ability in the management and operation of a golf course and related**
73 **activities in a first-class manner consistent with those standards adhered to at other golf**
74 **courses which provide access on a public and semi-public basis located in the Dallas/Ft.**
75 **Worth metroplex, and shall adhere to the standards set forth on Exhibit "E" attached**
76 **hereto. Councilmember Cotti seconded the motion. After lengthy discussion, Mayor**
77 **Cecil called for the vote. The motion failed by a vote of 5 nays [Cotti, Straughan,**
78 **McCallum, Scott and Sevier], 1 aye [Cecil] and 1 absent [Nielsen].**
79

80 There being no further business to come before the Council at this time, Mayor Cecil
81 adjourned the meeting at 4:45 p.m.

82
83 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
84 **TEXAS, this 19th day of March, 2007.**

85
86
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88
89 
90 **William R. Cecil, Mayor**

91 **ATTEST:**

92 
93 **Dorothy Brooks, TRMC, City Secretary**
94



Minutes
Rockwall City Council
Monday, March 05, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Gollad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Matt Scott and Cliff Sevier. Councilmember Margo Nielsen was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TIM MCGALLUM

III. PROCLAMATIONS / AWARDS

1. Theater Recognition Month

Mayor Cecil had Kyla Motley read the proclamation that was accepted by teacher Becky Thompson and students Isaac Niems, Aly Peterson and Kyla Motley.

Mayor Cecil then brought forward the Rockwall High School Lady Jackets Basketball Team and Coaches for a special proclamation for winning the State Championship and having a record-tying 40-0 season. Mayor Cecil and Mayor Pro Tem Matt Scott then handed out keys to the City for every team member and coach.

IV. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

Mr. Vivian Michael Craig
509 Bourn Avenue
Rockwall, Texas

There being no one further to address the Council, Mayor Cecil closed the open forum session.

V. CONSENT AGENDA

- 1. Consider approval of the Minutes of the February 19, 2007 City Council meeting and take any action necessary action**
- 2. Consider approval of the Minutes from the November 29, 2006, Joint Work Session with the Planning and Zoning Commission and take any action necessary.**
- 3. Z2007-001 -- Consider approval of an Ordinance for a request by Preston Engineering and Construction, Inc , for approval of a change in zoning**

- 143 from (Ag) Agricultural district to (C) Commercial district on a 4.791-acre
144 tract known as Tract 20, Abstract 145, J D McFarland Survey, and also
145 being the location of the existing TXDOT equipment yard at the northeast
146 corner of Mims Rd and Ralph Hall Parkway, and take any action
147 necessary. [2nd Reading]
- 148 4. Z2007-002 -- Consider approval of an Ordinance for a request by Lewis
149 Andrews and others, for approval of a change in zoning from (SF-10)
150 Single Family Residential district to (PD-69) Planned Development No. 69
151 district with underlying (RO) Residential Office uses and requirements, for
152 all properties located along the west side of SH 205 (N Goliad) north of
153 Los Altos and south of Sonoma Drive, including those properties within
154 the Green Valley subdivision, and specifically all those properties
155 addressed as 1201 through 1401 N. Goliad Street, and take any action
156 necessary. [2nd Reading]
- 157 5. P2007-006 -- Discuss and consider a request by Mathew Thomas of
158 Carter Burgess, Inc. for approval of a final plat of Toyota of Rockwall
159 Addition, being 11.2561-acres zoned (LI) Light Industrial district and
160 located along the south side of IH-30 east of SH 205 and west of
161 Townsend Drive, and take any action necessary.
- 162 6. Consider approval of the Shoreline Trail Change Order Number 1 in the
163 amount of \$57,988.26 and take any action necessary.
- 164 7. Consider approval of the Engineering Services Agreement with Birkhoff,
165 Hendricks & Conway for a portion of the Squabble Creek lift station,
166 forcemain and gravity line and take any action necessary.
- 167 8. Consider approval of the award the bid in the amount of \$35,200.00 for a
168 steel retaining wall along Lake Ray Hubbard to protect the existing
169 sanitary sewer line -- the retaining wall is required because the ground is
170 eroding towards the sewer line and take any action necessary.
- 171 9. Consider approval of a Resolution approving the assessment of a ten
172 cent per capita fee to fund the activities of the Steering Committee for
173 Cities Served by TXU and take any action necessary.
- 174 10. Consider approval of a Resolution approving the assessment of a ten
175 cent per capita fee to fund the activities of the Atmos Cities Steering
176 Committee and take any action necessary.

177 Councilmember Straughan requested that Consent Agenda Item #5 be pulled.
178 Councilmember McCallum requested that Consent Agenda Items #9 and 10 be pulled and
179 then made a motion to approve the remaining items. Councilmember Cotti seconded the
180 motion. The ordinances were read as follows:

181
182 **ORDINANCE NO. 07-08**

183
184 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
185 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
186 PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG)
187 AGRICULTURAL DISTRICT TO (C) COMMERCIAL ZONING DISTRICT FOR A 4.791-ACRE
188 TRACT OF LAND, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED
189 HERETO AND MADE A PART HEREOF; PROVIDING FOR A PENALTY OF FINE NOT TO
190 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;

191 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
192 PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

193
194 **ORDINANCE NO. 07-09**

195
196 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
197 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
198 PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-10" SINGLE
199 FAMILY RESIDENTIAL TO "PD-69"; PLANNED DEVELOPMENT DISTRICT NO. 69 ON A
200 6.9209-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9
201 GREENVALLEY ADDITION AND TRACTS 3, 10, 21, 22, 23, 24, 32, AND 33 OF THE J H B
202 JONES SURVEY, ABSTRACT NO. 124; INCLUDING PROPERTIES ADDRESSED AS 1201,
203 1203, 1205, 1207, 1209, 1211, 1213, 1215, AND 1401 N. GOLIAD STREET; MORE
204 SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART
205 HEREOF; PROVIDING FOR SPECIAL CONDITIONS; CORRECTING THE OFFICIAL
206 ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF
207 TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A
208 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING
209 FOR AN EFFECTIVE DATE. [2nd Reading]

210
211 **The motion passed by a vote of 6 ayes and 1 absent [Nielsen].**

212
213 **Mayor Cecil made a motion to approve Consent Agenda Item #5 and Councilmember**
214 **Cotti seconded the motion. The motion passed by a vote of 5 ayes, 1 abstain [Straughan]**
215 **and 1 absent [Nielsen].**

216
217 **Councilmember McCallum asked what the total amount would be to participate in the**
218 **Steering Committee for Cities Served by TXU and the Atmos Cities Steering Committee.**
219 **City Manager Couch advised that it would be approximately \$6,000. Councilmember**
220 **McCallum then made a motion to approve Consent Agenda Items #9 and #10 and Mayor**
221 **Cecil seconded the motion. The motion passed by a vote of 6 ayes and 1 absent**
222 **[Nielsen].**

223
224 **VI. APPOINTMENTS**

- 225
226 1. Appointment with Planning and Zoning Chairman to discuss and answer
227 any questions regarding cases on the agenda and related issues and
228 take any necessary action.

229 **Chairman Greg Burgamy discussed the planning and zoning items on tonight's agenda**
230 **and reminded the Council that there would be three people terming out this year –**
231 **Burgamy, Lucas and Jackson.**

- 232
233 2. Appointment with Kathy Holcomb of Super Suppers and Diane Palermo
234 of Her Secret Garden regarding sign issues and take any action
235 necessary.

236 **Jim Palermo of Her Secret Garden came forward and requested help with signage for Her**
237 **Secret Garden and Super Suppers during the 205 construction. After a short discussion,**
238 **Councilmember Scott made a motion instructing Staff to review the ordinance with**
239 **regard to sidewalk signs city-wide and to allow Her Secret Garden and Super Suppers to**
240 **have sidewalk signs until this issue could be resolved. Councilmember McCallum asked**
241 **Scott to amend his motion to include that Staff should research and give their**
242 **recommendation for the best way to protect the small businesses regarding signage**

243 during the 205 construction. Scott agreed to so amend his motion and McCallum
244 seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Nielsen].
245

246 VII. PUBLIC HEARING ITEMS

247
248 1. Z2007-003 -- Hold a public hearing and consider approval of an
249 ordinance for a request by Tim and Kelly Bray for approval of a zoning
250 change from (PD-61) Planned Development No. 61 district to Single-
251 Family (SF-10), being a 2.63-acre tract known as Lot AB, Block 87, B.F.
252 Boydston Addition, and located south of the Highwood Addition at the
253 termination of Valley Drive, and take any action necessary. [1st Reading]
254 [The public hearing was continued at the 2-19-07 meeting]

255 Mayor Cecil advised the audience that this was a continuation of the public hearing from
256 the last meeting. Robert LaCroix, Planning Director, discussed the background of the
257 request. It appearing that the applicant was not in attendance at this meeting,
258 Councilmember Cotti made a motion to continue the public hearing to the next meeting
259 and Mayor Cecil seconded the motion. The motion failed by a vote of 3 ayes [Cotti, Cecil
260 and Straughan] and 3 nays [McCallum, Scott and Sevier] and 1 absent [Nielsen]. City
261 Attorney Eckert made the recommendation that this matter be delayed until the end of
262 the meeting and have Staff try to contact the applicant to see if he could come to the
263 meeting.
264

265 This item was brought back up for discussion after Action Item #3. At that time, Dr. Tim
266 Bray, 501 Los Lomas, Heath, Texas, applicant, appeared before the Council and asked for
267 approval of his request. Councilmember Scott made a motion to approve the ordinance
268 and Councilmember Straughan seconded the request. The ordinance was read as
269 follows:
270

271 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
272 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
273 PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (PD-61)
274 PLANNED DEVELOPMENT DISTRICT NO. 61 TO (SF-10) SINGLE FAMILY RESIDENTIAL
275 DISTRICT FOR A 2.63-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN
276 EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR
277 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
278 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING
279 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
280 FOR AN EFFECTIVE DATE. [1st Reading]
281

282 The motion passed by a vote of 6 ayes and 1 absent [Nielsen].
283

284 VIII. ACTION ITEMS

285
286 1. Discuss and consider a request by Pat Grady of Lakeside Chevrolet to
287 present a sign plan to determine the allowable number of free-standing
288 on his business property at 2005 S. Goliad and take any action
289 necessary.

290 Jeffrey Widmer discussed the background of this request. Pat Grady, 1 Grady Lane,
291 Rockwall County, came forward and discussed his plans and asked for the Council's
292 approval. Councilmember Cotti made a motion to approve the request and
293 Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes
294 and 1 absent [Nielsen].

- 295
296
297
298
2. Discuss and consider the request by Bobby Nichols of Chandler Signs for a series of variances for the Hampton Inn signage, located at 1529 Laguna Drive and take any action necessary.

299 **Jeffrey Widmer discussed the variances being requested. After discussion,**
300 **Councilmember Cottl made a motion to approve the following variances: #1 the top of the**
301 **sign cannot exceed the height of the Carraba's pole sign; #2 approval of a monument**
302 **sign but it must meet all restrictions set forth in the sign ordinance; and #5 the height of**
303 **the words Hampton Inn at a total height of 7'3/4". Councilmember McCallum seconded**
304 **the motion and the motion passed by a vote of 6 ayes and 1 absent [Nielsen].**

- 305
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310
3. A2006-001 -- Discuss and consider the 212 Agreements and consider approval of an ordinance for a City-initiated request to annex land of approximately 316.91 acres generally located north of SH-66, west of FM-549, and south of Cornelius Road, and contiguous to the existing city limits line and take any action necessary. [2nd Reading]

311 **Robert LaCroix discussed the actions that had been taken with regard to the 212**
312 **agreements. LaCroix stated that the property owners did not want to agree to the all or**
313 **none provision. Dewayne Cain came forward and addressed the Council regarding the**
314 **212 agreement. After discussion, Councilmember Cottl made a motion to approve the**
315 **annexation ordinance on second reading and Councilmember Straughan seconded the**
316 **motion. The ordinance was read as follows:**

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324

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 316.91 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

325 **The motion failed by a vote of 3 ayes [McCallum, Straughan and Cottl] and 3 nays [Scott,**
326 **Cecil and Sevier] and 1 absent [Nielsen].**

327
328 **After the vote, Councilmembers Scott and Sevier and Mayor Cecil all advised that the 212**
329 **agreement must be an all or none agreement. Councilmember McCallum made a motion**
330 **to table the matter to the next meeting and Councilmember Scott seconded the motion.**
331 **The motion passed by a vote of 6 ayes and 1 absent [Nielsen]. After the vote it was**
332 **reiterated that the 212 must be signed by all property owners by the next meeting.**

- 333
334
335
4. Discuss and consider supplemental hotel/motel tax funding for Breakfast Rotary Club - Dallas Race Week event and take any action necessary.

336 **Mary Smith discussed the background of the request and stated that the Hotel/Motel**
337 **Subcommittee had recommended approval of an additional \$10,500 for this event.**
338 **Councilmember McCallum made a motion to approve the supplemental funding and**
339 **Councilmember Scott seconded the motion. The motion passed by a vote of 6 ayes and**
340 **1 absent [Nielsen].**

- 341
342
343
5. Discuss and consider amending the Tree Preservation Ordinance to include more required preservation and take any action necessary.

344 Councilmember Scott stated he brought this forward for discussion after seeing the clear
345 cutting of the trees at the Crossing development. Scott stated that he feels we need to
346 focus more on preservation of trees rather than mitigation. After discussion,
347 Councilmember Scott made a motion that a subcommittee consisting of
348 Councilmembers McCallum, Cotti and himself, along with Ross Ramsay, Robert LaCroix
349 and a couple of citizens review the tree ordinance and bring back their recommendations
350 to the Council. Councilmember Straughan seconded the motion and the motion passed
351 by a vote of 6 ayes and 1 absent [Nielsen].
352

- 353 6. Discuss and consider the possibility of funding a Main Street Program as
354 part of the Downtown revitalization during budget hearings in May and
355 take any action necessary.

356 Mayor Cecil made a motion directing Staff to look at the cost of funding a Main Street
357 Program prior to the budget hearings in May. Councilmember Cotti seconded the motion
358 and the motion passed by a vote of 6 ayes and 1 absent [Nielsen].
359

- 360 7. Discuss the signs that are being placed around the city that look trashy
361 and not maintained properly and take any action necessary.

362 Mayor Cecil advised that he brought this matter forward and stated that the signs looked
363 worse than usual due to the high winds. After discussion, Mayor Cecil made a motion
364 that Staff research the cost to replace temporary signs with an electronic marquee and
365 determine the location of such marquee; the sign would be purchased using hotel/motel
366 funds. Councilmember Scott seconded the motion and the motion passed by a vote of 6
367 ayes and 1 absent [Nielsen]. The timeframe for this project will be 8 weeks.
368

369 **IX. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
370 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
371

- 372 1. Departmental Reports
373 Fire Department Monthly Report
374 Finance monthly report
375 Building Department Monthly Report
- 376 2. City Manager's Report
377

378 Julie Couch advised the Council that new home starts continued to be significantly lower
379 than prior years with a projection of 250 new homes versus past years where we had
380 1000 starts. Couch stated that a work session would start at 3:00 p.m. on March 19, 2007,
381 to discuss the budget. Mayor Cecil stated he would like a list of priorities at that time.
382 Couch stated that there would be a grand opening for Shores Park on March 17, 2007 at
383 2:00 p.m.
384

385 Councilmember Cotti recognized the work on John Fitzwater of the COP hauling and
386 setting up the Skywatch tower. Councilmember McCallum asked Chief Moeller how soon
387 we would need another Skywatch unit given the growth of the retail area. Moeller
388 advised that we would need another unit in about a year to a year and a half.
389

390 Joey Boyd gave a status update on the Com system and stated that everything is
391 running smoothly. Boyd also advised that the airport would be closed for a few days for
392 the overlaying of the runway with asphalt.

393
394 Mayor Cecll requested that City Secretary Dorothy Brooks contact the Election
395 Administrator regarding their temporary signs.

396
397 There being no further business to come before the Council, Mayor Cecil adjourned the
398 meeting at 9:30 p.m.

399
400 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
401 TEXAS, this 19th day of March, 2007.

402
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406 William R. Cecll, Mayor

407 ATTEST:
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409 Dorothy Brooks, TRMC, City Secretary
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Minutes
Rockwall City Council
Monday, March 19, 2007
2:30 p.m. Work Session and Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

8 **I. CALL TO ORDER**

9
10 Mayor Cecil called the meeting to order at 2:30 p.m. Present were Mayor Bill Cecil and
11 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt
12 Scott and Cliff Sevier. Also present was City Manager Julie Couch. City Attorney Pate
13 Eckert joined the meeting at 4:30 p.m.

15 **II. HOLD WORK SESSION TO DISCUSS:**

16 1. Budget Status

17 Julie Couch discussed the background of the budget and the current shortfalls the City
18 is experiencing. Couch noted that we currently have a hiring freeze and presented the
19 recommendations for cutting items from the budget to cover the shortfall. There will be
20 no mid-year salary adjustments. We will be doing a benchmark study this year to be sure
21 we are on par with our comparison cities.

22
23 2. Retreat and initiatives priority setting

24 Discussion ensued regarding priorities of various matters. Couch will bring back the list
25 at the next work session.

26
27 3. Discuss possible dates for joint work session with RISD Board and take
28 any action necessary.

29 No action was taken on this item.

30
31 There being no further business to come before the Council, Mayor Cecil adjourned the
32 meeting in to Executive Session at 4:30 p.m.

33
34 **III. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND**
35 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

36 1. Deliberation regarding the purchase, exchange, lease, or value of real
37 property.

38 2. Personnel Issues, including Board, Commission, and Committee
39 Appointments, and Related Matters.

40 3. Commercial or financial information regarding business prospects that the
41 City seeks to have locate, stay, or expand in or near the territory of the
42 City of Rockwall and with which the Board is conducting economic
43 development negotiations.

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4. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

IV. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Scott made a motion authorizing the City Manager to make an offer to the Rockwall Independent School District for the purchase of the Springer property and Councilmember Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

There being no further business to come before the Council, Mayor Cecil adjourned the meeting 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 27th day of April, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:
Dorothy Brooks
Dorothy Brooks, TRMC, City Secretary



Minutes
Rockwall City Council
Monday, March 19, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Colti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER STEPHEN STRAUGHAN**

III. **PROCLAMATIONS / AWARDS**

1. **Poison Prevention Week**

Assistant Police Chief Kirk Riggs received the proclamation.

IV. **CONSENT AGENDA**

1. Consider approval of the Minutes from the March 5, 2007 meeting and take any action necessary
2. Z2007-003 -- Consider approval of an Ordinance for a request by Tim and Kelly Bray for approval of a zoning change from (PD-61) Planned Development No. 61 district to Single-Family (SF-10), being a 2.63-acre tract known as Lot AB, Block 87, B.F. Boydston Addition, and located south of the Highwood Addition at the termination of Valley Drive, and take any action necessary. (2nd Reading)
3. Consider authorizing the City Manager to enter into a Franchise Agreement with SWS LLC for Sailing Tours from the Harbor and take any action necessary
4. Consider approval of the award of the engineering design contract for the Squabble Creek Force Main - 205 By-pass Section and take any action necessary
5. Consider approval of the North Lakeshore Drive emergency water line repair and take any action necessary.
6. Consider approval of an Ordinance setting forth the rules/guidelines for The Harbor Public Area and take any action necessary. (1st Reading)
7. Consider approval of the bid award for Grounds Maintenance Services and take any action necessary.
8. Consider approval of the bid award for Contract Mowing Services and take any action necessary.

- 116 9. P2007-004 -- Discuss and consider a request by Troy Bathman of S-SI
117 Rockwall Venture No. One, LP, and Carrollton Venture No. One, LP, for
118 approval of a preliminary plat of Rockwall Centre Corners Addition, being
119 34.40-acres zoned (C) Commercial district and situated along the south
120 side of IH-30, east side of SH 205 and north side of SH 276, and take any
121 action necessary.
- 122 10. P2007-005 -- Discuss and consider a request by Isaac Pena for approval
123 of a final plat of the Isaac Pena Addition, being 1.01-acres zoned (PD-50)
124 Planned Development No. 50 district and located at 925 N. Goliad, and
125 take any action necessary.
- 126 11. P2007-007 -- Discuss and consider a request by Misty Phillips for
127 approval of a final plat for Lot 1, Block A, Misty Addition, being a 0.141-
128 acre tract zoned (PD-50) Planned Development No. 50 district and
129 designated for (RO) Residential-Office uses, located at 909 N. Goliad and
130 currently described as Block 27, Garner Addition, and take any action
131 necessary.
- 132 12. P2007-008 -- Discuss and consider a request by He-mberger Associates,
133 Inc., for approval of a replat of Lot 1, Block A, Municipal Industrial Park
134 Addition, being 2.92-acres zoned (LI) Light Industrial district and situated
135 at the northeast corner of Townsend Dr and Whitmore Cir. and take any
136 action necessary.

137 Councilmember Cotti requested that Consent Agenda Items # 3, 5, 9 and 10 be pulled.
138 Councilmember McCallum requested that Consent Agenda Item #1 be pulled.
139 Councilmember Straughan made a motion to approve the remaining items.
140 Councilmember Scott seconded the motion and the ordinances were read as follows:

141
142 ORDINANCE NO. 07-10

143
144 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
145 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS
146 PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (PD-
147 61) PLANNED DEVELOPMENT DISTRICT NO. 61 TO (SF-10) SINGLE FAMILY
148 RESIDENTIAL DISTRICT FOR A 2.63-ACRE TRACT OF LAND MORE
149 SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A
150 PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
151 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
152 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
153 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
154 [2nd Reading]

155
156 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
157 AMENDING THE CODE OF ORDINANCES IN CHAPTER 19 PARKS AND RECREATION
158 BY THE ADDITION OF ARTICLE IV PROVIDING RULES FOR THE HARBOR PUBLIC
159 AREA; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED
160 DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN
161 EFFECTIVE DATE. [1st Reading]

162
163 The motion passed unanimously by a vote of 7 ayes and 0 nays.

164
165 Councilmember McCallum requested that the following language be added to the
166 Minutes for March 5, 2007: Line 12 add: "Councilmember McCallum had to leave the
167 meeting at 2:10 p.m. for a family matter involving his son." Line 76: "After lengthy

168 discussion, Mayor Cecil called for the vote." McCallum then made a motion to approve
169 the minutes with these changes and Councilmember Straughan seconded the motion.
170 The motion passed by a vote of 6 ayes and 1 abstain [Nielsen].

171
172 With regard to Consent Agenda Item #3, Councilmember Cotti requested that the
173 agreement be amended in Section 5 to provide that should the Service Provider cease
174 operations or that the agreement be terminated at any time, the Service Provider would
175 restore the decks to their original condition within 30 days. Cotti made a motion to
176 approve the agreement with the changes requested and Councilmember Straughan
177 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

178
179 Councilmember Cotti stated that he had received the revised memo from Chuck Todd
180 with regard to Consent Agenda Item #5 and then made a motion to approve the request.
181 Councilmember Straughan seconded the motion and the motion passed unanimously by
182 a vote of 7 ayes and 0 nays.

183
184 With regarding to Consent Agenda Item #9, Councilmember Cotti requested clarification
185 on the drainage. Robert LaCroix, Planning Director, discussed the background of the
186 request and the applicant came forward and discussed the drainage issues.
187 Councilmember Cotti then made a motion to approve P2007-004 and Councilmember
188 Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 nay
189 [Scott].

190
191 With regard to Consent Agenda Item #10, Councilmember Cotti requested clarification on
192 landmarking of the property. Robert LaCroix advised that the entire property is
193 landmarked and the Historic Preservation Advisory Board had been notified. Cotti then
194 made a motion to approve the request and Councilmember Straughan seconded the
195 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

196
197 **V. APPOINTMENTS**

- 198
199 1. Appointment with the Planning and Zoning Chairman to discuss and
200 answer any questions regarding cases on the agenda and related issues
201 and take any action necessary.

202 **Greg Burgamy advised that all of the zoning issues on tonight's agenda had been**
203 **approved by the Commission. Burgamy advised that he would be stepping down from**
204 **the Planning and Zoning Commission in a couple of weeks because he is moving to**
205 **Heath.**

- 206
207 2. Appointment with Jeff Weyandt of Fox, Byrd & Company to present the
208 City's Comprehensive Annual Financial Report and take any action
209 necessary

210 **Jeff Weyandt discussed the audit. Councilmember McCallum made a motion to accept**
211 **the audit and Councilmember Sevier seconded the motion. The motion passed**
212 **unanimously by a vote of 7 ayes and 0 nays.**

- 213
214 3. Appointment with Tim Wilcoxson regarding RV and boat storage and take
215 any action necessary

216 Jeffrey Widmer discussed the background of this appointment. Mr. Wilcoxson came
217 forward and requested the Council approve some sort of variance regarding the
218 screening of his boat and showed pictures of his property to the Council. After
219 discussion, Councilmember Cotti made a motion to put this matter in abeyance until the
220 Council could do its due diligence. Councilmember Straughan seconded the motion and
221 the motion passed unanimously by a vote of 7 ayes and 0 nays.

222
223 VI. PUBLIC HEARING ITEMS

- 224
225 1. Z2007-005 -- Hold a public hearing and consider approval of an
226 Ordinance for a request by Ashley Byrd of Ice Train for approval of a
227 Specific Use Permit (SUP) to allow for a temporary portable beverage
228 service facility within the (C) Commercial zoning district on a 0.25-acre
229 tract located at 907 S. Goliad, and take any action necessary.
230 [1st Reading]

231 Robert LaCroix discussed the background of this request. LaCroix recommended that
232 this business be allowed to operate from May 1 to September 30 of each year until the
233 building owned by Mr. Peoples had to be moved due to 205 construction. Staff would be
234 responsible for issuing the necessary building and health permits. Ms. Ashley Byrd
235 came forward and requested approval of this matter. Mayor Cecil opened the public
236 hearing but no one came forward to address the Council, so the public hearing was
237 closed. Councilmember Straughan made a motion to approve the Ordinance and
238 Councilmember McCallum seconded the motion. The ordinance was read as follows:

239 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
240 AMENDING THE UNIFIED DEVELOPMENT CODE, AS PREVIOUSLY AMENDED, SO
241 AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY PORTABLE
242 BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS LOTS 4 AND
243 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR SPECIAL
244 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM
245 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING
246 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
247 PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

248
249
250 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 251
252 2. Z2007-006 -- a. Hold a public hearing and consider approval of an
253 Ordinance a request by Richard Skorburg of Skorburg Retail Corporation
254 for a change in zoning from (Ag) Agricultural district to (PD) Planned
255 Development district on approximately 396-acres comprised of Tracts 1
256 and 2, Abstract 71, W. C. DeWeese Survey, and Tracts 2, 3 and 4,
257 Abstract 131, S. King Survey, located along the east side of SH 205,
258 south side of FM 552, west side of Hayes Rd and north side of Quail Run
259 Rd, and take any action necessary. [1st Reading]

260 Robert LaCroix discussed the background of this request. This is a master plan
261 community and was approved by the Planning and Zoning Commission by 4-0 vote. The
262 applicant has also submitted a Development Agreement for 400 acres in the City's ETJ.
263 The density for the development inside the City is 2.5 units per acre and 2.0 acres in the
264 ETJ. Dick Skorburg, 3838 Oaklawn, Suite 1212, Dallas, Texas, came forward and
265 addressed the Council. Skorburg stated that Staff had done a great job and then showed
266 a power point of the features that will be in the "Stone Creek" development. Mayor Cecil

267 opened the public hearing and the following persons came forward to address the
268 Council on this matter:

269
270 John Wallace
271 2112 Twin Creek Lane
272 Rockwall, Texas

273 Mr. Wallace stated he was concerned about the traffic. We need the
274 infrastructure constructed first.

275
276 Larry Vines
277 751 Sunset Hill
278 Rockwall, Texas

279 Mr. Vines stated he was concerned about the traffic on Lakeshore and
280 SH205.

281
282 There being no one else to address the Council, Mayor Cecil closed the public hearing.
283 Mr. Skorburg addressed the traffic issues and gave a timeline of the construction.
284 Skorburg stated he believes that the 205 Bypass will help alleviate many of the traffic
285 concerns.

286
287 Councilmember Scott discussed in depth the process that has resulted in the proposed
288 development. Scott stated that this proposal merits consideration on its own and that
289 this is a good proposal. The Council is concerned about doing what is best for the
290 community. Scott then made a motion to approve the ordinance and Councilmember
291 Cotti seconded the motion. The ordinance was read as follows:

292 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
293 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
294 ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM (AG)
295 AGRICULTURAL DISTRICT TO (PD-___) PLANNED DEVELOPMENT NO. _____ DISTRICT
296 ON A 395.075-ACRE TRACT OF LAND SITUATED IN THE W.T. DEWEESE SURVEY,
297 ABSTRACT NO. 71 AND THE S. KING SURVEY, AND BEING ALL OF A CALLED 392.938-
298 ACRE TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. BY DEED RECORDED IN
299 VOLUME 64, PAGE 22, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND
300 ALSO BEING ALL OF A CALLED 2.25-ACRE TRACT CONVEYED TO SODEN H. HARRIS
301 AND WIFE, ADRINE V. HARRIS, BY DEED RECORDED IN VOLUME 50, PAGE 375
302 (D.R.R.C.T.) AND MORE FULLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR
303 SPECIAL CONDITIONS, PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE
304 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR
305 A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
306 AN EFFECTIVE DATE. [1st Reading]

307
308
309 The motion passed unanimously by a vote of 7 ayes and 0 nays.

310
311 3. Z2007-006 -- b. *This is not a Public Hearing* Discuss and consider
312 approval of a Capital Facilities Agreement proposed by Richard Skorburg
313 with the Skorburg Company incorporating a facilities plan making
314 provision for public facilities and services for approximately 395 acres
315 comprised of Tracts 1 and 2, Abstract 71, W.T. DeWeese Survey, and
316 Tracts 2, 3 and 4, Abstract 131, S. King Survey, located along the east
317 side of SH 205, south side of FM 552, west side of Hayes Rd and north
318 side of Quail Run Rd, and take any action necessary.

319 Robert LaCroix discussed the background of this item. Councilmember Scott made a
320 motion to approve the agreement and Councilmember Cotti seconded the motion. The
321 motion passed unanimously by a vote of 7 ayes and 0 nays.

322
323 4. Z2007-006 -- c. *This is not a Public Hearing* Discuss and consider
324 approval of a Development Agreement proposed by Richard Skorburg
325 with the Skorburg Company incorporating a development plan, specifying
326 development regulations and making provision for public facilities and
327 services for approximately 405 acres of land lying and being situated in
328 parts of the J. Strickland Survey, Abstract Number 187, T.R. Bailey
329 Survey, Abstract Number 30 and the J. Simmons Survey, Abstract
330 Number 190 of Rockwall County, Texas, located within the City's
331 extraterritorial jurisdiction. The area is generally located north of FM 552
332 and east of SH 205. Take any action necessary.

333 Robert LaCroix discussed the background of this item. Councilmember Scott made a
334 motion to approve the agreement and Councilmember Straughan seconded the motion.
335 The motion passed unanimously by a vote of 7 ayes and 0 nays.

336
337 5. Z2007-007 -- Hold a public hearing and consider approval of an
338 Ordinance for a city-initiated request to amend the Unified Development
339 Code (Ord. 04-38) of the City of Rockwall, specifically Article V, Section
340 6.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, and take any
341 action necessary. [1st Reading]

342 Robert LaCroix discussed the background of this item and stated the amendments to the
343 ordinance were recommended by the Council subcommittee. Once the Council approves
344 the amendments they will be sent to Dallas for approval. The Planning and Zoning
345 Commission recommended approval by a vote of 3-1 and Staff recommends approval.
346 Mayor Cecil opened the public hearing and the following persons came forward to
347 address the Council:

348
349 Jack Nance
350 955 Lexington
351 Rockwall, Texas
352 Mr. Nance stated he is upset with everyone. He was told that the City
353 would get back in contact with him, but no one did. He wants more time
354 to work out the issues.

355
356 Tricia and Lance Westman
357 959 Lexington
358 Rockwall, Texas
359 Ms. Westman stated they leased the Takeline in order to build a play area
360 for their son who is disabled. Mr. Westman stated that he took offense at
361 the Planning and Zoning meeting when Mr. Farris stated that he had a
362 problem with "people doing whatever they want to do." He feels that Mr.
363 Farris questioned his integrity.

364
365 Paul Freese
366 943 Lexington
367 Rockwall, Texas

368 Mr. Freese stated that he was not notified. (Councilmember Scott
369 apologized for the oversight). Freese asked for an SUP or for variances for
370 the areas with small back yards, specifically the Turtle Cove area where he
371 lives. Mr. Freese wants both a play yard and the fence (which he has
372 already constructed).

373
374 Les Chapman
375 733 Sunset
376 Rockwall, Texas

377 Mr. Chapman stated the Council should approve the boat houses and
378 should see which properties should be grandfathered.

379
380 There being no one else to address the Council, Mayor Cecil closed the public hearing.
381 After discussion, Councilmember Scott made a motion to approve the ordinance as
382 written with the exception that the language regarding fences remain in the ordinance.
383 Councilmember McCallum seconded the motion. Councilmember Scott advised the
384 citizens that they need to be sure to pull a permit before they building anything.
385 Councilmember Cotti advised Mr. Freese that the action tonight leaves his property in
386 non-compliance. The ordinance was read as follows:

387
388 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
389 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
390 ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.15
391 LAKE RAY HUBBARD TAKELINE OVERLAY (TLOV) DISTRICT; PROVIDING FOR A
392 PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
393 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
394 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1st
395 Reading]

396
397 The motion passed by a vote of 6 ayes and 1 nay [Straughan]. Staff will bring back a
398 proposal for variance procedures for Council discussion at the next meeting.

400 VII. ACTION ITEMS

401
402 Mayor Cecil advised that the Council would consider Action Item #5 at this time.

- 403
404 5. A2006-001 -- Discuss and consider approval of a 212 Development
405 Agreement and consider approval of an ordinance for a City-initiated
406 request to annex land of approximately 316.91 acres generally located
407 north of SH 66, west of FM 549, and south of Cornelius Rd. and
408 contiguous to the existing City Limits line. [2nd Reading]

409 Robert LaCroix advised that the City had received the fully executed 212 Development
410 Agreement. Councilmember Cotti asked Debbie Hammond (who came forward on behalf
411 of the property owners) if the signatures consisted of 100% of the property owners.
412 Ms. Hammond advised that it did. Mr. Cotti stated that the 212 Development Agreement
413 does not offer any benefit to the City except as to what will be built. The agreement
414 benefits the 50 property owners in the area, not the 30,000 people the Council represents.
415 Cotti then made a motion to approve the annexation ordinance on second reading.
416 Councilmember Straughan seconded the motion and the ordinance was read as follows:

417 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING
418 FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL,
419 TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 318.91 ACRES
420 OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT
421 BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR AN EFFECTIVE
422 DATE.
423

424
425 **The motion failed by a vote of 3 ayes [McCallum, Straughan and Cotti] and 4 nays [Scott,**
426 **Cecil, Nielsen and Sevier].**

427
428 **Councilmember Nielsen then made a motion approving the 212 Development Agreement**
429 **and Councilmember Scott seconded the motion. The motion passed by a vote of 4 ayes**
430 **[Cecil, Scott, Nielsen and Sevier] and 3 nays [Cotti, Straughan and McCallum].**

- 431
432 1. Discuss and consider smoking ordinance requirements and take any
433 action necessary.

434 **Jeffrey Widmer discussed the background of this matter and stated that Staff is seeking**
435 **clear direction from the Council on what they want to see in an ordinance. After lengthy**
436 **discussion, Councilmember Straughan made a motion directing Staff to bring back an**
437 **ordinance providing for a total interior ban on smoking, including the bar area, providing**
438 **that the business and the violator are responsible and providing that the court will set**
439 **the fine. Councilmember Cotti seconded the motion. Councilmember Scott made a**
440 **motion to amend the motion to allow for private parties. That motion died for lack of a**
441 **second. The original motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 442
443 2. Discuss and consider award of the construction contract for the Fannin
444 Street Re-bid and take any action necessary.

445 **Chuck Todd discussed the background of this item. Councilmember Straughan made a**
446 **motion approving the contract and Councilmember Cotti seconded the motion. The**
447 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 448
449 3. Consider approval of a proposal by Duncan, Sefko and Associates, Inc. to
450 prepare land use assumptions for the capital improvements plan for
451 water, wastewater and roadway impact fees and related assistance as
452 per Chapter 395 of the Texas Local Government Code, and take any
453 action necessary.

454 **Robert LaCroix discussed the background of this matter. Councilmember Cotti made a**
455 **motion to approve the proposal and Councilmember Sevier seconded the motion. The**
456 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 457
458 4. Consider approval of a proposal by Kelly and Associates, Inc. to prepare
459 an impact fee system as per Chapter 395 of the Texas Local Government
460 Code and take any action necessary.

461 **Robert LaCroix discussed the background of this item which would be for the impact**
462 **fees for the 205 Bypass. Councilmember Straughan made a motion to approve the**
463 **proposal and Councilmember Cotti seconded the motion. The motion passed**
464 **unanimously by a vote of 7 ayes and 0 nays.**

- 465
466
467
6. Hear Sub-Committee report regarding Lake Rockwall Estates Planning Program and take any action necessary

468 **Assistant City Manager Rick Crowley discussed the program. Lake Rockwall Estates will**
469 **be annexed in February 2009. After discussion, Councilmember Straughan made a**
470 **motion to accept the report and Mayor Cecil seconded the motion. The motion passed**
471 **unanimously by a vote of 7 ayes and 0 nays.**

- 472
473
474
7. Discuss status on development at The Harbor and take any action necessary.

475 **Councilmember Cotti stated that he requested this item be placed on tonight's agenda.**
476 **Julie Couch advised that Phase 1 of the project had all but approximately 15,000 square**
477 **feet leased. Whittle is currently in the planning stage of Phase 2 and they are adding**
478 **more parking now. The City's parking and road will be complete in April. It is her**
479 **understanding that Whittle is planning on even more parking in the area above the hotel.**
480 **The Concert by the Lake series will start on April 30th. A plaque will be placed at the light**
481 **house, which will be installed in late April. Cotti requested that Ms. Couch advise Rob**
482 **Whittle that we have received a lot of negative comments about the parking area.**

- 483
484
485
8. Discuss status of City efforts to provide water and/or sewer services to annexed areas and take any action necessary.

486 **Councilmember Scott placed this item on the agenda to bring attention to the areas that**
487 **have been annexed into the City but yet have no city-provided water or sewer services.**
488 **He asked the status of this and requested descriptive data and maps of those areas.**
489 **Julie Couch advised that it will take Staff quite a while to gather all the information for**
490 **this request and that it should be ready for discussion at the work session planned for**
491 **the end of April.**

- 492
493
494
9. Discuss status of actions with the Shores Golf Course and take any action necessary.

495 **Councilmember McCallum stated that he brought this forward because there was**
496 **uncertainty in the community about what is happening at the Shores Golf Course.**
497 **McCallum made a motion directing the City Manager to prepare a press release giving a**
498 **formal statement regarding the IRI settlement and the timeline. Councilmember Cotti**
499 **seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0**
500 **nays.**

501
502 10. Discuss evaluation of a TIF district in the downtown area and take any
503 action necessary.

504 Councilmember McCallum stated he brought this forward for discussion. Julie Couch
505 discussed how a TIF works. After lengthy discussion, Couch stated that Staff would
506 identify the area and the element of improvements for a downtown TIF and will include
507 the information as part of the economic development discussion on the work session
508 agenda for April 30th.

509
510 11. Discuss and consider rates for non-profits at The Center and take any
511 action necessary.

512 Mayor Cecil stated that after we reduced the fees for non-profits at the Harbor, he had
513 received numerous calls requesting a reduction of rates for The Center. After lengthy
514 discussion, it was determined that the rates should remain as they are at The Center.

515
516 12. Discuss and consider traffic calming on Shores Boulevard at Shores Park
517 and take any action necessary.

518 Mayor Cecil stated he brought this forward and made a recommendation that traffic
519 calming clackers be installed on Shores Boulevard at Shores Park. Julie Couch advised
520 that we will have a traffic consultant review what needs to be done in this area.

521
522 13. Discuss status on the Petersen Project and take any action necessary.

523 Chuck Todd advised that this project is still at Dallas awaiting approval.

524
525 There being no further business to come before the Council, Mayor Cecil adjourned the
526 meeting at 11:29 p.m.

527
528 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
529 TEXAS, this 2nd day of April, 2007.

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William R. Cecil, Mayor

535 ATTEST:
536 
537 _____
538 Dorothy Brooks, TRMC, City Secretary
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Minutes
Rockwall City Council

Monday, April 02, 2007

3:00 p.m. Work Session and Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

8
9

I. CALL TO ORDER

10 Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and
11 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Cliff
12 Sevier. Also present was City Manager Julie Couch. Councilmember Matt Scott joined
13 the meeting at approximately 3:10 p.m. City Attorney Pete Eckert joined the meeting at
14 4:00 p.m.

15
16
17

II. HOLD WORK SESSION TO DISCUSS:

- 18 1. SH-66 alignment and the 205 Bypass and take any action necessary.

19 Julie Couch discussed the background of the SH-66 alignment and introduced Bob
20 Reach of TCB. Mr. Reach talked about the north alignment (which bisects Harry Myers
21 Park) and the south alignment (which skirts Harry Myers Park along Washington). Mayor
22 Cecil made a motion to reject both the Northern and Southern routes and to direct staff
23 to consider alternatives. The motion was seconded by Councilmember Straughan. After
24 clarification and lengthy discussion, Councilmember Straughan withdrew his second and
25 the motion died for lack of a second. Councilmember McCallum then made a motion that
26 the Council abandon the Northern route, accept the Southern alignment to avoid the park
27 and directing Staff to work on the Southern route and to work out the details with the
28 affected property owners. Councilmember Scott seconded the motion. After further
29 discussion, McCallum amended his motion to include bringing back the options for all
30 feeder roadways into SH-66. Councilmember Scott amended his second. The motion
31 passed by a vote of 6 ayes and 1 nay [Cecil].
32

33 Julie Couch discussed the background of the 205 Bypass. Bob Reach from TCB came
34 forward and discussed the current timeline and status. Staff was instructed to give the
35 Council quarterly updates on the project. No other action was taken by the Council on
36 this item.
37

38 Mayor Cecil adjourned the meeting into Executive Session at 4:30 p.m.
39

40
41

**III. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND
551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- 42 1. Deliberation regarding the purchase, exchange, lease, or value of real
43 property.
44 2. Personnel Issues, including Board, Commission, and Committee
45 Appointments, and Related Matters.
46 3. Commercial or financial information regarding business prospects that the
47 City seeks to have locate, stay, or expand in or near the territory of the

48 City of Rockwall and with which the Board is conducting economic
49 development negotiations.

50 4. Pursuant to Section 551.071(2) of the Open Meetings Act Consultation
51 with attorney with regard to a matter that it is the duty of the attorney to
52 consult with the Council and falls under the attorney-client privilege.

53
54 No action was taken as a result of Executive Session. Mayor Cecil adjourned the
55 meeting at 5:55 p.m.

56
57 PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this
58 16th day of April, 2007.

59
60
61 William R. Cecil
62 William R. Cecil, Mayor

63 ATTEST:
64 Dorothy Brooks
65 Dorothy Brooks, TRMC, City Secretary



Minutes
Rockwall City Council
Monday, April 02, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:01 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER BOB COTTI**

III. **OPEN FORUM**

Mayor Cecil stated that the Open Forum session was now open. The following persons came forward to address the Council:

Pastor Joe Robbins
305 Peters Colony
Rockwall, Texas

Pastor Robbins stated that the Church had been contacted regarding a concrete batch plant being placed near the cemetery on 205 and that the Church Council was against it. He presented a resolution to Julie Couch and the Council. Mayor Cecil referred this item to Julie Couch and legal staff.

Ruth Peck
108 Lakedale
Rockwall, Texas

Ms. Peck invited everyone to the April 29 concert ["Music for the Child in All of Us"] to be held at the Rockwall-Heath High School. Dr. Gene Burton will be the narrator for Peter and the Wolf.

Vivian Michael Craig
509 Bourn Avenue
Rockwall, Texas

Mr. Craig wants money. He was advised to consult legal counsel. The city does not owe him any money.

Ron Mason
1402 Ridge Road
Rockwall, Texas

Mr. Mason stated he lives in a neighborhood where someone was trying to change the zoning from single family to residential office (or commercial) and he feels that the 200 ft notification area is too small, especially in a neighborhood this size.

117 There being no one further to address the Council, Mayor Cecil closed the Open Forum
118 session.

119
120 **IV. CONSENT AGENDA**

- 121
122 1. Consider approval of the Minutes of the February 12, 2007 City Council
123 Special Meeting and Work Session and take any action necessary.
- 124
125 2. Consider approval of the Minutes of the March 19, 2007 City Council
meeting and take any action necessary.
- 126
127 3. Z2007-005 -- Consider approval of an **Ordinance** for a request by Ashley
128 Byrd of Ice Train for approval of a Specific Use Permit (SUP) to allow for
129 a temporary portable beverage service facility within the (C) Commercial
130 zoning district, on a 0.25-acre tract located at 907 S. Goliad, and take any
action necessary. [2nd Reading]
- 131
132 4. Z2007-006 -- Consider approval of an **Ordinance** a request by Richard
133 Skorborg of Skorborg Retail Corporation for a change in zoning from (Ag)
134 Agricultural district to (PD) Planned Development district on
135 approximately 395-acres comprised of Tracts 1 and 2, Abstract 71, W.T.
136 DeWeese Survey, and Tracts 2, 3 and 4, Abstract 131, S. King Survey,
137 located along the east side of SH 205, south side of FM 552, west side of
138 Hayes Rd and north side of Qual Run Rd, and take any action
necessary. [2nd Reading]
- 139
140 5. Consider approval of a Resolution authorizing membership in the Texas
Interlocal Purchasing System and take any action necessary.
- 141
142 6. Consider approval of an **Ordinance** regarding no smoking in food service
establishments and take any action necessary. [1st Reading]
- 143
144 7. Consider approval of the award of the bid for construction of the North
Country Lane Elevated Storage Tank and take any action necessary.
- 145
146 8. Consider appointment of the Planning and Zoning Commission members
147 as the Capital Improvements Advisory Committee as required by Chapter
395 of the Texas Local Government Code and take any action necessary.
- 148
149 9. Consider approval of a Resolution authorizing the City Manager to enter
150 into a Local Project Advance Funding Agreement with TXDOT for the
151 Evergreen Development's left turn lane on SH-205 and take any action
necessary.

152 **Councilmember Cotti requested that Consent Agenda items #6 and #8 be pulled and then**
153 **made a motion approving the remaining items. Councilmember Nielsen requested that**
154 **Consent Agenda item #2 be pulled and then seconded Cotti's motion. The ordinances**
155 **were read as follows:**

156
157 **ORDINANCE NO. 07-11**

158
159 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
160 **AMENDING THE UNIFIED DEVELOPMENT CODE, AS PREVIOUSLY AMENDED, SO AS**
161 **TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY PORTABLE**
162 **BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS LOTS 4 AND 5,**
163 **CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR SPECIAL**
164 **CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF**

165 TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, PROVIDING FOR A
166 SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR
167 AN EFFECTIVE DATE.

168
169 **ORDINANCE NO. 07-13**

170 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
171 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
172 ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM (AG)
173 AGRICULTURAL DISTRICT TO (PD-70) PLANNED DEVELOPMENT NO. 70 DISTRICT ON A
174 395.075-ACRE TRACT OF LAND SITUATED IN THE W.T. DEWEESE SURVEY, ABSTRACT
175 NO. 71 AND THE S. KING SURVEY, AND BEING ALL OF A CALLED 392.938-ACRE TRACT
176 OF LAND, CONVEYED TO W.W. CARUTH, JR. BY DEED RECORDED IN VOLUME 64,
177 PAGE 22, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND ALSO
178 BEING ALL OF A CALLED 2.25-ACRE TRACT CONVEYED TO SODEN H. HARRIS AND
179 WIFE, ADRINE V. HARRIS BY DEED RECORDED IN VOLUME 50, PAGE 375, (D.R.R.C.T.),
180 AND MORE FULLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL
181 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF
182 TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
183 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN
184 EFFECTIVE DATE.

185
186 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

187
188 **Councilmember Nielsen requested that the Minutes for the March 19, 2007 meeting be**
189 **amended at lines 188/189 to reflect that Councilmember Scott made the nay vote, not her.**
190 **Councilmember Nielsen then made a motion to approve the Minutes as amended and**
191 **Councilmember McCallum seconded the motion. The motion passed unanimously by a**
192 **vote of 7 ayes and 0 nays.**

193
194 **With regard to Consent Agenda Item #6, Councilmember Cotti requested that the**
195 **effective date of the ordinance be May 1, 2007 and thanked Staff for all their hard work.**
196 **Councilmember Straughan made a motion to approve the ordinance and Councilmember**
197 **Nielsen seconded the motion. The ordinance was read as follows:**

198
199 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
200 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 14
201 HEALTH AND SANITATION, ARTICLE IV, SMOKING BY REPEALING SEC. 14.44 AND
202 SEC. 14.46 IN THEIR ENTIRETY AND BY ADDING A NEW SEC. 14.44 NO SMOKING IN
203 FOOD SERVICE ESTABLISHMENTS AND AMENDING SEC. 14.45; PROVIDING FOR A
204 PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS
205 (\$500.00); PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st
206 Reading]

207
208 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

209
210 **With regard to Consent Agenda Item #8, Councilmember Cotti discussed the Planning**
211 **and Zoning Commission and how many members they are losing. Cotti stated that he**
212 **felt the Capital Improvements Advisory Committee should be augmented by Mike Lucas**
213 **and Connie Jackson, although they will be leaving at the end of their terms. He then**
214 **made a motion to approve the Planning and Zoning Commission as the Capital**
215 **Improvements Advisory Committee, with the addition of the two Planning and Zoning**
216 **Commissioners who are terming out in July. Councilmember Straughan seconded the**
217 **motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.**

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V. APPOINTMENTS

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

Greg Burgamy stated that he had nothing to report for tonight's agenda. Burgamy stated that it has been an honor and a privilege to be on the Planning and Zoning Commission for the past four years. Councilmembers Cotti and McCallum and Mayor Cecil all spoke about his leaving and stated that he would be missed.

2. Appointment with David Grant of IdleAire Technologies Corporation regarding IdleAire's patented Advanced Truckstop Electrification (ATE) equipment and take any action necessary.

John Knight, Vice President of Construction for IdleAire addressed the Council, came forward and addressed the Council regarding the variances they had requested with regard to the ATE equipment they want to install at the truck stop located at I-30 and SH-205. After lengthy discussion, Mr. Knight was instructed to work with Staff and bring a request back to the Council for review and consideration.

3. Appointment with the Parks and Recreation Department and the Downtown Shoppes Association to discuss plans for the Founders Day Celebration to be held on April 14 and take any necessary action.

Brad Griggs, Parks Director, gave an update regarding the Founder's Day events being planned for April 14, 2007. Griggs advised that Jerry Jeff Walker would be the main event that evening.

4. Appointment with representatives from Zanata Restaurant requesting temporary closure of a portion of San Jacinto Street to facilitate outdoor music and dining events adjacent to Zanata Restaurant and take any action necessary

Brad Griggs discussed the request by Zanata Restaurant for a temporary closure of San Jacinto. Kevin Lefere, 202 E. Rusk came forward to discuss the request. He wants to shut down San Jacinto for 12 hours a day, once a month. Rick Crowley discussed the City's involvement, including renting Zanata an outdoor stage and re-asphalting San Jacinto. After discussion, Councilmember McCallum made a motion to approve Zanata's request, including Staff's recommendation on asphalt and the closing of San Jacinto. Staff is to bring back recommendations for the rental of the stage at a later date. Councilmember Cotti seconded the motion, but stated that he was aware that Mr. Fox had some concerns. Mr. Fox asked who would be liable for the area where the stage and outdoor dining would be taking place and Mr. Lefere stated he would. Mr. Fox stated he was ok with the change. The motion passed unanimously by a vote of 7 ayes and 0 nays.

5. Appointment with Mark and Capri McLemore to formally introduce their company "The Mark McLemore Sports Complex" and to discuss a proposal for a working relationship with the City and take any action necessary.

265 Mark and Capri McLemore of 2020 Industrial Boulevard discussed their business and
266 requested that the City assist them in bringing people to the city for sporting events.
267 McLemore is a retired Texas Rangers second baseman and in addition to owning and
268 managing The Mark McLemore Sports Complex, is a broadcaster for Fox 4 TV. After
269 discussion, Councilmember Cotti made a motion asking the Council Recreational
270 Subcommittee [consisting of Councilmembers McCallum, Sevier and Scott] to work with
271 McLemore to bring more recreational activities to Rockwall. Councilmember Scott
272 seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0
273 nays.

274

275 VI. ACTION ITEMS

276

- 277 1. Z2007-007 -- Consider approval of an Ordinance for a city-initiated
278 request to amend the Unified Development Code (Ord. 04-38) of the City
279 of Rockwall, specifically Article V, Section 6.15, Lake Ray Hubbard
280 Takeline Overlay (TL OV) District, and take any action necessary. [2nd
281 Reading]

282 Robert LaCroix discussed the background of this request. City Attorney Eckert advised
283 that this ordinance had substantial changes and would require that this be considered a
284 first reading of the ordinance. After lengthy discussion, Councilmember McCallum made
285 a motion to approve the ordinance with Staff's recommendations and to add trampolines
286 as a play structure, fencing to go 45 feet from the property line regardless of the 438 line,
287 that the fence height is 48" and that the landing on stairs be 8 x 8. Councilmember
288 Sevier seconded the motion. After discussion, McCallum amended his motion to state
289 that the roofs of the boat houses had to be in shades of green and brown to blend in with
290 the landscape. Staff will have a color palette of the colors for people to choose from.
291 Councilmember Sevier amended his second and the ordinance was read as follows:

292

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
293 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
294 ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.15,
295 LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT; PROVIDING FOR A
296 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
297 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
298 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
299 [1st Reading]

300

301 The motion passed by a vote of 6 ayes and 1 nay [Straughan].

302

303

- 304 2. Discuss and consider taking any necessary action to facilitate changes to
305 the intersections of Ralph Hail and 205, and 205 and Yellow Jacket in an
306 effort to relieve traffic congestion by taking advantage of our roadway
307 improvements in those locations.

308 Councilmember McCallum discussed why he had brought this item forward for Council
309 action. Chuck Todd, City Engineer, advised that he would check with TxDOT about a
310 traffic study for both intersections. McCallum wanted to know how soon we could
311 expect a reply from TxDOT. Julie Couch advised that it would be no later than 30 days.

312
313 3. Discuss and consider creating a citizen committee to evaluate and report
314 to the Council on the Shores Golf Course and take any action necessary.

315
316 **Councilmember Scott discussed why he brought this item forward for Council action.**
317 **After lengthy discussion, Councilmember Scott made a motion to establish a charter for**
318 **an advisory committee and creating the objectives and guidelines for a committee of no**
319 **more than 7 people, and appoint 7 people. Councilmember Sevier seconded the motion.**
320 **The motion failed by a vote of 2 ayes [Scott and Sevier] and 5 nays [Cotti, Straughan,**
321 **McCallum, Cecil and Nielsen].**

322
323 **Councilmember Cotti then made a motion that a charter and a set of guidelines for a**
324 **citizen golf advisory committee be prepared – to be brought back to the Council for**
325 **consideration at the first meeting in May. Councilmember Straughan seconded the**
326 **motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
327 **Councilmembers Cotti and Scott and Mayor Cecil will draft the charter.**

328
329 **VII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
330 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

331
332 1. Departmental Reports
333 Finance Report
334 Building Department Monthly Report
335 Fire Department Monthly Reports - February 2007

336 2. City Manager's Report

337
338 **Julie Couch requested that the Council set a date in May – after the election – for a**
339 **budget work session. All of the candidates will be notified about the meeting. The work**
340 **session was set for Monday, May 14, 2007 at 5:00 p.m.**

341
342 **There being no other business to come before the Council, Mayor Cecil adjourned the**
343 **meeting into Executive Session at 9:45 p.m.**

344
345 **VIII. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS**
346 **GOVERNMENT CODE TO DISCUSS:**

347
348 1. Deliberation regarding the purchase, exchange, lease, or value of real
349 property.

350 2. Personnel Issues, including Board, Commission, and Committee
351 Appointments, and Related Matters

352 3. Commercial or financial information regarding business prospects that the
353 City seeks to have locate, stay, or expand in or near the territory of the
354 City of Rockwall and with which the Board is conducting economic
355 development negotiations.

356 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
357 with attorney with regard to a matter that it is the duty of the attorney to
358 consult with the Council and falls under the attorney-client privilege.

359

360 VI. ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

361
362 Councilmember Scott made a motion appointing Earl Milner to the Planning and Zoning
363 Commission to complete the term of Greg Burgamy and Councilmember Straughan
364 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

365
366 Councilmember Scott made a motion approving a Resolution of Necessity to acquire
367 land from Lonnie Gideon for the 205 Bypass and Mayor Cecil seconded the motion. The
368 motion passed unanimously by a vote of 7 ayes and 0 nays.

369
370 There being no further business to come before the Council, Mayor Cecil adjourned the
371 meeting at 11:30 p.m.

372
373 PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this
374 16th day of April, 2007.

375
376
377 William R. Cecil
378 William R. Cecil, Mayor

379 ATTEST:
380 Dorothy Brooks
381 Dorothy Brooks, TRMC, City Secretary
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Minutes
Rockwall City Council
Monday, April 16, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

8 **I. CALL TO ORDER**

10 Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and
11 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt
12 Scott and Cliff Sevier. Also present were City Manager Julie Couch and Attorney Paul
13 Liston. Mayor Cecil immediately adjourned the meeting into Executive Session.

15 **II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND**
16 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- 17 1. Deliberation regarding the purchase, exchange, lease, or value of real
18 property.
- 19 2. Personnel Issues, including Board, Commission, and Committee
20 Appointments, and Related Matters, including City Manager evaluation
- 21 3. Commercial or financial information regarding business prospects that the
22 City seeks to have locate, stay, or expand in or near the territory of the
23 City of Rockwall and with which the Board is conducting economic
24 development negotiations.
- 25 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
26 with attorney with regard to a matter that it is the duty of the attorney to
27 consult with the Council and falls under the attorney-client privilege

29 **III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

31 Councilmember Scott made a motion to approve the sale of land located at Mims Road
32 and I-30 Service Road and Councilmember Nielsen seconded the motion. The motion
33 passed unanimously by a vote of 7 ayes and 0 nays.

35 Councilmember Scott made a motion authorizing the acquisition of Tract 16 from Roy
36 Hance for right-of-way for the 205 Bypass and Councilmember Straughan seconded the
37 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

39 Councilmember Scott made a motion authorizing the settlement with Don Cameron in the
40 amount of \$115,000 for return of partial escrow balance regarding Justin Road/Townsend
41 Road improvements and Mayor Cecil seconded the motion. The motion passed
42 unanimously by a vote of 7 ayes and 0 nays.

44 Councilmember Scott made a motion to purchase right-of-way for Townsend Drive from
45 Bill and Raymond Cameron in the amount of \$25,280 and Councilmember Straughan
46 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
47

48 Councilmember Scott made a motion approving a resolution of necessity for eminent
49 domain proceedings for 8.87 acres owned by Lonnie Gideon for the 205 Bypass and
50 Councilmember Sevier seconded the motion. The motion passed unanimously by a vote
51 of 7 ayes and 0 nays.
52

53 Mayor Cecil adjourned the Pre-Council meeting at 5:58 p.m.
54

55 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
56 **this _____ day of _____, 2007.**
57

58

59

60

61

William R. Cecil, Mayor

62 ATTEST:

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65

Dorothy Brooks, City Secretary

66

Minutes
Rockwall City Council
Monday, April 16, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and Attorney Paul Liston.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER CLIFF SEVIER**

III. **PROCLAMATIONS / AWARDS**

Mayor Cecil recognized Sean Mehl and Laura Packer for their hard work as a member of the Youth Advisory Council. Sean and Laura will be graduating this year from Rockwall High School.

1. Cinco de Mayo Celebration Day – Received by Jennifer Maranda.
2. Child Abuse Prevention and Awareness Month – Received by CASA President Lucille Bell.
3. National Red Hat Society Day – Received by Joanne Glover, Sharon Price, Linda Sanders, Vicky Zumwatt, Ruth Handby, Mortie Jo Burgy and Sandy Ricq.
4. Rockwall Environmental Action Day – Received by Brad Griggs.

IV. **CONSENT AGENDA**

1. Consider approval of the Minutes from the Apr. 2, 2007 City Council meeting and take any action necessary.
2. Consider approval of an **Ordinance** setting forth the rules/guidelines for The Harbor Public Area and take any action necessary. [2nd Reading]
3. Consider approval of an **Ordinance** regarding no smoking in food service establishments and take any action necessary. [2nd Reading]
4. Consider approval of an **Ordinance** for a city-initiated request to amend the Unified Development Code (Ord. 04-38) of the City of Rockwall, specifically Article V, Section 5.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, and take any action necessary. [2nd Reading]
5. Consider adoption of a policy relating to a Parks and Recreation Dedication Program and take any action necessary.
6. Consider authorizing the City Manager to enter into an agreement with Landscapes Unlimited LLC for Construction Manager at Risk Services for Neighborhood Park Projects and take any action necessary.

- 113 7. Consider approval of an Ordinance amending Chapter 13 of the Code of
114 Ordinances to bring our high grass regulations in line with current state
115 law and take any action necessary. [1st Reading]
- 116 8. Consider approval of an Ordinance amending Chapter 16 of the Code of
117 Ordinances to amend the definition of junked vehicles to be in
118 accordance with state law and take any action necessary. [1st Reading]
- 119 9. Consider approval of Change Order No. 2 for the FM-3097 Sanitary
120 Sewer Improvements and take any action necessary.
- 121 10. Consider approval of an Interlocal Agreement with Rockwall County
122 regarding the provision of inspection services and take any action
123 necessary.

124 **Councilmember Straughan pulled Consent Agenda Item #4. Councilmember McCallum**
125 **pulled Consent Agenda Item #7 and then made a motion to approve the remaining items.**
126 **Councilmember Cotti seconded the motion and the ordinances were read as follows:**

127
128 **ORDINANCE NO. 06-47**

129
130 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
131 AMENDING THE CODE OF ORDINANCES IN CHAPTER 19 PARKS AND RECREATION
132 BY THE ADDITION OF ARTICLE IV PROVIDING RULES FOR THE HARBOR PUBLIC
133 AREA; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE
134 HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING
135 AN EFFECTIVE DATE. [2nd Reading]

136
137 **ORDINANCE NO. 07-14**

138
139 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
140 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 14
141 HEALTH AND SANITATION, ARTICLE IV, SMOKING BY REPEALING SEC. 14.44 AND
142 SEC. 14.46 IN THEIR ENTIRETY AND BY ADDING A NEW SEC. 14.44 NO SMOKING IN
143 FOOD SERVICE ESTABLISHMENTS AND AMENDING SEC. 14.45; PROVIDING FOR A
144 PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS
145 (\$500.00); PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [2nd
146 Reading]

147
148 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
149 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER
150 16 MOTOR VEHICLES AND TRAFFIC, ARTICLE III ABANDONED VEHICLES;
151 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE
152 HUNDRED DOLLARS; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE
153 DATE. [1st Reading]

154
155 The motion passed unanimously by a vote of 7 ayes and 0 nays.

156
157 Councilmember Straughan stated that he pulled Consent Agenda Item #4 because he
158 does not support the ordinance because it includes boat docks. Councilmember Cotti
159 made a motion to approve the ordinance and Councilmember Scott seconded the
160 motion. The ordinance was read as follows:

161
162 **ORDINANCE NO. 07-12**

163
164 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
165 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
166 ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.15,
167 LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT; PROVIDING FOR A

168 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
169 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
170 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
171 [2nd Reading]

172
173 Prior to the vote, Councilmember McCallum raised the issue of the lack of approval of the
174 ordinance by Dallas. After short discussion, Councilmember Cotti amended his motion
175 to table the matter to the first meeting in May and Councilmember McCallum seconded
176 the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
177

178 Regarding Consent Agenda Item #7, Councilmember McCallum asked for a short briefing
179 on our roadway mowing schedule. Park Director Brad Griggs stated that the City entered
180 into a contract for mowing on April 1, 2007, and it will be a 30-40 day cycle.
181 Councilmember McCallum made a motion to approve the ordinance and Mayor Cecil
182 seconded the motion. The ordinance was read as follows:

183
184 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
185 TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF
186 ROCKWALL IN CHAPTER 13 GARBAGE, TRASH, REFUSE, LITTERING,
187 ETC., ARTICLE III LOT CLEARING, SEC. 13.46 NOTICE TO OWNER;
188 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM
189 OF FIVE HUNDRED DOLLARS; PROVIDING FOR A REPEALER
190 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]
191

192 The motion passed unanimously by a vote of 7 ayes and 0 nays.
193

194 V. APPOINTMENTS

- 195
196 1. Appointment with the Youth Advisory Council for a report on the survey
197 regarding the type of ancillary facilities citizens would like that would
198 support a community recreation center and take any action necessary.

199 Laura Packer gave a power point presentation on the results of the Youth Advisory
200 Council project. At the conclusion of the report, Councilmember Cotti recognized all of
201 the Youth Advisory Council members in attendance at tonight's meeting and thanked
202 them for all their hard work.
203

- 204 2. Appointment with Dwayne Brinkley of Brinkley Sargent Architects to
205 submit the final report on the Future Facilities Expansion Planning Study
206 and take any action necessary.

207 Dwayne Brinkley stated that the final report had been provided to the Council. The
208 dollars indicated in the report are for first quarter 2008 and advised that the escalation
209 percentage would be 7 to 7½ %.
210

- 211 3. Appointment with Richard M. Skorburg regarding master planning of front
212 entry lots on 50' and 60' wide lots within Stone Creek and take any action
213 necessary

214 Richard M. (Dick) Skorburg requested that the Council consider allowing front entry
215 garages in the "Life Style Community" within the Stone Creek development and
216 requested that the alleys be taken out of the development in certain areas. After
217 discussion, Councilmember Scott made a motion to allow front entry garages in the Life

218 **Style Community, the 60 foot lots and a small group of the 70 foot lots and removal of the**
219 **alleys. Councilmember Straughan seconded the motion. The motion passed by a vote of**
220 **5 ayes [Cotti, Straughan, Nielsen, Scott and Sevier] and 2 nays [Cecil and McCallum].**
221

222 **VI. SITE PLANS / PLATS**
223

224 1. SP2007-006 -- Discuss and consider a request from Scott Barber of Z
225 Projects, LLC for approval of a variance to the masonry and stone
226 requirements for building materials in conjunction with an approved
227 amended site plan for Lot 1, Block A, Walmart Supercenter Addition,
228 specifically for construction of a drive-through ATM for Wells Fargo as an
229 accessory structure to their existing bank located at 2334 Greencrest
230 Drive, which is zoned (C) Commercial District and situated within the IH-
231 30 Overlay district, and take any action necessary. (3/4 majority vote
232 required)

233 **Robert LaCroix discussed the background of the request. LaCroix advised that the**
234 **Planning and Zoning Commission had approved the request by a vote of 6-1. After**
235 **discussion, Councilmember Cotti made a motion to approve the variance and**
236 **Councilmember Nielsen seconded the motion. The motion failed by a vote of 4 ayes**
237 **[McCallum, Cecil, Nielsen and Cotti] and 3 nays [Straughan, Scott and Sevier].**
238
239

240 **VII. ACTION ITEMS**
241

242 1. Discuss and consider the request of Raymond Poche, of the Woodmont
243 Corporation, for a height variance for several wall signs in the Plaza at
244 Rockwall, located on I-30 and take any action necessary.

245 **Jeffrey Widmer discussed the background of this item. Raymond Poche of the**
246 **Woodmont Company came forward to discuss his request. Councilmember Straughan**
247 **made a motion to approve the request and Councilmember Cotti seconded the motion.**
248 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
249

250 2. Discuss and consider Vehicle Fuel Operational Changes and take any
251 action necessary.

252 **Brad Griggs discussed the background of this matter. Councilmember Cotti made a**
253 **motion to approve the recommended changes and Councilmember Nielsen seconded the**
254 **motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
255

256 3. Discuss and consider City requirement to notify property owners within
257 200 feet of a property being zoned or re-zoned and take any action
258 necessary.

259 **Mayor Cecil advised that both he and Councilmember Scott had requested that this item**
260 **be brought before the Council for discussion. Robert LaCroix discussed current**
261 **procedures. After lengthy discussion, Councilmember Scott made a motion to remand**
262 **this back to the Planning and Zoning Commission to amend our ordinance to add an**
263 **additional courtesy notification area from 201 – 500 feet of the property being zoned and**
264 **that the posted signs be enlarged to be more visible. Councilmember Sevier seconded**
265 **the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
266

267 4. Hear a report from Councilmember Bob Cotti and Director Brad Griggs on
268 the matter of legislature mandating Evapotranspiration Controller
269 technology for irrigation systems in all state Political Subdivisions, discuss
270 a Resolution to Texas Municipal League and our State Senator and
271 Representative to oppose these bills and take any action necessary.

272 Councilmember Cotti discussed the background of this matter. Brad Griggs also
273 discussed the impact to the City if this matter passed. Councilmember Straughan made
274 a motion to approve the Resolution and Mayor Cecil seconded the motion. The motion
275 passed unanimously by a vote of 7 ayes and 0 nays.

276
277 5. Discuss and consider Staff recommendation related to Water
278 Conservation Program and take any action necessary.

279 Rick Crowley, Assistant City Manager, discussed the recommendations to add a second
280 day of watering. Councilmember Cotti made a motion to approve the recommendations
281 and Councilmember Straughan seconded the motion. The motion passed unanimously
282 by a vote of 7 ayes and 0 nays. An ordinance will be brought back to the Council for their
283 final approval before any changes in the current watering schedule takes place.

284
285 6. Staff report on the status of the project to reconstruct the access drive to
286 Glen Hill Cemetery and take any action necessary.

287 Rick Crowley discussed the status of this project. The cost to construct access to the
288 cemetery will be approximately \$22,000 - \$25,000 and construction could start in
289 approximately 10 weeks. Mayor Cecil made a motion to accept the report and move
290 forward as specified. Councilmember Scott seconded the motion and the motion passed
291 unanimously by a vote of 7 ayes and 0 nays.

292
293 There being no further business to come before the Council in regular session, Mayor
294 Cecil adjourned the meeting into Executive Session at 9:33 p.m.

295
296 VIII. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS
297 GOVERNMENT CODE TO DISCUSS.

298
299 1. Deliberation regarding the purchase, exchange, lease, or value of real
300 property.

301 2. Personnel Issues, including Board, Commission, and Committee
302 Appointments, and Related Matters, including City Manager evaluation.

303 3. Commercial or financial information regarding business prospects that the
304 City seeks to have locate, stay, or expand in or near the territory of the
305 City of Rockwall and with which the Board is conducting economic
306 development negotiations.

307 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
308 with attorney with regard to a matter that it is the duty of the attorney to
309 consult with the Council and falls under the attorney-client privilege.

310
311 IX. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

312
313 No action was taken as a result of Executive Session.

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There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 10:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of May, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:

Dorothy Brooks
Dorothy Brooks, TRMC, City Secretary



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Minutes
Rockwall City Council

April 30, 2007

6:00 p.m. Pre-Meeting Dinner

6:30 p.m. Joint Work Session with RISD and
Council Work Session

1050 Williams Street, Rockwall, Texas

1. Call to Order

The joint work session was called to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were School Board Members Brad Lamberth, Craig Zurek, Leigh Plagens, Doug Hamilton, Dr. Stan Lowrance, Dr. David Loftis and Dr. David Jackson.

2. Hold Joint Work Session with RISD to discuss long range planning, growth and development in the community and areas of common interest between the City and the RISD.

Topics of discussion included growth and development in the city, including downtown revitalization, acquisition of water services, status of commercial development and the potential opportunities for development in the northern sector of the city outside of downtown. The School District talked about services provided, future growth and future challenges.

Several areas where the City and RISD could partner were discussed and included utilization of facilities/fields, maintenance of vehicles and a healthcare clinic. It was determined that the City would work with the RISD on a healthcare clinic and a vehicle maintenance facility.

The joint session adjourned at 8:00 p.m.

3. Hold Council Work Session to:

- a. Discuss plan for acquiring water supply corporations within the city limits
- b. Discuss economic planning in the City including downtown, the northern sector of the City and general economic goals for the City of Rockwall.

Mayor Cecil called the Council Work Session to order at 8:05 p.m. Presentations were made regarding the City of Rockwall 1997-2005 Annexations Water Service Plan and Downtown as Economic Development.

No action was taken by the Council and the meeting adjourned at 10:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this 11th day of July, 2007.

ATTEST:

Dorothy Brooks
Dorothy Brooks, TRMG, City Secretary



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Minutes
Rockwall City Council
Monday, May 07, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Margo Nielsen, and Cliff Sevier. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Councilmember McCallum joined the meeting at approximately 4:20 p.m.

II. **HOLD WORK SESSION**

1. To discuss economic and downtown planning and take any action necessary.

After discussion, the following motions were made:

Councilmember Straughan made a motion to confirm the Staff recommendation that the City Pride program be considered along with the other needs of the City in the 07-08 budget process. Mayor Cecil seconded the motion and the motion passed by a vote of 5 ayes and 2 absent [McCallum and Scott].

Mayor Cecil made a motion to confirm the Staff recommendation for the Retail Boot Camp program to be considered along with the other needs of the City in the 07-08 budget process. Councilmember Nielsen seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [McCallum and Scott]

Councilmember Nielsen made a motion to not further consider a proposal to design and paint building murals in various locations in the City. Councilmember Staughan seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [McCallum and Scott]

Councilmember Straughan made a motion to authorize Staff to proceed with the Birkhoff, Hendricks and Conway study of identified water and sewer system improvements in the downtown area and to bring back design contracts to accomplish these improvements. Mayor Cecil seconded the motion. The motion passed by a vote of 5 ayes and 2 absent [McCallum and Scott]

Mayor Cecil made a motion to direct Staff to bring back a refined design for the two-block Kaufman Street reconstruction project to include review by Dennis Wilson of the parking configuration as may relate to the implementation of the downtown plan. Councilmember Sevier seconded the motion. The motion passed by a vote of 5 ayes and 1 absent [Scott].

48 **Mayor Cecil made a motion to direct Staff that the sidewalk on the north side of Kaufman**
49 **Street not be included in the Kaufman Street reconstruction project and that these**
50 **sidewalk improvements be included in the complete design of the downtown**
51 **improvements. Councilmember Sevier seconded the motion. The motion passed by a**
52 **vote of 6 ayes and 1 absent [Scott].**
53

54 **Councilmember Nielsen made a motion to direct Staff to discuss the issue of sidewalks**
55 **and parking on the south side of the 200 block of Kaufman Street with the building and**
56 **business owners adjacent to the existing parking in that location. Mayor Cecil seconded**
57 **the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].**
58

59 **Mayor Cecil made a motion to direct Staff to obtain the fee proposals for design of the**
60 **full design of the downtown square area to include engineering, planning and landscape**
61 **architecture for consideration by the Council. Councilmember Nielsen seconded the**
62 **motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].**
63

64 **Councilmember Straughan made a motion to support the Staff proposed concept of a**
65 **policy providing for City participation in downtown fire suppression systems (from the**
66 **main to the building) and requesting that a detailed policy be drafted and returned for**
67 **Council consideration. Councilmember Nielsen seconded the motion. The motion**
68 **passed by a vote of 6 ayes and 1 absent [Scott].**
69

70 **Councilmember McCallum made a motion that a Council Subcommittee be founded to**
71 **work with the Downtown Advisors, Staff and consultants on full design of the downtown**
72 **square area. Mayor Cecil seconded the motion. The motion passed by a vote of 6 ayes**
73 **and 1 absent [Scott].**
74

75 **Mayor Cecil made a motion that the details and design of appropriate downtown parking**
76 **be included in the fee proposals for full design of downtown improvements. Councilmember**
77 **Straughan seconded the motion. The motion passed by a vote of 6 ayes**
78 **and 1 absent [Scott].**
79

80 **Mayor Cecil made a motion that consideration of funding decisions for funding the full**
81 **design of the downtown improvements be considered when the proposal is received and**
82 **returned to the Council for consideration, including considering use of the Trinity Waste**
83 **Disposal contributions to be made for use downtown. Councilmember Nielsen seconded**
84 **the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].**
85

86 **Councilmember Nielsen made a motion to confirm the proactive Staff roles and**
87 **Downtown Advisors as outlined in the proposed downtown economic development**
88 **initiatives. Councilmember Sevier seconded the motion. The motion passed by a vote of**
89 **6 ayes and 1 absent [Scott].**
90

91 **Councilmember McCallum made a motion that an outdoor lighting study and design also**
92 **be included in the fee proposal for full design of downtown improvements. Mayor Cecil**
93 **seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].**
94

95 **Mayor Cecil adjourned the meeting into Executive Session at 5:00 p.m.**
96

97 **III. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND**
98 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- 99 1. Deliberation regarding the purchase, exchange, lease, or value of real
100 property.
- 101 2. Personnel Issues, including Board, Commission, and Committee
102 Appointments, and Related Matters, including City Manager's evaluation.
- 103 3. Commercial or financial information regarding business prospects that the
104 City seeks to have locate, stay, or expand in or near the territory of the
105 City of Rockwall and with which the Board is conducting economic
106 development negotiations.
- 107 4. Pursuant to Section 551.071(2) of the Open Meetings Act, Consultation
108 with attorney with regard to a matter that it is the duty of the attorney to
109 consult with the Council and falls under the attorney-client privilege

110

111 **III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

112

113 No action was taken as a result of Executive Session. Mayor Cecil adjourned the
114 meeting at 5:55 p.m.

115

116 PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this

117 21st day of May, 2007.

118

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120

121 ATTEST:

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Dorothy Brooks
Dorothy Brooks, TRMC, City Secretary

William R. Cecil
William R. Cecil, Mayor



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Minutes
Rockwall City Council
Monday, May 07, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:11 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Cliff Sevier. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MARGO NIELSEN**

III. **PROCLAMATIONS / AWARDS**

1. In Honor of 1Lt. Gwilym J. Newman, deceased
2. Motorcycle Safety and Awareness Month
3. Autism Month
4. Click It or Ticket Texas

Mayor Cecil presented Police Chief Mark Moeller with the Click It or Ticket Texas proclamation. No one appeared for the Motorcycle Safety and Awareness proclamation. Mayor Cecil read the Autism Month proclamation. Lastly, Mayor Cecil and Councilmember Cotti made the presentation to the Newman Family of the flags flown over the Texas State Capitol and the nation's Capitol in Washington, D.C. Resolutions from Representative Jodie Laubenberg and Congressman Ralph Hall were also presented to the family. Mayor Cecil also read and presented the City's proclamation to the Newman Family.

IV. **OPEN FORUM**

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

1. **Ron Mason**
1402 Ridge Road
Mr. Mason spoke about his concerns that the speed limit on 740/Ridge Road was too high. He also spoke about the u-turns along Ridge Road and the potential problems that can arise from those u-turns.

Mayor Cecil instructed the City Manager to work with Mr. Mason on these concerns and come back at a future date with recommendations.

2. **Stan Jeffus**
1903 S. FM-549

175 **Mr. Jeffus showed pictures of his property and the problems that**
176 **have been caused by 84" NTMWD pipeline, the construction of**
177 **Fontana Ranch and construction of the City's water/sewer line.**
178

179 **It was requested that an action item be placed on the next agenda to**
180 **discuss action to be taken on these problems.**
181

- 182 3. **Ross Ramsay**
183 **Mr. Ramsay stated that he came forward to express his appreciation**
184 **for the hard work of Ariana Adair and Rick Sherer.**
185

186 **There being no one further to address the Council, Mayor Cecil closed the public forum.**
187

188 **V. CONSENT AGENDA**
189

- 190 1. **Consider approval of the Minutes from the April 16, 2007, City Council**
191 **meeting and take any action necessary.**
192
193 2. **Consider approval of a mower purchase and take any action necessary.**
194
195 3. **Approve the execution of a corrected TXU Easement at the City of**
196 **Rockwall's public parking lot and take any action necessary.**
197
198 4. **Consider approval of an Ordinance amending Chapter 13 of the Code of**
199 **Ordinances to bring our high grass regulations in line with current state**
200 **law and take any action necessary. [2nd Reading]**
201
202 5. **Consider approval of an Ordinance amending Chapter 16 of the Code of**
203 **Ordinances to amend the definition of junked vehicles to be in**
204 **accordance with state law and take any action necessary. [2nd Reading]**

205 **Councilmember Straughan made a motion to approve the Consent Agenda Items and**
206 **Councilmember Sevier seconded the motion. The ordinances were read as follows:**
207

208 **ORDINANCE NO. 07-16**
209

210 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
211 **AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER**
212 **16 MOTOR VEHICLES AND TRAFFIC, ARTICLE III ABANDONED VEHICLES;**
213 **PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE**
214 **HUNDRED DOLLARS; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE**
215 **DATE. [2nd Reading]**

216 **ORDINANCE NO. 07-12**
217

218 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
219 **AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF**
220 **ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 8.15,**
221 **LAKE RAY HUBBARD TAKELINE OVERLAY (TLOV) DISTRICT; PROVIDING FOR A**
222 **PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
223 **(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
224 **PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**
225 **[2nd Reading]**

226 **The motion passed by a vote of 6 ayes and 1 absent (Scott).**

226 VI. APPOINTMENTS

- 227
228 1. Appointment with the Planning and Zoning Chairman to discuss and
229 answer any questions regarding cases on the agenda and related issues
230 and take any action necessary

231 **Chairman Bricker had no comments.**

- 232
233 2. Appointment with Sheri Fowler of the Rockwall County Alliance for the
234 Arts.

235 **Sheri Fowler had to leave for an appointment in Dallas, so Dale Morgan gave her report.**

- 236
237 3. Appointment with Joetta Currie of the Rockwall Art League.

238 **Joetta Currie gave the status report for the Rockwall Art League.**

- 239
240 4. Appointment with John Knight of IdleAire Technologies Corporation
241 regarding IdleAire's patented Advanced Truckstop Electrification (ATE)
242 equipment and take any action necessary

243 **Robert LaCroix discussed the background of this matter. Mr. Knight discussed the ATE**
244 **equipment and changes they were willing to make to comply with the Council's**
245 **concerns. Councilmember Straughan showed pictures of the Lancaster facility and**
246 **stated his concerns about how the Rockwall facility would look. Mr. Knight discussed**
247 **the various changes and agreed to add additional landscaping. After lengthy discussion,**
248 **Councilmember Nielsen made a motion to approve the variance requests and**
249 **Councilmember Cotti seconded the motion. After further discussion, Councilmember**
250 **Nielsen amended her motion to include additional landscaping and add fast growing**
251 **plants and that Mr. Knight should work closely with Staff on the landscaping. The**
252 **motion failed by a vote of 4 ayes [Nielsen, Cotti, Sevier, and Straughan] and 2 nays [Cecil**
253 **and McCallum].**

254
255 VII. ACTION ITEMS

- 256
257 1. Discuss status of activities at The Harbor and take any action necessary

258 **Police Chief Mark Moeller discussed the crime activity comparison for The Harbor,**
259 **Albertson's and Movies 8. Moeller advised that Whittle had hired private security for the**
260 **private side. Moeller advised that the private side needed to post more signs regarding**
261 **prohibited activities such as skateboard and bike riding, etc.**

- 262
263 2. Discuss and consider Shores Boulevard traffic calming and take any
264 action necessary.

265 **Brad Griggs discussed the background of this item and made recommendations for**
266 **traffic calming. Those recommendations will be presented to a traffic engineer for**
267 **comment. Councilmember Cotti made a motion to move forward with the proposal and**
268 **adopt staff recommendations. Councilmember Nielsen seconded the request. The**
269 **motion passed by a vote of 6 ayes and 1 absent.**

- 270
271 3. FF2007-001 -- Discuss and consider a request by James Butlgen for
272 approval of a front yard fence on Lot 1-R, Block 2, Butlgen Addition,
273 which is zoned (SF-7) Single Family Residential District and located at

274 501 Kernodle within the Old Town Rockwall Historic District, and take any
275 action necessary.

276 **Robert LaCroix discussed the background of this item and show pictures of the fence.**
277 **Mr. Buttgen came forward and requested that the Council approve his request.**
278 **Councilmember Straughan made motion to approve the request and Councilmember**
279 **Nielsen seconded the motion. The motion passed by a vote of 6 ayes and 1 absent**
280 **[Scott].**

281
282 4. Discuss and consider approval for the site plan for the Park at Emerald
283 Bay and take any action necessary

284 **Brad Griggs discussed the site plan. After a short discussion, Councilmember**
285 **Straughan made a motion to approve the site plan and Councilmember Cotti seconded**
286 **the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].**

287
288 5. Discuss and consider Park Board recommendation regarding Community
289 Center and Park Pavilion Rental Policies and Fee Schedule and take any
290 action necessary.

291 **Brad Griggs discussed the Park Board recommendations. After lengthy discussion,**
292 **Councilmember Straughan made a motion to approve the recommendations with the**
293 **change to increase the non-resident fee to \$100. Councilmember Nielsen seconded the**
294 **motion and the motion passed by a vote of 5 ayes, 1 nay [Cotti] and 1 absent [Scott].**

295
296 6. Consider approval of an Ordinance for a city-initiated request to amend
297 the Unified Development Code (Ord. 04-38) of the City of Rockwall,
298 specifically Article V, Section 5.15, Lake Ray Hubbard Takeline Overlay
299 (TLOV) District, and take any action necessary.

300 **Robert LaCroix discussed the background and advised that Dallas had given their**
301 **approval to the ordinance. LaCroix noted that no sealants or treated materials could**
302 **overhang the lake. Councilmember McCallum made a motion to approve the ordinance**
303 **and Councilmember Cotti seconded the motion. The ordinance was read as follows:**

304
305 **ORDINANCE NO. 07-12**

306
307 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
308 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF
309 ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 5.15,
310 LAKE RAY HUBBARD TAKELINE OVERLAY (TLOV) DISTRICT; PROVIDING FOR A
311 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
312 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
313 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
314 [2nd Reading]

315
316 **The motion passed by a vote of 5 ayes, 1 nay [Straughan] and 1 absent [Scott].**

317
318 7. Discuss and consider the possibility of repainting the I-30 city water tower
319 in recognition of the Rockwall Lady Jackets perfect 40-0 season and state
320 5A state championship and take any action necessary

321 **Councilmember Straughan stated he had asked for this to be brought forward for Council**
322 **consideration. After a short discussion, Mayor Cecil requested that Staff look at this**
323 **project and bring back suggestions and costs. Julie Couch advised that we could bring**

324 this information back to the Council within approximately 60 days. Councilmember
325 Sevier seconded the motion. The motion passed by a vote of 6 ayes and 1 absent
326 [Scott].

327

328 B. Discuss and consider approval of an Ordinance amending Ordinance No.
329 06-16 regarding Drought Contingency Plan and take any action
330 necessary.

331 Assistant City Manager Rick Crowley discussed the background of this matter.
332 Councilmember Cotti asked for clarification on the number of readings required for this
333 ordinance. City Attorney Pete Eckert advised it would take two readings. Cotti asked if
334 the second reading could take place at the special meeting currently scheduled for next
335 Monday, May 14, 2007. Eckert advised that it could. Cotti then made a motion to approve
336 the ordinance and Councilmember Straughan seconded the motion. The ordinance was
337 read as follows:

338

339 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
340 ORDINANCE NO. 06-16 WHICH ADOPTED A DROUGHT CONTINGENCY PLAN FOR THE
341 CITY OF ROCKWALL, BY ESTABLISHING CHANGES TO THE WATER CONSERVATION
342 MEASURES IMPLEMENTED BY THE CITY MANAGER IN ACCORDANCE WITH THE
343 DROUGHT CONTINGENCY PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO
344 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A
345 SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON
346 WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING
347 FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st Reading]

348

349 The motion passed by a vote of 6 ayes and 1 absent [Scott].

350

351 VIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,
352 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

353

354 1. Departmental Reports
355 KnowWhat2Do
356 Police Department Monthly Report and Quarterly Report
357 Building Department Monthly Report
358 Fire Department Monthly Report
359 Parks Department Report
360 Administrative Services Monthly Report
361 2nd Quarter Report from Rockwall County Committee on Aging
362 Finance Report
363 Cable Franchise Status Report

364 2. City Manager's Report

365

366 Julie Couch asked Kristy Ashberry to talk about the KnowWhat2Do campaign. Mayor
367 Cecil inquired about the status of the Crisis Readiness Program. Ashberry stated that it
368 was a Rockwall County program, but that she would check with Lt. Davis and report back
369 to the Mayor on the status. Mayor Cecil also wanted to know what the status of
370 collections was with regard to false alarms. After short discussion, Staff was instructed
371 to review the current ordinance and bring back recommendations to enforce the
372 sanctions stated in the ordinance within 30 days.

373

374 Cheryl Austin announced that there is now competition for Charter Cable – ATT. She will
375 be meeting with ATT representatives and bringing information to the Council at a later
376 date.

377
378 There being no further business to come before the Council, Mayor Cecil adjourned the
379 meeting at 9:51 p.m.

380
381 PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this
382 21st day of May, 2007.

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386 ATTEST: William R. Cecil
387 William R. Cecil, Mayor

388 Dorothy Brooks
389 Dorothy Brooks, TRMC, City Secretary
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Minutes
Rockwall City Council

May 14, 2007

5:00 p.m. Pre-Council Dinner and Executive Session
City Hall, 385 S. Gollad, Rockwall, Texas 75087

1. CALL TO ORDER

Mayor Cecil called the meeting to order at 5:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Margo Nielsen, Matt Scott and Cliff Sevier. Councilmember Tim McCallum was absent. Also present was City Manager Julie Couch. Mayor Cecil immediately adjourned the meeting into Executive Session.

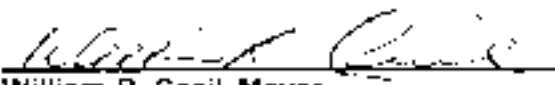
2. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters, including City Manager's Evaluation.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

3. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 14th day of July, 2007.


William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, City Secretary



Minutes
Rockwall City Council

May 14, 2007

6:00 p.m. Special Meeting and Council Budget Work Session
385 S. Goliad
Rockwall, Texas 75087

1. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were newly elected councilmembers David Sweet and Glen Farris and City Manager Julie Couch. Councilmember Tim McCallum as absent.

2. Consider approval of an Ordinance amending Ordinance No. 06-16 regarding Drought Contingency Plan and take any action necessary. [2nd Reading]

Councilmember Straughan made a motion to approve the Ordinance and Councilmember Cotti seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 07-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 06-16 WHICH ADOPTED A DROUGHT CONTINGENCY PLAN FOR THE CITY OF ROCKWALL, BY ESTABLISHING CHANGES TO THE WATER CONSERVATION MEASURES IMPLEMENTED BY THE CITY MANAGER IN ACCORDANCE WITH THE DROUGHT CONTINGENCY PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [2nd Reading]

The motion passed by a vote of 6 ayes and 1 absent [McCallum].

3. HOLD BUDGET WORK SESSION

Julie Couch discussed the history of the budget policies, current conditions and impacts, the forecast for the 07-08 budget and recommendations and actions. Finance Director Mary Smith explained the rollback. Discussion ensued regarding contractual obligations, compensation and the proposed financial policies. No action was taken by the council at this time.

Mayor Cecil adjourned the meeting at 8:30p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 14th day of July, 2007.

ATTEST:

Dorothy Brooks
Dorothy Brooks, TRMC, City Secretary



William R. Cecil
William R. Cecil, Mayor

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**Minutes
Rockwall City Council
Monday, May 21, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087**

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. **HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters; including City Manager evaluation.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. **TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Councilmember McCallum made a motion that the City Manager's annual salary be set at \$155,000, that the monthly car allowance be set at \$750 per month, that the deferred compensation contribution be set at 5% of salary, and that the city provide life insurance equal to 1 times the annual salary. Councilmember Scott seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

Mayor Cecil made a motion appointing Bob Cotti to complete Glen Farris' term on the Planning and Zoning Commission, which ends in 2008. Councilmember Nielsen seconded the motion and the motion passed by a vote of 6 ayes and 1 abstain [Cotti].

43
44 Mayor Cecil adjourned the meeting at 5:55 p.m.

45
46 PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this
47 7th day of JUNE, 2007.

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51 ATTEST:
52 Dorothy Brooks
53
54 Dorothy Brooks, TRMC, City Secretary
55

William R. Cecil
William R. Cecil, Mayor



Agenda
Rockwall City Council
Monday, May 21, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, Matt Scott and Cliff Sevier. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR BILL CECIL

III. PROCLAMATIONS / AWARDS

1. Presentation of awards for Kiwanis Christmas Parade

Mayor Cecil assisted Kiwanis President Glen Farris in presenting the awards. Present to accept their awards were:

**YMCA Cherokee Princesses for the Small Fry Award
Suzuki Violin Students of Elizabeth Gray for the Ambassador Award
City of Rockwall Parks & Recreation Department for the Mayor's Award**

The following awards were announced, but no one appeared to receive them:

**Best Corporate Award – YMCA Adventure Guides-Rangers
Best Theme Award and Grand Marshall Award – YMCA Adventure Guides –
Dakota Circle**

Outgoing Councilmembers Cotti and McCallum spoke about their terms of office and thanked Staff and other Councilmembers and stated how much they enjoyed working with everyone.

IV. CONSENT AGENDA

- 1. Consider approval of the Minutes from the May 7, 2007 City Council meeting and take any action necessary.**
- 2. Consider approval of the revised Minutes from the April 16, 2007 City Council meeting and take any action necessary.**
- 3. Consider adoption of a Resolution canvassing the returns, including the returns of early voting ballots cast and declaring the results of the General Election held May 12, 2007, and take any action necessary.**

- 102 4. P2007-010 -- Discuss and consider a request by John Eisey for
103 approval of a final plat of Lots 1 and 2, Block 1, Eisey Addition,
104 including a replat of Lot 7 and part of Lots 6 and 8 of the Green
105 Valley Addition, being approximately 1 2-acres overall zoned (PD-
106 69) Planned Development No. 69 district and located at 1213 N.
107 Goliad and 1215 N Goliad (vacant), and take any action
108 necessary.
- 109 5. Consider approval of the material testing contract for the Fannin
110 Reconstruction Project and take any action necessary.

111 **Councilmember Scott requested that Consent Agenda Item #1 be pulled.**
112 **Councilmember Straughan made a motion to approve the balance of the items**
113 **and Councilmember Nielsen seconded the motion. The motion passed**
114 **unanimously by a vote of 7 ayes and 0 nays.**

115
116 **Councilmember Straughan made a motion to approve Consent Agenda #1 and**
117 **Mayor Cecil seconded the motion. The motion passed by a vote of 6 ayes and 1**
118 **abstain [Scott].**

119
120 **V. APPOINTMENTS**

- 121
122 1. Appointment with the Planning and Zoning Chairman to discuss
123 and answer any questions regarding cases on the agenda and
124 related issues and take any action necessary.

125 **Planning and Zoning Commission Chairman Bill Bricker briefly discussed the**
126 **items on tonight's agenda and stated that the Commission had approved all the**
127 **items.**

128
129 **Mayor Cecil then stated that he was changing the order of the items on the**
130 **agenda and would now hear Action Item #1.**

131
132 Discuss and consider problems caused to the homeowners at 1903 S.
133 FM-549 due to various construction projects and take any action
134 necessary.

135
136 **Julie Couch discussed the background of this item. City Engineer Chuck Todd**
137 **discussed the construction being conducted by the North Texas Municipal Water**
138 **District and TXDOT and utility companies. Stan Jeffus, owner of 1903 S. FM-459,**
139 **came forward and addressed the Council about the various issues affecting his**
140 **property. Ms. Couch stated that we will contact the Developer of Fontana Ranch**
141 **to see if the problems could be resolved. Chuck Todd will continue to update Mr.**
142 **and Mrs. Jeffus on construction status.**

143

144 VI. PUBLIC HEARING ITEMS

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1. Z2007-009 -- Hold a public hearing and consider approval of an Ordinance for a city-initiated request to amend the Unified Development Code (Ord. No. 04-38), specifically Article III, Zoning District and Maps; Article IV, Permissible Uses; Article V, District Development Standards; and Article X, Planned Development Regulations; and take any action necessary. (1st Reading)

Robert LaCroix, Director of Planning, discussed the background of this item and stated that the Planning and Zoning Commission had recommended approval by a vote of 7-0. After a short discussion, Mayor Cecil opened the public hearing, but no one came forward to address the Council, so the public hearing was closed. Councilmember Nielsen then made a motion to approve the Ordinance as presented and Councilmember Cotti seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE III, ZONING DISTRICT AND MAPS; ARTICLE IV, PERMISSIBLE USES; ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, AND ARTICLE X, PLANNED DEVELOPMENT REGULATIONS; 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; AND PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

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

Mayor Cecil advised that he was once again changing the order of the items on the Agenda and stated that the Council would now consider Action Item #4.

Discuss and consider status and composition of an oversight committee for the golf course and take any action necessary.

Councilmember Scott stated that he had requested this item be placed on the agenda for Council consideration. Councilmember Scott then asked Colin Ward (1305 Shores Boulevard) to come forward to discuss his membership with the Shores Golf Club. Mr. Ward stated that he had initially been told that he and others who had complained about the course were banned, however, that was changed to being allowed a month-to-month membership. Mike Loudder, General Manager of the Shores Golf Club came forward and addressed the Council. Loudder initially stated that he would not address membership issues. Loudder finally admitted that the memberships being offer to the people who had complained was not the same as the memberships being offered to other people. After lengthy Council discussion, Councilmember Scott made a motion to form an oversight committee that will work within the parameters of the contractual

relationship the City has with the Shores Golf Club. The committee will consist of 2 Councilmembers [Councilmember Scott and Councilmember Nielsen], 2 Staff members [Brad Griggs and a person appointed by Brad], 2 members consisting of the President of the Men's and the Women's Golf Associations and 3 Shores Golf Club members. The committee will oversee Exhibit "E" and execution of the Settlement Agreement, will oversee the maintenance of the course and will oversee management and operations. After short discussion, Councilmember Scott amended his motion to include Mike Loudder, General Manager of the Shores Golf Club on the committee. Councilmember Straughan concurred. The motion passed unanimously by a vote of 7 ayes and 0 nays.

2. Z2007-010 -- Hold a public hearing and consider approval of an Ordinance for a city-initiated revision to the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically Article V, District Development Standards, Section 6.6, IH-30 Overlay (IH-30 OV) District, Section F., Signs, and take any action necessary. (1st Reading)

Robert LaCroix discussed the background of this matter and stated that the Planning and Zoning Commission had recommended approval. Mayor Cecil opened the public hearing but no one came forward to address the Council, so the public hearing was closed. After short discussion, Councilmember McCallum made a motion to not consider the ordinance, to instruct Staff to review the Sign Code and include these types of variances in it and bring it back to the Council for approval. Councilmember Cotti seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

3. Z2007-011 -- Hold a public hearing and consider approval of an Ordinance for a request by Thomas Jones of Tomden Engineering, LLP, for approval of a change in zoning from (Ag) Agricultural district to (C) Commercial district on a 55.23-acre tract located along the south side of SH 66 and along the planned route of the 205 Bypass and west side of the Ralph Hall Municipal Airport, and take any action necessary. (1st Reading)

Robert LaCroix discussed the background of this item and advised that the Planning and Zoning Commission had recommended approval by a vote of 5-0. Tom Jones, Engineer for the project, came forward to address the Council and requested approval. The property is owned by Rockwall Property Corporation, a part of Columbia Extrusion and a sister company of Park Place West. Bill Bricker, 505 Westway, also came forward and requested approval. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

Clark Staggs
1601 Seascape
Rockwall, Texas

237 Mr. Staggs stated he has been part of the process for Rockwall
238 Property Corporation and that we are years out from seeing any
239 buildings, but they have to have the zoning first. He asked that the
240 Council approve the request.
241

242 There being no one further to address the Council, Mayor Cecil closed the public
243 hearing. Councilmember McCallum made a motion to deny the request. The
244 motion failed for lack of a second. After discussion, Councilmember Cotti made a
245 motion to approve the rezoning request. Councilmember Straughan seconded
246 the motion. After discussion, Councilmember Cotti revised his motion to zone
247 the property as PD and directed Staff to bring back a new ordinance to the
248 Council for approval at the next meeting. Councilmember Straughan seconded
249 the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
250

251 VII. SITE PLANS / PLATS

- 252
- 253 1. SP2007-007 -- Discuss and consider a request by Mark Cramer of
254 Bury + Partners for approval of a variance to the roof design
255 standards in conjunction with the approved site plan for Taco
256 Cabana, located on Lot 14, Block A, La Jolla Pointe Addition Phase
257 2, being a 1.37-acre tract located along the north side of IH-30 west
258 of Ridge Road, zoned (C) Commercial district and situated within
259 the IH-30 Overlay district, and take any action necessary.

260 Robert LaCroix discussed the background of this item. After short discussion,
261 Councilmember Straughan made a motion to approve the variance and
262 Councilmember McCallum seconded the motion. The motion passed
263 unanimously by a vote of 7 ayes and 0 nays.
264

265 VIII. ACTION ITEMS

- 266
- 267 1. Discuss and consider problems caused to the homeowners at 1903
268 S. FM-549 due to various construction projects and take any action
269 necessary. This item was heard after Appointment Item #1 –
270 See above.

- 271
- 272 2. Discuss and consider LED (electronic) message signs and take any
273 action necessary.

274 Brad Griggs discussed the background of this item and showed a picture of a
275 sign similar to our needs. Councilmember Scott stated that he preferred a full
276 sign in color (not red) and that hotel/motel funds could be used to purchase it.
277 Council instructed Staff to bring back the cost for such a sign during the budget
278 process.
279

- 280 3. Status update on SH-205 Business Access signage and take any
281 action necessary

282 **Chuck Todd discussed the background of this item and showed pictures of signs**
283 **currently being used. These signs were provided by TXDOT.**

284
285 4. Discuss and consider status and composition of an oversight
286 committee for the golf course and take any action necessary. **This**
287 **item was hearing after Public Hearing #1 – See above.**

288 5. Discuss and consider approval of the award of the Animal Adoption
289 Center construction contract and take any action necessary.

290 **Jeffrey Widmer discussed the background of this item. Councilmember**
291 **Straughan made a motion to approve the award contingent on the City of Heath's**
292 **approval, and Councilmember Cotti seconded the motion. The motion passed**
293 **unanimously by a vote of 7 ayes and 0 nays.**

294
295 6. Discuss and consider the future Downtown Zoning District with
296 regard to downtown historic buildings and economic development
297 of the downtown area, and take any action necessary.

298 **Robert LaCroix discussed the background of this item. After lengthy discussion,**
299 **Mayor Cecil made a motion to move forward with the survey and Councilmember**
300 **Straughan seconded the motion. The motion passed unanimously by a vote of 7**
301 **ayes and 0 nays. Staff will bring back a revised process regarding demolition of**
302 **property.**

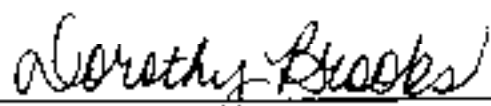
303
304 7. Discuss water planning for the City including future wholesale water
305 customers, future delivery points, and related topics and take any
306 action necessary.

307 **Julie Couch discussed this item and the impact to the City. Council instructed**
308 **Staff to move forward only as on a minimum basis.**

309
310 **There being no further business to come before the Council, Mayor Cecil**
311 **adjourned the meeting at 11:05 p.m.**

312
313 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
314 **TEXAS, this 4th day of June, 2007.**

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319 **William R. Cecil, Mayor**

320
321 **ATTEST:**
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323 
324 **Dorothy Brooks, TRMC, City Secretary**
325



Minutes
Rockwall City Council
Monday, June 04, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevler, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters: appointment of Mayor Pro Tem.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Nielsen nominated Councilmember Stephen Straughan as Mayor Pro Tem and Councilmember Scott seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Councilmember Nielsen made a motion to appointment Councilmembers as follows:

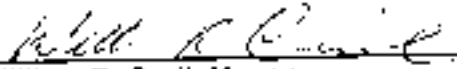
Airport Subcommittee: Glen Farris
Finance/Audit Subcommittee: David Sweet
Land Use Subcommittee: Matt Scott
Facilities Naming Subcommittee: Glen Farris (to replace Bill Cecil)
County-Wide Sports Program Subcommittee: David Sweet (to replace Bill Cecil)
Youth Advisory Council Liaisons: Matt Scott, Glen Farris and David Sweet
Alliance for the Arts Liaison: Bill Cecil
Airport Subcommittee: Non-Council Liaison – Bob Cotti

Councilmember Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

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Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED by the City Council of the City of Rockwall, Texas, this
18th day of June, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks RMC, City Secretary



Minutes
Rockwall City Council
Monday, June 04, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

SWEARING IN CEREMONY FOR NEWLY ELECTED COUNCILMEMBERS

City Secretary Dorothy Brooks swore-in Mayor Bill Cecil, Councilmember Glen Farris, Councilmember David Sweet and Councilmember Matt Scott.

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR BILL CECIL

III. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. No one came forward to address the Council, so the Open Forum portion of the meeting was closed.

IV. CONSENT AGENDA

1. Consider approval of the Minutes from the May 21, 2007 Council meeting and take any action necessary.
2. Z2007-009 -- Consider approval of an Ordinance for a city-initiated request to amend the Unified Development Code (Ord. No. 04-38), specifically Article III, Zoning District and Maps; Article IV, Permissible Uses; Article V, District Development Standards; and Article X, Planned Development Regulations; and take any action necessary. (2nd Reading)
3. P2007-015 -- Discuss and consider a request by Michael Allen of Allen & Ridinger Consulting, Inc., for approval of a replat of Lots 12-14, Block A, La Jolla Pointe Addition Phase 2, located along the north side of IH-30 west of Ridge Road, zoned (C) Commercial district and situated within the IH-30 Overlay district, and take any action necessary.
4. Consider approval of a Resolution amending our health department fees and take any action necessary.
5. Consider approval of Neighborhood Drainage Improvements Change Order Number 1 and take any action necessary.
6. Consider approval of two Change Orders for the Park at Fox Chase Development and take any action necessary.

108 Councilmember Farris requested that Consent Agenda Item #1 be pulled.
109 Councilmember Straughan made a motion to approve the remaining items on the
110 Consent Agenda and Councilmember Scott seconded the motion. The ordinance was
111 read as follows:

112
113 **ORDINANCE NO. 07-18**

114 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
115 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS
116 PREVIOUSLY AMENDED, BY AMENDING ARTICLE III. ZONING DISTRICT AND MAPS;
117 ARTICLE IV. PERMISSIBLE USES; ARTICLE V. DISTRICT DEVELOPMENT STANDARDS;
118 AND ARTICLE X. PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR A PENALTY
119 OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
120 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
121 CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. (2nd Reading)

122
123
124 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

125
126 Mayor Cecil made a motion to approve Consent Agenda Item #1 and Councilmember
127 Scott seconded the motion. The motion passed by a vote of 5 ayes and 2 abstain (Sweet
128 and Farris).

129
130 **V. APPOINTMENTS**

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

135 Planning and Zoning Chairman Bill Bricker came forward and addressed the Council.
136 Bricker talked about the joint meeting with the Historic Preservation Advisory Board and
137 advised that the Planning and Zoning Commission recommended approval of PD-50 by a
138 vote of 5-0.

- 139
140 2. Appointment with Mike Crawford, Jack McLary and Sean Wilson
141 regarding the Takeline on Lakeside Drive and take any action necessary

142 Robert LaCroix, Planning Director, and Brad Griggs, Parks Director, discussed the
143 background of this item and the effect it would have on other properties along the
144 Takeline. Messers. Crawford, McLary and Wilson came forward and requested that the
145 Council approve their request. After lengthy discussion, Councilmember Scott made a
146 motion directing Staff to put together information on all the properties along the Takeline
147 and bring back to the Council information on how many home will be affected by the
148 requested change to the ordinance. Councilmember Straughan seconded the motion.
149 Councilmember Nielsen requested that this information be provided to the Council at the
150 2nd meeting in July. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 151
152 3. Appointment with IdleAire Technologies regarding IdleAire's patented
153 Advanced Truckstop Electrification (ATE) equipment and take any action
154 necessary.

155 Robert LaCroix discussed the background of the variance requests. Mr. John Knight,
156 Vice President of Construction of IdleAire Technologies out of Knoxville, Tennessee,
157 came forward to address the Council regarding the request. After lengthy discussion,
158 Councilmember Nielsen made a motion to approve the variances with the addition of

159 evergreen trees to help with screening. Councilmember Farris seconded the motion.
160 The motion passed by a vote of 6 ayes and 1 nay [Cecil].
161

162 **VI. ACTION ITEMS**

- 163
164 1. Discuss and consider the initiation of an amendment to the Unified
165 Development Code to create a North Guild Corridor Overlay District,
166 including associated amendments to (PD-50) Planned Development No.
167 50 district and the Old Town Rockwall Historic District, and take any
168 action necessary.

169 Robert LaCroix discussed the background of this item. LaCroix advised that the
170 Planning and Zoning Commission had a joint meeting with the Historic Preservation
171 Advisory Board on May 29, 2007, but that the HPAB did not have a quorum present and
172 could not take action. There was no consensus between the Planning and Zoning
173 Commission and the HPAB and the decision was made to bring this back to the City
174 Council for discussion and/or approval. After lengthy discussion, Mayor Cecil stated
175 that he would like to hear from Sherry Pittman, Chair of the HPAB. Ms. Pittman came
176 forward and discussed the concerns held by the HPAB. Councilmember Scott then made
177 a motion to remand the matter back to the Planning and Zoning Commission to hold the
178 necessary public hearings in order to finalize PD-50. Councilmember Straughan
179 seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0
180 nays.

- 181
182 2. Z2007-011 -- Discuss and consider approval of an Ordinance for a
183 request by Thomas Jones of Tomfen Engineering, LLP, for approval of a
184 change in zoning from (Ag) Agricultural district to (PD) Planned
185 Development district on a 55.23-acre tract located along the south side of
186 SH 66 and along the planned route of the 205 Bypass and west side of
187 the Ralph Hall Municipal Airport, and take any action necessary (1st
188 Reading)

189 Robert LaCroix discussed the background of this item. Councilmember Scott made a
190 motion to approve the Ordinance and Councilmember Nielsen seconded the motion. The
191 ordinance was read as follows:

192
193 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
194 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS
195 PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (AG)
196 AGRICULTURAL DISTRICT TO (PD-71) PLANNED DEVELOPMENT NO. 71
197 DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 55.23-ACRES
198 AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING
199 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
200 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
201 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
202 EFFECTIVE DATE. [1st Reading]

203
204 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 205
206 3. Discuss and consider City requirement to notify property owners within
207 200 feet of a property being zoned or re-zoned and take any action
208 necessary.

209 Robert LaCroix discussed the background of this item and showed color pictures of the
210 various notification areas. LaCroix recommend that the Council adopt the notice
211 requirements by policy and not by an ordinance, which will give Staff more flexibility.
212 LaCroix also advised that we might need to adjust our fees. Councilmember Scott made
213 a motion to set by policy requirements for notification of all properties within 400 feet of
214 a zoning or rezoning change; owners within 1 to 200 feet would be allowed to file
215 protests, owners within 201-400 feet would not be allowed to file protest and would have
216 no appeal rights. Fees should be increased if necessary. Councilmember Nielsen
217 seconded the motion. After discussion, the motion failed by a vote of 3 ayes [Scott,
218 Sweet and Nielsen] and 4 nays [Cecil, Sevlar, Straughan and Farris].
219

220 Councilmember Nielsen then made a motion to develop a policy regarding the size of the
221 notification signs and to bring it back to the Council for approval. Councilmember Farris
222 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
223 Councilmembers Farris and Straughan stated that they would like to see the notices
224 included on our website.
225

226 4. Discuss and consider approval of a Resolution creating an Oversight
227 Committee for the Shores Concession Agreement and take any action
228 necessary.

229 Julie Couch discussed the background of this item. Councilmember Nielsen made a
230 request that the list of members be revised to show President of the Men's and the
231 Women's Golf Associations, or their designees and that the City's legal counsel would
232 be available to answer questions that the Board might have. The Board should also be a
233 Standing Committee until such time as the Council dissolves it. Councilmember Scott
234 seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0
235 nays.
236

237 VII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING
238 MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
239

240 1. Departmental Reports
241 Finance Report
242 Building Department Monthly Report
243 Fire Department Monthly Report


244 2. City Manager's Report.
245

246 Rick Crowley, Assistant City Manager gave an update on the drought plan and advised
247 that Mike Rickman of the North Texas Municipal Water District would be at the next
248 meeting to give a status report and to give us recommendations on our drought
249 contingency plan.
250

251 There being no further business to come before the Council, Mayor Cecil adjourned the
252 meeting at 9:20 p.m.

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PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this 18th day of June, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Bracks, TRMC, City Secretary



Minutes
Rockwall City Council
Monday, June 18, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen and David Sweet. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

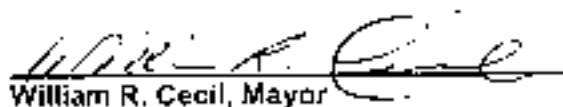
1. Deliberation regarding the purchase, exchange, lease, or value of real property
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Straughan made a motion to instruct staff to proceed with annexation of the entire area included in the 212 agreement approved on March 19, 2007, subject to confirmation by Staff and the City Attorney that compliance with the provisions of the agreement has not been met. Councilmember Farris seconded the motion. The motion passed by a vote of 5 ayes, 1 nay [Sweet] and 1 absent [Scott].

Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of July, 2007.


William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, City Secretary



**Minutes
Rockwall City Council**

Monday, June 18, 2007
6:00 p.m. Regular Meeting

City Hall, 385 S. Gollad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen and David Sweet. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

Mayor Cecil recognized members of Troop 690 who are working on their Eagle Scout designations. Mayor Cecil also recognized newly appointed Mayor Pro Tem Stephen Straughan and Councilmember Scott's service as Mayor Pro Tem last year.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER CLIFF SEVIER

III. PROCLAMATIONS / AWARDS

1. Proclamation in honor of Juneteenth:

Mayor Cecil presented the proclamation to former Councilmember Sam Buffington. Mr. Buffington invited all to the Juneteenth celebration scheduled tomorrow (6/19/07) on the south side near the Gloria Williams Park/Pool.

IV. CONSENT AGENDA

- 1.** Consider approval of the Minutes from the June 4, 2007, City Council meeting and take any action necessary.
- 2.** Consider approval of the renewal of Street Material Contracts and take any action necessary.
- 3.** Consider approval of the award of the Engineering Agreements for Phase 2 and Phase 3 of the Northern Area Water Lines and take any action necessary.
- 4.** Z2007-011 -- Discuss and consider approval of an Ordinance for a request by Thomas Jones of Tomden Engineering, LLP, for approval of a change in zoning from (Ag) Agricultural district to (PD-71) Planned Development No. 71 district on a 55.23-acre tract located along the south side of SH 66 and along the planned route of the 205 Bypass and west side of the Ralph Hall Municipal Airport, and take any action necessary. (2nd Reading)
- 5.** P2007-016 -- Discuss and consider a request by Randell Cunnion of Spring Haven Investments, Inc., for approval of a preliminary plat for The Highlands, being a 234.697-acre tract zoned (PD-66) Planned Development No. 66 district and located along the south side of SH 276 east of Rochelle Road, and take any action necessary.

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6. P2007-017 -- Discuss and consider a request by Richard Skorburg of Stone Creek SF, Ltd., for approval of a master plat and open space master plan for Stone Creek Addition, being approximately 395-acres zoned (PD-70) Planned Development No. 70 District and comprised of Tracts 1 and 2, Abstract 71, W.T. DeWeese Survey, and Tracts 2, 3 and 4, Abstract 131, S. King Survey, located along the east side of SH 206, south side of FM 552, west side of Hayes Rd and north side of Quail Run Road, and take any action necessary.
 7. P2007-020 -- Discuss and consider a request by Misty Phillips for approval of a final plat for Lot 1, Block A, Henry Addition, being a 0.17-acre tract zoned (PD-50) Planned Development No. 50 district and designated for (RO) Residential-Office uses, located at 907 N. Goliad, and take any action necessary.
 8. Consider approval of a contract with Linebarger, Goggan, Bair & Sampson LLP for Municipal Court collections and take any action necessary.
 9. Consider authorizing the City Manager to enter into a Construction Manager at Risk contract with Landscapes Unlimited for Emerald Bay Park improvements and take any action necessary.
 10. Consider approval of the award of the FM-549 Water Line (south area) construction contract and take any action necessary.

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Councilmember Straughan made a motion to approve all of the items on the Consent Agenda and Councilmember Nielsen seconded the motion. The ordinance was read as follows:

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ORDINANCE NO. 07-19

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-71) PLANNED DEVELOPMENT NO. 71 DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 55.23-ACRES AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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. [2nd Reading]

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The motion to approve all of the Consent Agenda items passed by a vote of 6 ayes and 1 absent [Scott].

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V. APPOINTMENTS

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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.

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Planning and Zoning Commission Chairman Bill Bricker came forward and discussed the actions taken by the Commission on the various planning and zoning items on tonight's agenda.

147 2. Appointment with Turner Collie and Braden, the 205 By-pass engineering
148 consultant, for an update on the project status and take any action
149 necessary.

150 **Bob Reach of Turner Collie and Braden gave a brief update of the status of the 205**
151 **Bypass and stated that construction is still on track for completion by December 2008.**
152 **Chuck Todd, City Engineer talked about the status of 205 Bypass south of I-30 and stated**
153 **that portion of the Bypass was also on track for completion by December 2008.**
154

155 3. Appointment with Mr. Robt James of the Ratliff Group to present a
156 conceptual sign plan for Toyota of Rockwall and take any action
157 necessary. [See below for full detail]

158 **Mr. James was not available, so Mayor Cecil deferred the item at this time.**
159

160 **Mayor Cecil then advised that the Council would now consider Action Item #3.**
161

162 3. Discuss and consider approval of an Ordinance amending the Sign
163 Ordinance regarding variance requests within the I-30 Overlay District
164 and take any action necessary
165

166 **Jeffrey Widmer, Building Official, discussed the background of this item.**
167 **Councilmember Straughan made a motion to approve the Ordinance and Councilmember**
168 **Sevier seconded the motion. The ordinance was read as follows:**
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170 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
171 THE SIGN CODE, AS PREVIOUSLY AMENDED, IN SECTION II, SECTION F, CITY COUNCIL,
172 BY ADDING PARAGRAPH G; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
173 SUM OF TWO THOUSAND DOLLARS (\$2,000); PROVIDING A SEVERABILITY CLAUSE;
174 PROVIDING AN EFFECTIVE DATE. [1st Reading]
175

176 **The motion passed by a vote of 6 ayes and 1 absent [Scott].**
177

178 **VI. PUBLIC HEARING ITEMS**

179
180 1. P2007-018 -- Hold a public hearing and consider approval of a request by
181 Chad Hudson for approval of a residential replat of Lot 6, Block C,
182 Chandler's Landing Phase 19, being a part of the proposed final plat for
183 Independence Pass Addition, which is 1.47-acres overall and zoned (PD-
184 8) Planned Development No. 8 District, and also including the property
185 currently described as Tract 136, Abstract 207, E. Teal Survey, situated
186 along the west side of FM 740 (Ridge Rd) and at the south terminus of
187 Independence Place, and take any action necessary.

188 **Robert LaCroix, Planning Director, discussed the background of this item. LaCroix**
189 **advised that the Chandler's Landing HOA had approved this request and that the**
190 **Planning and Zoning Commission recommended approval by a vote of 6-0. Mitchell**
191 **Lineman, Engineer, 2600 Daybreak Drive, Rockwall, came forward to speak on behalf of**
192 **the applicant. Mayor Cecil opened the public hearing but no one came forward to**
193 **address the Council, so the public hearing was closed. Councilmember Straughan made**
194 **a motion to approve the request and Councilmember Sevier seconded the motion. The**
195 **motion passed by a vote of 6 ayes and 1 absent [Scott].**
196

197 2. Z2007-013 -- Hold a public hearing and consider approval of an
198 Ordinance for a request by Richard Akin of The Dimension Group for
199 approval of a Specific Use Permit (SUP) to allow for a "retail store with
200 gasoline product sales with more than 2 dispensers" within the (GR)
201 General Retail district, in association with a 7-Eleven proposed to be
202 located on part of Lot 1, Block A, Hillcrest Center Addition, being a 1.02-
203 acre tract situated within the North SH 205 Corridor Overlay district and
204 located at the northeast corner of FM 552 and SH 205, and take any
205 action necessary. (1st Reading)

206 **Robert LaCroix discussed the background of this item, which is approval of the SUP, and**
207 **stated that the Planning and Zoning Commission had recommended approval by a vote**
208 **of 7-0. LaCroix advised that the applicant had volunteered to do extra screening and it**
209 **will be a stone building. Richard Akin, applicant, came forward and addressed the**
210 **Council and requested approval of this item. Mayor Cecil opened the public hearing but**
211 **no one came forward to address the Council, so the public hearing was closed. After**
212 **discussion, Councilmember Nielsen made a motion to approve the Ordinance with the**
213 **understanding that there will be no outside display and/or storage allowed.**
214 **Councilmember Farrels seconded the motion. The ordinance was read as follows:**

215
216 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED
217 DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED,
218 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A RETAIL STORE WITH MORE
219 THAN TWO GAS PUMPS ON A TRACT OF LAND KNOWN AS PART OF LOT 1, BLOCK A,
220 HILLCREST ADDITION, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING
221 FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
222 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
223 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
224 EFFECTIVE DATE. (1st Reading)

225
226 **The motion passed by a vote of 6 ayes and 1 absent [Scott].**
227

228 3. Z2007-014 -- Hold a public hearing and consider approval of an
229 Ordinance for a request by Mary Ann Rojas for a change in zoning from
230 (SF-10) Single Family Residential District to (GR) General Retail district
231 on a 0.28-acre tract being Lot 6, Block 1, L&W Addition, located at 102
232 Glenn Ave, and take any action necessary. (1st Reading)

233 **Robert LaCroix discussed the background of this matter and advised that the Planning**
234 **and Zoning Commission recommended approval by a vote of 4-3. Mary Ann Rojas,**
235 **applicant, came forward and gave a short presentation and requested approval of this**
236 **item. Mayor Cecil opened the public hearing and the following persons came forward to**
237 **address the Council:**

238
239 **Hugh McFarlin**
240 **105 Glenn**
241 **Is against the rezoning.**

242
243 **Brian Roefler**
244 **109 Glenn**
245 **Is against the rezoning.**
246

247 **Scott McNary**
248 **113 Glenn**
249 **Is against the rezoning**
250
251 **Jerry Hoover**
252 **110 Glenn**
253 **Is against the rezoning**
254
255 **Ken Melston**
256 **805 S. Alamo**
257 **Is against the rezoning**
258
259 **Joe Richeston**
260 **704 W. Boydston**
261 **Bought 106 Glenn for his mother-in-law. Is against the rezoning.**
262
263 **Barbara Miramen**
264 **710 S. Alamo**
265 **Is against the rezoning.**
266
267 **Jo Cobb**
268 **710 S. Alamo**
269 **Is against the rezoning.**
270
271 **Chris Cantu**
272 **3518 Vineyard**
273 **Houston, Texas**
274 **Is a friend of Mary Ann Rojas and spoke in favor of the rezoning.**

275
276 **There being no one further to address the Council, Mayor Cecil closed the public**
277 **hearing. After short discussion, Councilmember Straughan made a motion to deny**
278 **rezoning and Councilmember Sweet seconded the motion. The motion passed by a vote**
279 **of 6 ayes and 1 absent [Scott].**
280

281 **Mayor Cecil noted that Mr. Rob James was now present and the Council would now**
282 **consider Appointment Item #3. Councilmember Stephen Straughan recused himself**
283 **from participation in and/or taking any action on this item. Councilmember Matt Scott**
284 **joined the meeting at this time [8:58 p.m.]**

285
286 **3 Appointment with Mr. Rob James of the Rallif Group to present a**
287 **conceptual sign plan for Toyota of Rockwall and take any action**
288 **necessary.**
289

290 **Jeffrey Widmer, Building Official, discussed the background of this item. Mr. James**
291 **discussed the sign variances that Toyota will be requesting. Mayor Cecil stated that the**
292 **Council will be taking action on this item at the next meeting. Mr. James advised that**
293 **any changes would require that Mr. Jackson renegotiate with Gulf States Toyota.**
294 **Mr. James let the Council know that the billboards currently on the property would be**
295 **going away.**
296

297 **Councilmember Straughan returned to the meeting.**

298 4. Z2007-015 -- Hold a public hearing and consider approval of an
299 Ordinance for a request by Jacques Roy for approval of a Specific Use
300 Permit (SUP) allowing for a "Landing/Stairs exceeding the maximum
301 requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV)
302 District, in the lake area adjacent to their property at 1320 Coastal Drive,
303 being Lot 56, Block F, Hillside Phase 5 (The Shores) Addition, and take
304 any action necessary. (1st Reading)

305 **Robert LaCroix discussed the background of this request for a special use permit. The**
306 **applicant started construction of the improvements without first obtaining a permit and**
307 **the storage area is oversized. The applicants, Jacques Roy and Louise Lamar, came**
308 **forward to address the Council and requested approval of the SUP. Mayor Cecil opened**
309 **the public hearing and the following persons came forward to address the Council:**

310 **Randy Greelee**
311 **1290 Coastal Drive**
312 **Is in favor of the granting of this SUP.**
313

314
315 **There being no one further to address the Council, Mayor Cecil closed the public**
316 **hearing. Councilmember Scott made a motion to approve the SUP and Councilmember**
317 **Nielsen seconded the motion. After short discussion, the ordinance was read as follows:**

318 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
319 **AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,**
320 **TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT**
321 **ALLOWING FOR A LANDING/STAIRS EXCEEDING THE MAXIMUM**
322 **REQUIREMENTS WITHIN THE LAKE RAY HUBBARD TAKELINE OVERLAY**
323 **DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 56, BLOCK F, HILLSIDE**
324 **PHASE 5 (THE SHORES) ADDITION AND LOCATED AT 1320 COASTAL DRIVE,**
325 **AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; PROVIDING FOR**
326 **SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED**
327 **THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
328 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
329 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**
330

331
332 **The motion passed by a vote of 6 ayes and 1 nay [Farris].**
333

334 5. Z2007-016 -- Hold a public hearing and consider approval of an
335 Ordinance for a request by Jacques Roy for approval of a Specific Use
336 Permit (SUP) allowing for a "Dock/patio exceeding the maximum
337 requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV)
338 District, in the lake area adjacent to their property at 1320 Coastal Drive,
339 being Lot 56, Block F, Hillside Phase 5 (The Shores) Addition, and take
340 any action necessary. (1st Reading)

341 **Robert LaCroix discussed the background of this request for a special use permit. The**
342 **applicant started construction of the improvements without first obtaining a permit and**
343 **the storage area is oversized. The applicant, Jacques Roy, came forward to address the**
344 **Council and requested approval of the SUP. Mayor Cecil opened the public hearing, but**
345 **no one came forward to address the Council, so Mayor Cecil closed the public hearing.**
346 **Councilmember Straughan made a motion to approve the SUP and Councilmember Scott**
347 **seconded the motion. The ordinance was read as follows:**
348

349 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
350 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,
351 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT
352 ALLOWING FOR A DECK/PATIO EXCEEDING THE MAXIMUM REQUIREMENTS
353 WITHIN THE LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT
354 OF LAND ADJACENT TO LOT 56, BLOCK F, HILLSIDE PHASE 5 (THE SHORES)
355 ADDITION AND LOCATED AT 1320 COASTAL DRIVE, AND MORE SPECIFICALLY
356 DESCRIBED IN "EXHIBIT A"; PROVIDING FOR SPECIAL CONDITIONS;
357 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
358 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
359 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
360 FOR AN EFFECTIVE DATE.

361
362 **The motion passed by a unanimously by a vote of 7 ayes and 0 nays.**

- 363
364 6. Z2007-017 - Hold a public hearing and consider approval of an
365 Ordinance for a request by Barry Greenlee for approval of a Specific Use
366 Permit (SUP) allowing for a "Landing/Stairs exceeding the maximum
367 requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV)
368 District, in the take area adjacent to their property at 1290 Coastal Drive,
369 being Lot 1, Block F, Crestview Phase 3 (The Shores) Addition, and take
370 any action necessary. (1st Reading)

371 **Robert LaCroix discussed the background of this request for a special use permit. The**
372 **applicant started construction of the improvements without first obtaining a permit and**
373 **the storage area is oversized. The applicant, Barry Greenlee, came forward to address**
374 **the Council and requested approval of the SUP. Mayor Cecil opened the public hearing**
375 **but no one came forward to address the Council, so the public hearing was closed.**
376 **Councilmember Scott made a motion to approve the SUP with no storage and**
377 **Councilmember Sevier seconded the motion. After discussion, Councilmember Scott**
378 **amended his motion to read that the SUP is approved with the condition that it ends in**
379 **five years and that the landing/stairs will then have to be removed. Mr. Greenlee will then**
380 **be allowed to replace the structure within the Takeline Overlay District Ordinance**
381 **guidelines [a building permit is required]. The current structure can be used to store**
382 **landscaping equipment as allowed by the Takeline Overlay District Ordinance so long as**
383 **it is fully screened by landscaping approved by Staff. Councilmember Sevier amended**
384 **his second. The ordinance was read as follows:**

385 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
386 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,
387 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT
388 ALLOWING FOR A LANDING/STAIRS EXCEEDING THE MAXIMUM
389 REQUIREMENTS WITHIN THE LAKE RAY HUBBARD TAKELINE OVERLAY
390 DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 1, BLOCK F, CRESTVIEW
391 PHASE 3 (THE SHORES) ADDITION AND LOCATED AT 1290 COASTAL DRIVE,
392 AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; PROVIDING FOR
393 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
394 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
395 PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER
396 CLAUSE, PROVIDING FOR AN EFFECTIVE DATE.

397
398
399 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
400

401 VII. SITE PLANS / PLATS

- 402
403 1. SP2007-013 -- Discuss and consider a request by Tim McMahon of
404 Preston Engineering for approval of a variance of Article V, District
405 Development Standards, IH-30 Overlay District, Section D, Site Design
406 Standards, b. Cross Access, in conjunction with an approved site plan for
407 Rockwall Kia, located on a 5.99-acre tract currently known as Tract S,
408 Abstract 134, J. Lockhart Survey, located at 1790 Interstate 30, zoned
409 (LI) Light Industrial district and situated within the IH-30 Overlay district,
410 and take any action necessary. (3/4 majority vote required for approval)

411 **Robert LaCroix discussed the background of this request. Councilmember Straughan**
412 **asked for Fire Chief Poindexter's opinion on the cross-access. Poindexter stated that the**
413 **Fire Department prefers having the cross-access in case they overshoot an address. In**
414 **this case, because it is located along the I-30 service road, they would be required to**
415 **circle around, which is not a good situation. Tim McMahon and John Robinson came**
416 **forward to address the Council. They stated that having cross-access is a security**
417 **concern for the company. After discussion, Councilmember Straughan made a motion to**
418 **decline the variance and Councilmember Sweet seconded the motion. The motion**
419 **passed by a vote of 5 ayes and 2 nays [Farrls and Cecil].**

- 420
421 2. P2007-014 -- Discuss and consider a request by Tim McMahon of
422 Preston Engineering for approval of a preliminary plat of the Rockwall Kia
423 Addition, being a 5.99-acre tract zoned (LI) Light Industrial district and
424 located at 1790 Interstate 30, and take any action necessary.

425 **Robert LaCroix discussed the background of this item and stated that it is a preliminary**
426 **approval of the plat and that Staff recommends approval with conditions.**
427 **Councilmember Straughan made a motion to approve the motion and Councilmember**
428 **Scott seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0**
429 **nays.**

430
431 VIII. ACTION ITEMS

- 432
433 1. Discuss and consider approval of a Resolution to suspend the effective
434 date of the Atmos GRIP surcharge and take any action necessary.

435 **City Attorney Pete Eckert discussed the background of this item. Jeanne Hooker,**
436 **Manager of Public Service for Atmos, came forward and asked that the Council approve**
437 **Atmos' request for denial. Councilmember Scott made a motion to approve the**
438 **Resolution as presented and Councilmember Nielsen seconded the motion. The motion**
439 **passed unanimously by a vote of 7 ayes and 0 nays.**

- 440
441 2. Discuss and consider approval of an Ordinance setting the speed limit on
442 Quail Run Road, west of SH-205 to the west side of the alley, west of
443 Random Oak Drive, at 20 mph and the section of Quail Run, west of the
444 alley, set at 10 mph, and take any action necessary.

445 **Chuck Todd, City Engineer discussed the background of this item. Mayor Cecil stated**
446 **that residents of the area (not the HOA) had requested this action. Councilmember**
447 **Sevier made a motion to approve the Ordinance and Councilmember Straughan**
448 **seconded the motion. The ordinance was read as follows:**

449

450 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
451 AMENDING CHAPTER 16 MOTOR VEHICLES, ARTICLE VI OPERATION, DIVISION
452 7 BY ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES
453 UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, SECTION 545.358,
454 UPON QUAIL RUN ROAD, WEST OF SH-205, WITHIN THE CORPORATE LIMITS OF
455 THE CITY OF ROCKWALL, TEXAS; PROVIDING A PENALTY OF A FINE NOT TO
456 EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200); PROVIDING A
457 SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (1st Reading)
458

459
460 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 461
- 462 3. Discuss and consider approval of an Ordinance amending the Sign
463 Ordinance regarding variance requests within the I-30 Overlay District
464 and take any action necessary [See detail above]
 - 465 4. Discuss and consider extending the existing contract for Fixed Base
466 Operator services at the Rockwall Municipal Airport and take any action
467 necessary

468 **Joey Boyd discussed the background of this request. Councilmember Nielsen made a**
469 **motion to approve the request and Councilmember Straughan seconded the motion. The**
470 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

- 471
- 472 5. Discuss and consider setting a date for the budget work session and take
473 any action necessary.

474 **Julie Couch discussed the need to set the date for the budget work session. After**
475 **discussion, the work session date was set for Friday, July 27, 2007, starting at 8:00 a.m.**
476 **The work session will be held in the Municipal Court Courtroom.**

477
478 **There being no other regular business to come before the Council, Mayor Cecil**
479 **adjourned the meeting into Executive Session at 10:51 p.m.**

480
481 **IX. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS**
482 **GOVERNMENT CODE TO DISCUSS:**

- 483
- 484 1. Deliberation regarding the purchase, exchange, lease, or value of real
485 property.
 - 486 2. Personnel Issues, including Board, Commission, and Committee
487 Appointments, and Related Matters
 - 488 3. Commercial or financial information regarding business prospects that the
489 City seeks to have locate, stay, or expand in or near the territory of the
490 City of Rockwall and with which the Board is conducting economic
491 development negotiations.
 - 492 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
493 with attorney with regard to a matter that it is the duty of the attorney to
494 consult with the Council and falls under the attorney-client privilege.

496 X. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

497

498 Councilmember Scott made a motion to remove Mary Hanrahan from the Historic
499 Preservation Advisory Board and Councilmember Farris seconded the motion. Mayor
500 Cecil requested that a reason be stated as to the action. Councilmember Farris indicated
501 that there was a lack of confidence and concern that the mission of the Historic
502 Preservation Advisory Board was not being met. The motion passed by a vote of 6 ayes
503 and 1 nay [Cecil].

504

505 Councilmember Nielsen made a motion that Councilmember Farris replace her on the
506 Conservation and Landscape Subcommittee. The motion was seconded by
507 Councilmember Sevier and passed unanimously by a vote of 7 ayes and 0 nays.

508

509 There being no further action to come before the Council, Mayor Cecil adjourned the
510 meeting at 12:00 a.m.

511

512 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
513 TEXAS, this 10th day of July, 2007.

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William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, City Secretary



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Minutes
Rockwall City Council
Monday, July 16, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

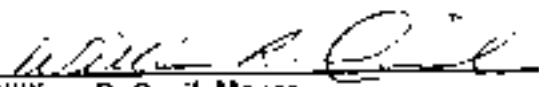
II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege: including consultation with attorney regarding 212 Agreement – City v. Peoples

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken at this time as a result of Executive Session. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of August, 2007.


William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, CMC, City Secretary



Minutes
Rockwall City Council
Monday, July 16, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckart.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER STEPHEN STRAUGHAN

III. PROCLAMATIONS / AWARDS

1. Presentation by Rep. Laubenberg to the King Family in memory of John King.

Representative Jodie Laubenberg presented the Texas House of Representatives Resolution to Marilyn King.

Councilmember Margo Nielsen presented Mayor Bill Cecil with a C3 award from Rob Lawton, creator of C3, for his leadership in bringing C3 to the City.

IV. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not schedule for a public hearing on tonight's agenda. No one came forward to address the Council, so Mayor Cecil closed the Open Form session.

V. CONSENT AGENDA

1. Consider approval of the Minutes from the February 12, 2007 Special Meeting and Work Session and take any action necessary.
2. Consider approval of the Minutes from the April 30, 2007 Joint Work Session with the RISD and Council Work Session and take any action necessary.
3. Consider approval of the Minutes from the May 14, 2007 Special Meeting and Council Budget Work Session and take any action necessary.
4. Consider approval of the Minutes from the June 18, 2007 City Council Meeting and take any action necessary.
5. Consider approval of an Ordinance amending the Sign Ordinance regarding variance requests within the I-30 Overlay District and take any action necessary. (2nd Reading)
6. Consider approval of an Amendment to Cingular Wireless Contract for space rental on the Interstate 30 water tower and take any necessary action.

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7. Consider approval of an Amendment to Circular Wireless Contract for space rental on the water tower on Boydston and take any action necessary
- 97
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8. Consider approval an agreement with Oncor for the relocation of power poles at the new Harbor public parking lot south of Summer Lee and take any action necessary.
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9. Z2007-013 -- Consider approval of an Ordinance for a request by Richard Akin of The Dimension Group for approval of a Specific Use Permit (SUP) to allow for a "retail store with gasoline product sales with more than 2 dispensers" within the (GR) General Retail district, in association with a 7-Eleven proposed to be located on part of Lot 1, Block A, Hillcrest Center Addition, being a 1.02-acre tract situated within the North SH 205 Corridor Overlay district and located at the northeast corner of FM 552 and SH 205, and take any action necessary. (2nd reading)
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10. Z2007-015 -- Consider approval of an Ordinance for a request by Jacques Roy for approval of a Specific Use Permit (SUP) allowing for a "Landing/Stairs exceeding the maximum requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the lake area adjacent to their property at 1320 Coastal Drive, being Lot 56, Block F, Hillside Phase 5 (The Shores) Addition, and take any action necessary (2nd Reading)
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11. Z2007-016 -- Consider approval of an Ordinance for a request by Jacques Roy for approval of a Specific Use Permit (SUP) allowing for a "Deck/patio exceeding the maximum requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the lake area adjacent to their property at 1320 Coastal Drive, being Lot 56, Block F, Hillside Phase 5 (The Shores) Addition, and take any action necessary (2nd reading)
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12. Z2007-017 -- Consider approval of an Ordinance for a request by Barry Greenlee for approval of a Specific Use Permit (SUP) allowing for a "Landing/Stairs exceeding the maximum requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the lake area adjacent to their property at 1290 Coastal Drive, being Lot 1, Block F, Crestview Phase 3 (The Shores) Addition, and take any action necessary. (2nd Reading)
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13. P2007-024 -- Discuss and consider a request by David Johnston of Guanah Hospitality Partners for approval of a replat of Lot 4, Block A, Newman Center Addition, specifically to abandon a portion of an existing drainage easement, being a 2.148-acre tract zoned (C) Commercial district and located at 1040 E. IH-30, and take any action necessary.
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14. P2007-021 -- Discuss and consider a request by Jed Dorson of Skorburg Company for approval of a preliminary plat for Stone Creek Addition, being approximately 373.62-acres zoned (PD-70) Planned Development No. 70 District and comprised of Tracts 1 and 2, Abstract 71, W.T. DeWeese Survey, and Tracts 2, 3 and 4, Abstract 131, S. King Survey, located along the east side of SH 205, south side of FM 552, west side of Hayes Rd and north side of Quail Run Rd, and take any action necessary.

- 141 15. P2007-022 -- Discuss and consider a request by Sam Ellis of XLNT
142 Group, Inc., for approval of a final plat of Lot 1, Block D, North Lakeshore
143 Valley Addition, being 1.543-acres zoned (PD-65) Planned Development
144 No. 65 district (Ord. 06-02) and situated along the west side of SH 205
145 north of Old Quail Run Rd. and take any action necessary

146
147 Councilmember Farris requested that Consent Agenda Items 1, 2, 3, 8 and 10 be pulled.
148 Councilmember Sevier requested that Consent Agenda Item 4 be pulled. Councilmember
149 Straughan made a motion to approve the remaining Consent Agenda Items (5, 6, 7, 9, 11,
150 12, 13, 14 and 15). Councilmember Nielsen seconded the motion and the ordinances
151 were read as follows:

152
153 **ORDINANCE NO. 07-24**

154
155 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
156 THE SIGN CODE, AS PREVIOUSLY AMENDED, IN SECTION II, SECTION F, CITY COUNCIL,
157 BY ADDING PARAGRAPH G; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
158 SUM OF TWO THOUSAND DOLLARS (\$2,000); PROVIDING A SEVERABILITY CLAUSE;
159 PROVIDING AN EFFECTIVE DATE. [2nd Reading]

160
161 **ORDINANCE NO. 07-23**

162
163 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
164 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
165 PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A
166 RETAIL STORE WITH MORE THAN TWO GAS PUMPS ON A TRACT OF LAND KNOWN AS
167 PART OF LOT 1, BLOCK A, HILLCREST ADDITION, AND MORE SPECIFICALLY SHOWN IN
168 EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF
169 FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
170 OFFENSE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
171 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

172
173 **ORDINANCE NO. 07-20**

174
175 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
176 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
177 PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A
178 DECK/PATIO EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY
179 HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 56,
180 BLOCK F, HILLSIDE PHASE 5 (THE SHORES) ADDITION AND LOCATED AT 1320 COASTAL
181 DRIVE, AND MORE SPECIFICALLY DESCRIBED IN "EXHIBIT A"; PROVIDING FOR SPECIAL
182 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
183 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
184 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
185 [2nd Reading]

186
187 **ORDINANCE NO. 07-22**

188
189 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
190 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
191 PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A
192 LANDING/STAIRS EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY
193 HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 1,
194 BLOCK F, CRESTVIEW PHASE 3 (THE SHORES) ADDITION AND LOCATED AT 1290
195 COASTAL DRIVE, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY
196 OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
197 OFFENSE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
198 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

199 The motion passed unanimously by a vote of 7 ayes and 0 nays.
200

201 Mayor Cecil made a motion to approve Consent Agenda Items 1, 2 and 3 and
202 Councilmember Straughan seconded the motion. The motion passed by a vote of 5 ayes
203 and 2 abstains [Farris and Sweet].
204

205 With regard to Consent Agenda Item 4, Councilmember Seylar requested a minor
206 correction to the June 18, 2007 minutes and then made a motion approve them as
207 corrected. Mayor Cecil seconded the motion and the motion passed unanimously by a
208 vote of 7 ayes and 0 nays.
209

210 Councilmember Farris asked for clarification regarding Consent Agenda Item 8 and after
211 clarification by the City Engineer, Chuck Todd, made a motion to approve the item.
212 Councilmember Straughan seconded the motion and the motion passed unanimously by
213 a vote of 7 ayes and 0 nays.
214

215 Councilmember Farris stated that he had requested Consent Agenda Item 10 be pulled
216 because he did not support it during the first reading held at the last meeting.
217 Councilmember Scott made a motion to approve the ordinance and Councilmember
218 Straughan seconded the motion. The ordinance was read as follows:

219
220 ORDINANCE NO. 07-21

221 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
222 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
223 PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A
224 LANDING/STAIRS EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY
225 HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 58,
226 BLOCK F, HILLSIDE PHASE 5 (THE SHORES) ADDITION AND LOCATED AT 1320 COASTAL
227 DRIVE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE
228 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
229 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
230 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]
231
232

233 The motion passed by a vote of 6 ayes and 1 nay [Farris].
234

235 VI. APPOINTMENTS
236

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

240 Bill Bricker, Chairman of the Planning and Zoning Commission, discussed the various
241 planning and zoning items on tonight's agenda and explained their vote on the
242 Downtown District.
243

244 2. Appointment with Mike Rickman of North Texas Municipal Water District
245 to discuss water conservation status.

246 Mike Rickman of the North Texas Municipal Water District addressed the Council
247 regarding the lifting of the drought restrictions and gave a presentation on the status of
248 the supply lakes and future water supply projects.
249

250 3. Appointment with Michael Baldwin with Oncor Electric Delivery requesting
251 permission to construct a new overhead distribution line along the south
252 right-of-way of IH-30 adjacent to the proposed Toyota dealership and
253 progressing west to the intersection of IH-30 and SH-205 and then south
254 along the east side of State Highway 205 to the existing power at the
255 Valero convenience store and take any action necessary.

256 **Michael Baldwin of Oncor to discuss the various they are requesting for overhead**
257 **service lines at SH-205 and I-30 for the Toyota Dealership and around the corner to tie**
258 **into the existing overhead lines. The cost difference to bury the line is \$80,000. Mayor**
259 **Cecil made a motion to approve the full length variance and Councilmember Sevier**
260 **seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
261

262 **Michael Baldwin, who is leaving to take over as the Oncor representative in the**
263 **Frisco/McKinney area, introduced Cindy Tayem who will now be our area representative.**
264

265 4. Appointment with Paul Williams, TXDOT Area Engineer, to discuss the
266 SH-205 Project and the 205 By-pass project and take any action
267 necessary.

268 **Julie Couch discussed the background of this item. Paul Williams of TXDOT came**
269 **forward to discuss TXDOT's reversal in the agreement to swap the roadways (SH205 and**
270 **the 205 Bypass). TXDOT requires an in-depth environmental study before they build any**
271 **road. For the City to be able to swap the roads and environmental study would have to**
272 **be performed and this would cost approximately \$8-\$9 million dollars. These amounts**
273 **were not in the bond proposal approved by the voters. After lengthy discussion,**
274 **Councilmember Nielsen made a motion to instruct Staff to construct the Bypass to City**
275 **standards and to work with TXDOT on taking over management of SH205 and FM740.**
276 **Mayor Cecil seconded the motion and the motion passed unanimously by a vote of 7**
277 **ayes and 0 nays.**
278

279 **Mayor Cecil advised that the Council would now hear Action Item #6.**
280

281 6. Discuss and consider approval of Change Order No. 1 and an Advance
282 Funding Agreement with TXDOT for the SH-205 Utility Relocation Project
283 and take any action necessary
284

285 **Chuck Todd discussed the background of this item. Although this Change Order**
286 **resulted in a cost of \$429,000 plus management fee, it is lower than the amount approved**
287 **in the bond plan. After short discussion, Councilmember Farris made a motion to**
288 **approve the Change Order and Councilmember Straughan seconded the motion. The**
289 **motion passed unanimously by a vote of 7 ayes and 0 nays.**
290

291 VII. PUBLIC HEARING ITEMS

292

293 1. Z2007-012 -- Hold a public hearing and consider approval of an
294 Ordinance for a City-initiated request to rezone land of approximately
295 71.88-acres from Central Business (CBD) District, General Retail (GR)
296 District, Single Family Residential (SF-7) District, Neighborhood Services
297 (NS) District, Multi-Family Residential (MF-14) District, Planned
298 Development No. 50 (PD-50) District, and Planned Development No. 55
299 (PD-55) District, to Downtown (Df) District in accordance with the City's

300 approved Downtown Plan, and take any action necessary. The 71.88-
301 acre (+/-) subject property is located in the downtown area of the City of
302 Rockwall, Rockwall County, Texas and shall be incorporated as the
303 Downtown Regulating Plan Boundary (1st Reading)

304 **Robert LaCroix, Planning Director, gave a lengthy discussion on the background of this**
305 **item. Councilmember Straughan stated that he was not comfortable with the plan and**
306 **would like a work session to discuss it. Mayor Cecil opened the public hearing.**
307 **Councilmember Straughan then made a motion to continue the public hearing until the**
308 **seconded meeting in August (8/20) and Councilmember Nielsen seconded the motion.**
309 **After short discussion, Mayor Cecil stated that the vote on the motion would wait until**
310 **after the public testimony and then requested that those persons who wished to speak**
311 **on this matter to come forward and address the Council. The following persons came**
312 **forward to address the Council:**

313
314 **Peg Pannell Smith**

315 **602 Williams**

316 **Ms. Smith spoke in favor of the plan. She also stated she was tired of**
317 **hearing about The Harbor and that restrooms are need in Lofland Park.**

318
319 **Carol Crow**

320 **504 Williams**

321 **Ms. Crow stated she is not for high density housing and does not like Rusk**
322 **being a one-way street. Ms. Crow stated that she takes her grandchildren**
323 **to Lofland Park and does not want commercial zoning adjacent to the park.**
324 **She is also against changing the zoning on 306, 308 and 310 Fannin.**

325
326 **Mike Pittman**

327 **300 Munson**

328 **Mr. Pittman stated he does not believe the plan is good for Rockwall. It**
329 **needs more tweaking. No multi-family on Kaufman, keep single family**
330 **units adjacent to the park and don't add condos.**

331
332 **Annette McKinney**

333 **308 Munson**

334 **Ms. McKinney stated that she also owns 408 S. Fannin. She is not in favor**
335 **of the zoning. Rockwall is unique and we should not try to be like**
336 **Southlake and Firewheel. We should renew/restore the old facades. We**
337 **need better walking access. If Downtown was more user friendly more**
338 **people would come. She does not want the night life – doesn't want us to**
339 **become a lower Greenville.**

340
341 **John Johnson**

342 **303 N. Clark**

343 **Mr. Johnson stated that he also owns 307 E. Kaufman. He is against the**
344 **plan. It should be reduced to only the area on the Square. He is against**
345 **any multi-family.**

346
347 **John Dutt**

348 **505 E. Washington**

349 Mr. Dutt is concerned about the parking in downtown. There is not enough
350 parking for the businesses that are there. We also don't have sidewalks.
351 The Courthouse was restored – why bring in modern buildings.

352
353 **Robert Mooney**
354 1161 Highway 205

355 Mr. Mooney stated that his grandfather was the County Clerk in 1906. His
356 daughter lives at 403 E. Kaufman. He is not in favor of retail/residential
357 near a city park. Old Town is cramped as it is – this would bring in too
358 many people. Streets are bad now and can't support more traffic. If his
359 daughter's house burned down, she could not rebuild it. That is not right.
360 We don't want a Firewheel here. Make a decision that takes the little man
361 into consideration.

362
363 **Wally Wadsworth**
364 205 Stonecrest

365 Mr. Wadsworth stated he is worried about losing the older homes. We
366 need to keep them and the citizens who live there. Keep the historic area.

367
368 **Mary Hanrahan**
369 201 S. Clark

370 Ms. Hanrahan stated that the residential restrictions should be removed
371 from the plan. She is concerned about commercial around the park. Feels
372 this is the beginning of the destruction of Old Town Rockwall.

373
374 **Barbara Coleson**
375 228 Sovereign Court

376 Ms. Coleson stated that she is on the Downtown Advisory Committee and
377 they are concerned about maintaining historical integrity. The Committee
378 encourages revitalization, no demolition and parking garages that look like
379 business structures. We need to create a thriving business district – living
380 above the business would be ok. We are not envisioning downtown as
381 another Firewheel or Southlake. Does feel that the plan needs to be
382 revisited regarding when a single family residential unit burns down that it
383 could not be rebuilt. That bothers her a lot.

384
385 **Kristin Minth**
386 1274 Petaluma

387 Ms. Minth stated that the plan should be put in place in order to develop the
388 future. She asked if we have spoken to the developers. Downtown would
389 be for more youthful persons. There are a lot of things that need to be
390 cleaned up and updated – not changed. Single family should be rebuilt,
391 however, they need to use an old style when rebuilding.

392
393 **Amato Soto**
394 306 Starr Street

395 Mr. Soto stated he did not like the "new" in the plan. He is concerned
396 about the electric substation. It has already been enlarged and he doesn't
397 want us to become another Greenville. Does not care for the outside music
398 and wants to know if a buffer will be in place to protect property.

399

400 **Barbara Coleson**
401 **228 Sovereign**
402 **Ms. Coleson stated that she believes the question regarding infrastructure**
403 **needs to be addressed. We need sidewalks, sewer lines and water lines.**
404 **These things need to be done before anything else can be done.**

405
406 **Lela Yarbrough**
407 **406 Williams**
408 **Does not want to see the back of a big building adjacent to the park.**

409
410 **No one else came forward to address the Council, so Mayor Cecil called for the vote to**
411 **continue the public hearing to August 20, 2007. The motion passed unanimously by a**
412 **vote of 7 ayes and 0 nays.**

413
414 **2. Z2007-020 -- Hold a public hearing and consider approval of an**
415 **Ordinance for a request by Karen Boykin for approval of a Specific Use**
416 **Permit (SUP) allowing for a "Landing/Stairs exceeding the maximum**
417 **requirements" within the Lake Ray Hubbard Takeline Overlay (TL OV)**
418 **District, in the lake area adjacent to their property at 1340 Coastal Drive,**
419 **being Lot 54, Block F, Hillside Phase 5 (The Shores) Addition, and take**
420 **any action necessary. (1st Reading)**

421 **Robert LaCroix discussed the background of this item and the various conditions**
422 **requested by Staff. The applicant, Karen Boykin, came forward and requested that the**
423 **Council approve this item. Mayor Cecil opened the public hearing but no one came**
424 **forward to address the Council, so the public hearing was closed. After discussion,**
425 **Councilmember Nielsen made a motion to approve the Specific Use Permit and**
426 **Councilmember Straughan seconded the motion. The ordinance was read as follows:**

427
428 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
429 **THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS**
430 **PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A**
431 **LANDING/STAIRS EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY**
432 **HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 54,**
433 **BLOCK F, HILLSIDE PHASE 5 (THE SHORES) ADDITION AND LOCATED AT 1340 COASTAL**
434 **DRIVE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE**
435 **NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**
436 **OFFENSE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
437 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (1st Reading)**

438
439 **The motion passed by a vote of 6 ayes and 1 nay [Scott].**

440
441 **3. Z2007-021 -- Hold a public hearing and consider approval of an**
442 **Ordinance for a request by Gary DeFrain of The Cambridge Companies,**
443 **Inc., for approval of a Specific Use Permit (SUP) allowing for a "Motor**
444 **Vehicle Dealership" on a 8.886-acre tract zoned (PD-10) Planned**
445 **Development No. 10 District and Commercial (C) District, located along**
446 **the south side of I-30 east of Commerce St and west of the future 205**
447 **Bypass, and take any action necessary. (1st Reading)**

448 **Robert LaCroix discussed the background of this item and stated that it was for a**
449 **potential Honda dealership. After going over the recommended conditions, LaCroix**
450 **advised the Council that they were only voting on the land use issue. The applicant,**
451 **Gary DeFrain of the Cambridge Companies came forward and requested approval of this**

452 matter. Mayor Cecil opened the public hearing but no one came forward to address the
453 Council, so the public hearing was closed. Councilmember Straughan made a motion to
454 approve the request and Councilmember Sevier seconded the motion. The ordinance
455 was read as follows:

456 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
457 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS
458 PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A
459 "MOTOR VEHICLE DEALERSHIP, NEW" ON AN 8.686-ACRE TRACT OF LAND KNOWN AS
460 PART OF TRACT 2, ABSTRACT 134, J. LOCKHART SURVEY AND TRACT 3, ABSTRACT 2,
461 J.M. ALLEN SURVEY, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING FOR
462 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM
463 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
464 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
465 EFFECTIVE DATE. [1st Reading]

466
467
468 The motion passed unanimously by a vote of 7 ayes and 0 nays.

469 470 VIII. SITE PLANS / PLATS

- 471
472 1. P2007-019 -- Discuss and consider a request by William Stueber of CPH
473 Engineers for approval of a final plat of Rockwall Centre Corners Addition,
474 being 33.14-acres zoned (C) Commercial district and situated along the
475 south side of IH-30, east side of SH 205 and north side of SH 276, and
476 take any action necessary.

477 Robert LaCroix stated that this item needed to be tabled. City Attorney Pete Eckert
478 advised that it should be postponed until it is ready to come back to the Council.
479 Councilmember Straughan then made a motion to postpone this matter until it is ready to
480 come back to the Council and Councilmember Nielsen seconded the motion. The motion
481 passed unanimously by a vote of 7 ayes and 0 nays.

482 483 IX. ACTION ITEMS

- 484
485 1. Discuss and consider a request by Mike Crawford and others regarding
486 eligibility to sublease the takeline behind their properties at 3620, 3622
487 and 3624 Lakeside Drive, and discuss possible amendments to the Lake
488 Ray Hubbard Takeline Overlay district, and take any action necessary.

489 Robert LaCroix discussed the background of this item. After short discussion,
490 Councilmember Scott made a motion directing Staff to amend the Takeline Ordinance to
491 add the ability of the Council to hear special cases. Councilmember Nielsen seconded
492 the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

- 493
494 2. Conduct Show Cause Hearing for a possible condemnation and
495 demolition of the structure located at 1010 Sam Houston Street and take
496 any action necessary.

497 This being a Show Cause hearing, City Attorney Pete Eckert swore-in the City Building
498 Official, Jeffrey Widmer, and the property owner, Ms. Marty Mimms. Mr. Widmer
499 discussed the background of this building and stated that he did not feel it was
500 financially feasible to bring this building back up to minimum building standards. Ms.
501 Mimms, who lives at 1006 Sam Houston, stated that she does not want the building
502 demolished, that she plans on remodeling it. Ms. Mimms stated that she is currently

503 unable to work due to health reasons and does not know if the doctor will release her to
504 go back to work next month. After discussion, Councilmember Straughan made a
505 motion directing Staff to demolish the structure located at 1010 Sam Houston.
506 Councilmember Sweet seconded the motion and the motion passed unanimously by a
507 vote of 7 ayes and 0 nays. City Attorney Eckert advised that Ms. Mimms has 90 days to
508 demolish the structure.

509
510 3. Discuss and consider a sign plan to be presented by Mr. Robb James for
511 the new Toyota dealership and take any action necessary.

512 Councilmember Straughan recused himself from hearing or taking part in the discussion
513 and vote on this matter. Jeffrey Widmer discussed the background of this item. Mr. Rob
514 James came forward and addressed the Council and requested their approval. Mayor
515 Cecil made a motion to approve the plan and Councilmember Sevier seconded the
516 motion. The motion passed by a vote of 5 ayes, 1 nay [Farris] and 1 recusal [Straughan].
517 The Council was advised that the billboard on the property would be removed.
518 Councilmember Straughan returned to the meeting.

519
520 4. Discuss and consider a request by Gerald Houser to request a variance
521 to the Sign Ordinance regarding the materials used in building his
522 monument sign, to be located at 2740 E. Hwy. 276 and take any action
523 necessary.

524 Jeffrey Widmer discussed the background of this item and stated that Mr. Houser wants
525 to use the same materials on the sign that are found on his buildings. Councilmember
526 Nielsen made a motion to approve the request and Councilmember Straughan seconded
527 the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

528
529 5. Discuss and consider the painting of the Lady Yellow Jackets basketball
530 championship logo on a City water tower and take any action necessary.
531 [Discussion of this item was moved to the end of the meeting – see
532 detail minutes below].

533 6. Discuss and consider approval of Change Order No. 1 and an Advance
534 Funding Agreement with TXDOT for the SH-205 Utility Relocation Project
535 and take any action necessary. [See detail minutes above]

536 7. Discuss and consider initiating an amendment to the Unified
537 Development Code, specifically relating to the Use Standards specified in
538 Article IV, Permissible Uses, for private clubs, and take any action
539 necessary.

540 Robert LaCroix discussed the background of this request and talked about the restaurant
541 Blue Canyon that would be coming in at The Harbor and the need for an outside entrance
542 to a bar area. Councilmember Scott made a motion to proceed with an amendment to the
543 Unified Development Code to allow this use by Blue Canyon and similarly situated
544 restaurants. Councilmember Straughan seconded the motion and the motion passed
545 unanimously by a vote of 7 ayes and 0 nays.

546
547 8. Discuss and consider approval of a Resolution Suspending State 3
548 Drought Management Restrictions and take any action necessary

549 Rick Crowley, Assistant City Manager, discussed the background of this item. After
550 discussion, Councilmember Scott made a motion to approve the Resolution and request

551 voluntary compliance of the water conservation plan until the North Texas Municipal
552 Water District comes out with their plan. Councilmember Sweet seconded the motion.
553 The motion passed unanimously by a vote of 7 ayes and 0 nays.
554

555 5. Discuss and consider the painting of the Laoy Yellow Jackets basketball
556 championship logo on a City water tower and take any action necessary.

557 Chuck Todd discussed the background of this item. Councilmember Straughan stated
558 that his request did not include any funds for this project, just permission to do it. After
559 discussion, Councilmember Farris made a motion to approve placing a logo on the
560 Boydston Water Tower, but that they must submit three designs and that the Council will
561 have final approval of the design. Additionally, there will be no cost to the City.
562 Councilmember Sweet seconded the motion and the motion passed unanimously by a
563 vote of 7 ayes and 0 nays.
564

565 X. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,
566 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
567

568 1. Departmental Reports
569 Parks Department Monthly Report
570 Kart 3rd Quarter Report
571 Police Department Monthly Report -- May 2007
572 Building Department Monthly Report -- May 2007
573 Fire Department Monthly Report -- May 2007
574 Finance Department Monthly Report -- May 2007

575 2. City Manager's Report
576

577 XI. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION
578

579 The following action was taken as a result of the early Executive Session:
580

581 Councilmember Nielsen made a motion to approve the following Board and Commission
582 appointments/reappointments:
583

ARCHITECTURAL REVIEW BOARD

Ray Harton	Aug 2009
Clark Staggs	Aug 2009
Bill Hibbard	Aug 2009
John Arbogast	Aug 2009

BOARD OF ADJUSTMENTS

C. F. Pratt	Aug 2009
Ted Sansom	Aug 2009

**BUILDING & STANDARDS
COMMISSION**

Larry Ewing	Aug 2009
Kenneth Szolosi	Aug 2009

**HISTORIC PRESERVATION
ADVISORY BOARD**

Ron Harper	Aug 2009
Dr. Jeff West	Aug 2009
Mark Russo	Aug 2009
Bridgett Hoffnagle	Aug 2008 to complete term.

PARKS AND RECREATION BOARD

Pam Kitkoski	Aug 2009
Glenn Varner	Aug 2009

CITY HEALTH OFFICIAL

David Lensch	Aug 2008
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Animal Adoption Center/Shelter Advisory Committee

David Loftis	Aug 2009
Mike Sealock	Aug 2009
Sandra Solomon	Aug 2009

584

585

The following persons were appointed to The Shores Oversight Committee:

586

587

Leonard Martin, President Men's Golf Association

588

Bob Edwards

589

Patrick Stephens

590

Linda Coffman, LGA President's Designee

591

Connie Jackson

592

593

Councilmember Straughan seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0 nays.

594

595

596

Councilmember Straughan made a motion instruction Staff to complete the documents for the transfer of Lakefront Trail for Shoreline Trail and Councilmember Sweet seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

597

598

599

600

There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 12:13 a.m.

601

602

603


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of August, 2007.

604

605

606

607


William R. Cecil, Mayor

608

609

ATTEST:

610

611


Dorothy Brooks, TRMC, CMC, City Secretary

612

613



Minutes
Rockwall City Council
July 23, 2007
6:00 p.m. Special City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

1.
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7
8 **1. CALL TO ORDER**

9
10 **Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and**
11 **Councilmembers Glenn Farris, Stephen Straughan, Cliff Sevier and David Sweet.**
12 **Councilmembers Margo Nielsen and Matt Scott were absent. Also present were City**
13 **Manager Julie Couch and City Attorney Pete Eckert.**

14
15 **2. PUBLIC HEARING ITEMS**

- 16
17 a. **A2007-001 – Hold a public hearing and consider a city-initiated request to**
18 **annex land of approximately 316.91 acres generally located north of SH-**
19 **66, west of FM-549, and south of Cornelius Road, and contiguous to the**
20 **existing city limits line**

21 **Robert LaCroix discussed the background of this matter and the proposed service plan.**
22 **City Attorney Eckert stated that this proposed annexation is being held pursuant to the**
23 **violation of 212 Agreement which had been violated by one of the property owners in the**
24 **subject area. Eckert advised that settlement of the violation was still under discussion.**
25 **Mayor Cecil opened the public hearing and the following persons came forward to**
26 **address the Council:**

27
28 **Charles Mahoney**

29 **Mr. Mahoney wanted to know when they would hear the results of tonight's**
30 **Executive Session. Mayor Cecil advised items discussed in executive**
31 **session were not public.**

32
33 **Greg Oldham**

34 **941 Cornelius**

35 **Asked if we shouldn't find out if a violation has taken place before taking**
36 **this type action. Wanted to know if just the violator could be annexed.**

37
38 **There being no one further to address the Council, the public hearing was closed. The**
39 **next public hearing will take place on July 30, 2007. No action was taken on this item.**
40 **There being no further regular business to come before the Council, Mayor Cecil**
41 **adjourned the meeting into Executive Session at 6:15 p.m.**

42
43 **3. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071 OF TEXAS GOVERNMENT CODE**
44 **TO DISCUSS:**

- 45 1. Pursuant to Section 551.071(2) of the Open Meetings Act Consultation
46 with attorney with regard to a matter that it is the duty of the attorney to
47 consult with the Council and falls under the attorney-client privilege;
48 including consultation with attorney regarding bill board construction and
49 the 212 Agreement City v. Peoples

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No action was taken as a result of Executive Session. There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 7:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of September, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:
Dorothy Brooks
Dorothy Brooks, TRMC, CMC, City Secretary



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Minutes
City Council Budget Retreat
7:30 a.m., Friday, July 27, 2007
Municipal Court Room
205 W. Rusk, Rockwall, Texas 75087

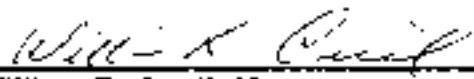
Mayor Cecil called the meeting to order at 8:10 a.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and Finance Director, Mary Smith, along with other Department Heads and Staff.

Meet and discuss the City of Rockwall's proposed Operating Budget for the period October 1, 2007 through September 30, 2008, and the Amended Budget for October 1, 2006 through September 30, 2007, and take any action necessary.

Discussion ensued regarding the proposed budget. Each Department Head discussed their budget and explained their needs. After discussion, it was decided to transfer funds from the Water & Sewer Revenue Funds and the Parks Department for its outstanding loan and to keep the recommendations made by the City Manager.

There being no further business to come before the Council, the meeting adjourned at 5:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of September, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, TRMC, CMC, City Secretary



Minutes
Rockwall City Council
July 30, 2007
5:00 p.m. Pre-Meeting Dinner
6:00 p.m. Special Meeting and
Joint Work Session with Planning & Zoning Commission and
Historic Preservation Advisory Board
385 S. Goliad, Rockwall, Texas

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10 **1. CALL TO ORDER**

11
12 Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and
13 Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott
14 and David Sweet. Also present were Planning and Zoning Members Bill Bricker, Earl
15 Milner, Mike Lucas, Glenn Smith, Michael Hunter, Connie Jackson and Bob Cotti.

16
17 **2. PUBLIC HEARING ITEMS**

- 18
19 a. **A2007-001** – Hold a public hearing and consider a city-initiated request to
20 annex land of approximately 316.97 acres generally located north of SH-
21 66, west of FM-549, and south of Cornelius Road, and contiguous to the
22 existing city limits line.

23 Robert LaCroix, Planning Director, discussed the background of this item. It is the
24 required second public hearing and no action will be taken. Mayor Cecil opened the
25 public hearing and the following persons came forward to address the Council:

26
27 **David Boueche**

28 **2313 Saddlebrook Lane**

29 Mr. Boueche wanted to know what services are to be provided to the area.
30 Robert LaCroix discussed the services and advised Mr. Boueche that the
31 Service Plan could be found on our website.

32
33 **Charles Miller**

34 **821 Zion Hill Circle**

35 Mr. Miller read a quote made in 1886 -- "No man's life, liberty or property is
36 safe during a sitting legislation." He is against the annexation.

37
38 There being no one further to address the Council, Mayor Cecil closed the public
39 hearing. This item will be on the August 20, 2007 agenda for final action.

40
41 **3. HOLD JOINT WORK SESSION WITH THE PLANNING AND ZONING COMMISSION AND THE**
42 **HISTORIC PRESERVATION ADVISORY BOARD TO DISCUSS:**

- 43 a. Rezoning of land, consisting of approximately 71.88-acres, from Central
44 Business (CBD) District, General Retail (GR) District, Single Family
45 Residential (SF-7) District, Neighborhood Services (NS) District, Multi-
46 Family Residential (MF-14) District, Planned Development No. 50 (PD-
47 50) District, and Planned Development No. 55 (PD-55) District, to
48 Downtown (DT) District in accordance with the City's approved Downtown

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Plan. The 71.86-acre (+/-) subject property is located in the downtown area of the City of Rockwall, Rockwall County, Texas and shall be incorporated as the Downtown Regulating Plan Boundary.

Mayor Cecil gave a short presentation and stated that everyone must agree with the plan. The Downtown Plan needs to be comprehensive, but simple and include urban renovation/density and historic preservation. The City's consultant, Dennis Wilson, gave his presentation on the Downtown Plan. After further discussion, City Manager Julie Couch advised the final plan will be brought back and include what was discussed tonight.


4. DISCUSS FUTURE ALIGNMENT OF SH-66.

Julie Couch discussed the background of this item. Chuck Todd, City Engineer, discussed the new alignment. After discussion of the route, it was noted that a public hearing will be held on August 20, 2007 to receive public input, but no action will be taken by the Council until the first meeting in September. Couch advised that it will take a minimum of a year to go through TXDOT approvals before it can be on our Thoroughfare Plan.

Bill Bricker of 505 Westway, spoke on behalf of Rockwall Property Corp. They prefer the northern route. If the Council determines that it wants the southern route, they need to be sure that the protection items for the neighboring properties are kept in place and that the speed limit should remain 30 mph.

There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 9:32 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of September, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary



1 **Minutes**
2 **Rockwall City Council**
3 **Monday, August 06, 2007**
4 **3:30 p.m. Pre-Council Meeting**
5 **City Hall, 385 S. Goliad, Rockwall, Texas 75087**
6

7 **I. CALL TO ORDER**
8

9 Mayor Cecil called the meeting to order at 3:30 p.m. Present were Mayor Bill Cecil and
10 Councilmembers Glen Farris, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet.
11 Also present were City Manager Julie Couch and City Attorney Pete Eckort. Mayor Cecil
12 immediately adjourned the meeting into Executive Session. Councilmember Stephen
13 Straughan joined the meeting at 5:30p.m.
14

15 **II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND**
16 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- 17 1. Deliberation regarding the purchase, exchange, lease, or value of real
18 property.
- 19 2. Personnel Issues, including Board, Commission, and Committee
20 Appointments, and Related Matters, including City Manager's Evaluation
- 21 3. Commercial or financial information regarding business prospects that the
22 City seeks to have locate, stay, or expand in or near the territory of the
23 City of Rockwall and with which the Board is conducting economic
24 development negotiations.
- 25 4. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation
26 with attorney with regard to a matter that it is the duty of the attorney to
27 consult with the Council and falls under the attorney-client privilege.

28
29 **III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**
30

31 No action was taken at this time as a result of Executive Session. Mayor Cecil adjourned
32 the meeting at 6:00 p.m.
33

34 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
35 **TEXAS, this 20th day of August, 2007.**
36
37

38 
39 William R. Cecil, Mayor

40 **ATTEST:**

41 
42 Dorothy Brooks, TCMC, CMC, City Secretary
43
44



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Minutes
Rockwall City Council

Monday, August 06, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

51 I. CALL TO ORDER

52
53 Mayor Cecil called the meeting to order at 6:05 p.m. Present were Mayor Bill Cecil and
54 Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott
55 and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete
56 Eckert.

57
58 II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER GLEN FARRIS

59
60 III. PROCLAMATIONS / AWARDS

61 1. National Night Out

62
63 Mayor Cecil presented the proclamation to Police Officer Mike Collier.

64
65 Mayor Cecil recognized Boy Scout Tyler Bassett who was attending the meeting to
66 achieve his communication badge, the last merit badge he needs to obtain his Eagle
67 Scout rating. Tyler has already completed his Eagle Scout project, which was Relay-For-
68 Life.
69

70
71 IV. OPEN FORUM

72
73 Mayor Cecil opened the floor to anyone in the audience who wished to address the
74 Council on any subject not scheduled for a public hearing on tonight's agenda. No one
75 came forward to address the Council, so the Open Forum session was closed.
76

77 V. CONSENT AGENDA

- 78
79 1. Consider approval of the Minutes from the July 16, 2007 City Council
80 meeting and take any action necessary.
- 81 2. Discuss and consider approval of abandonment of a 10-foot and 15-foot
82 Utility Easement located at the SPR Packaging Addition and take any
83 action necessary.
- 84 3. Discuss and consider approval of a change order for the Neighborhood
85 Drainage Project to relocate the NTMWD water line in Heath Street and
86 take any action necessary.
- 87 4. Discuss and consider approval of the Townsend Phase 2 railroad
88 crossing signal construction proposal from the DGNO Railroad and take
89 any action necessary.
- 90 5. Discuss and consider approval of the Public Road Crossing Agreement
91 with the Union Pacific Railroad for the Townsend Phase 2 railroad
92 crossing improvements and take any action necessary.

- 93 6. Z2007-020 -- Consider approval of an Ordinance for a request by Karen
 94 Boykin for approval of a Specific Use Permit (SUP) allowing for a
 95 "Landing/Stairs exceeding the maximum requirements" within the Lake
 96 Ray Hubbard Takeline Overlay (TL OV) District, in the lake area adjacent
 97 to their property at 1340 Coastal Drive, being Lot 54, Block F, Hillside
 98 Phase 5 (The Shores) Addition, and take any action necessary. (2nd
 99 Reading);
- 100 7. Z2007-021 -- Consider approval of an Ordinance for a request by Gary
 101 DeFrain of The Cambridge Companies, Inc., for approval of a Specific
 102 Use Permit (SUP) allowing for a "Motor Vehicle Dealership" on a 8.686-
 103 acre tract zoned (PD-10) Planned Development No. 10 District and
 104 Commercial (C) District, located along the south side of I-30 east of
 105 Commerce St and west of the future 205 Bypass, and take any action
 106 necessary. (2nd Reading);
- 107 8. P2007-025 -- Discuss and consider a request by Scott Maynor of Isbell
 108 Engineering Group, Inc., for approval of a replat of Lot 1, Block 1,
 109 Chrysler Addition, being a 5.656-acre tract zoned (C) Commercial District
 110 and situated at the northwest corner of IH-30 and Kyle Drive within the IH-
 111 30 Overlay district, and take any action necessary.
- 112 9. P2007-026 -- Discuss and consider a request by Richard Akin of The
 113 Dimension Group for approval of a replat of Lot 1, Block A, Hillcrest
 114 Center Addition, being a 1.94-acre tract located at the northeast corner of
 115 FM 552 and SH 205, zoned (GR) General Retail district and situated
 116 within the North SH 205 Corridor Overlay district, and take any action
 117 necessary.
- 118 10. Consider approval of a Change Order for the Development of the Park at
 119 Emerald Bay and take any action necessary.

120 Councilmember Farris requested that Consent Agenda Item #8 be pulled.
 121 Councilmember Straughan made a motion to approve the remaining Consent Agenda
 122 Items and Councilmember Farris seconded the motion. The ordinances were read as
 123 follows:

124 **ORDINANCE NO. 07-25**

125 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
 126 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS,
 127 AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING
 128 FOR A LANDING/STAIRS EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE
 129 LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND
 130 ADJACENT TO LOT 54, BLOCK F, HILLSIDE PHASE 5 (THE SHORES) ADDITION AND
 131 LOCATED AT 1340 COASTAL DRIVE; PROVIDING FOR SPECIAL CONDITIONS;
 132 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
 133 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
 134 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
 135 AN EFFECTIVE DATE. [2nd Reading]

136 **ORDINANCE NO. 07-28**

137 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
 138 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS,
 139 AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW
 140 FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON AN 8.686-ACRE TRACT OF LAND

145 KNOWN AS PART OF TRACT 2, ABSTRACT 134, J. LOCKHART SURVEY AND TRACT
146 3, ABSTRACT 2, J.M. ALLEN SURVEY, AND MORE SPECIFICALLY SHOWN IN EXHIBIT
147 "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE
148 NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
149 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
150 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

151
152 The motion passed unanimously by a vote of 7 ayes and 0 nays.

153
154 Councilmember Farris stated he requested that Consent Agenda Item #8 be pulled for
155 clarification on the fire lane. Robert LaCroix, Planning Director, discussed the
156 background and why there is only one access to the site. Councilmember Farris then
157 made a motion to approve the request for the replat of Lot 1, Block 1, Chrysler Addition,
158 and Mayor Cecil seconded the motion. The motion passed unanimously by a vote of 7
159 ayes and 0 nays.

160
161 VI. APPOINTMENTS

- 162
163 1. Appointment with the Planning and Zoning Chairman to discuss and
164 answer any questions regarding cases on the agenda and related issues
165 and take any action necessary.

166 No one from the Planning and Zoning Commission appeared.

- 167
168 2. Appointment with Vicky Lall of His Covenant Children regarding
169 exemption of taxes on the building located at 303 E. Rusk and take any
170 action necessary.

171 Julie Couch, City Manager, discussed the background of this request and how the City
172 currently handles tax exemptions and abatements. Vicky Lall, 9191 Garland Road, Apt.
173 1219, Garland, Texas, came forward to address the Council. Ms. Lall requested that the
174 Council approve the complete exemption of taxes for the building. The building is on the
175 National Register. Once the building is renovated it will be used as a church and other
176 activities. They currently have an architect from Houston working on a master plan for
177 the building and they have a grant writer. She does not have a time frame for
178 completion. After discussion, Councilmember Nielsen made a motion to deny the
179 request and Councilmember Scott seconded the motion. The motion passed
180 unanimously by a vote of 7 ayes and 0 nays.

181
182 VII. PUBLIC HEARING ITEMS

- 183
184 1. Z2007-018 -- Hold a public hearing and consider approval of an
185 Ordinance for a City-initiated amendment to (PD-50; Planned
186 Development No. 50 district; (Ord. 05-35), specifically to amend Section 2
187 "Conditions," and take any action necessary. (1st Reading)

188 Robert LaCroix discussed the background of this item and stated that the plan was
189 approved by the Historic Preservation Advisory Board and the Planning and Zoning
190 Commission. Mayor Cecil opened the public hearing and the following persons came
191 forward to address the Council:

192
193 Shirley Black
194 502 N. Goliad

195 Ms. Black asked for clarification on landmarking. Robert LaCroix
196 described the process and stated it would be a mutual agreement with the
197 property owner.
198

199 There being no one further to address the Council, Mayor Cecil closed the public
200 hearing. Councilmember Nielsen made a motion to approve the ordinance and
201 Councilmember Sevier seconded the motion. The ordinance was read as follows:

202 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED
203 DEVELOPMENT CODE OF THE CITY OF ROCKWALL AND ORDINANCE NO. 05-35,
204 AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-50) PLANNED
205 DEVELOPMENT DISTRICT NO. 50, AMENDING SECTION 2, AND MORE
206 SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; CORRECTING THE
207 OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
208 THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE;
209 PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
210 AND PROVIDING FOR AN EFFECTIVE DATE. (1st Reading)
211

212
213 The motion passed unanimously by a vote of 7 ayes and 0 nays.
214

- 215 2. Z2007-019 -- Hold a public hearing and consider approval of an
216 Ordinance for a City-initiated request to amend the Unified Development
217 Code of the City of Rockwall by adding the following new section; Section
218 6.2-1 (NGC OV) North Goliad Corridor Overlay District, and take any
219 action necessary. (1st Reading)

220 Robert LaCroix discussed the background of this item and stated that the plan was
221 approved by the Historic Preservation Advisory Board and the Planning and Zoning
222 Commission. Mayor Cecil opened the public hearing but no one came forward to
223 address the Council, so the public hearing was closed. Councilmember Farris made a
224 motion to approve the ordinance and Councilmember Sevier seconded the motion. The
225 ordinance was read as follows:

226 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS
227 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY
228 OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE III,
229 ZONING DISTRICT AND MAPS; AND ARTICLE V, DISTRICT DEVELOPMENT
230 STANDARDS; ADDING A NEW SECTION 6.2-1 (NGC OV) NORTH GOLIAD
231 CORRIDOR OVERLAY DISTRICT; PROVIDING FOR A PURPOSE STATEMENT;
232 PROVIDING FOR APPLICATION AND BOUNDARIES; PROVIDING FOR
233 ARCHITECTURAL STANDARDS; PROVIDING FOR SITE DESIGN STANDARDS;
234 PROVIDING FOR LANDSCAPING STANDARDS, PROVIDING FOR SIGN
235 STANDARDS; PROVIDING FOR LIGHTING STANDARDS; AND MORE
236 SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR A
237 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
238 (\$2000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE;
239 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE
240 DATE. (1st Reading)
241

242
243 The motion passed unanimously by a vote of 7 ayes and 0 nays.
244

- 245 3. H2007-306 -- Hold a public hearing and consider approval of an
246 Ordinance for a City-initiated request amending the Old Town Rockwall
247 Historic District to remove the historic designation from the properties
248 located along the east side of North Goliad, and take any action
249 necessary. The overall proposal is comprised of approximately 9,791-

250 acres and includes those properties from 404 North Goliad to 912 North
251 Goliad. (1st Reading)

252 **Robert LaCroix discussed the background of this item and stated that the plan was**
253 **approved by the Historic Preservation Advisory Board and the Planning and Zoning**
254 **Commission. Mayor Cecil opened the public hearing but no one came forward to**
255 **address the Council, so the public hearing was closed. Councilmember Straughan made**
256 **a motion to approve the ordinance and Councilmember Nielsen seconded the motion.**
257 **The ordinance was read as follows:**

258
259 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
260 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY
261 OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V,
262 SECTION 5.2 HISTORIC OVERLAY DISTRICT AND ORDINANCE NO. 02-26,
263 AMENDING THE BOUNDARIES OF THE "OLD TOWN ROCKWALL" HISTORIC
264 DISTRICT, BEING A 76.97-ACRE TRACT; AND MORE SPECIFICALLY DESCRIBED
265 HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
266 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
267 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
268 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
269 EFFECTIVE DATE. [1st Reading]

270
271 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

272
273 4. Z2007-023 -- Hold a public hearing and consider approval of an
274 Ordinance for a City-initiated request to amend the Unified Development
275 Code of the City of Rockwall (Ord. No. 04-38), specifically Article IV,
276 Permissible Uses, Section 2, Use Standards, and take any action
277 necessary. (1st Reading)

278 **Robert LaCroix discussed the background of this item and talked about the separate**
279 **entrance to the bar area and how our current requirements affect local restaurants. Staff**
280 **recommended removal of this condition along with the removal of the happy hour/drink**
281 **special conditions and commercial amusements. Mayor Cecil opened the public hearing**
282 **and the following persons came forward to address the Council:**

283
284 **Kristen Minth**
285 **1274 Petaluma**
286 **Ms. Minth wanted clarification for the advertising for happy hours, which**
287 **was provided by Robert LaCroix.**

288
289 **There being no one further to address the Council, the public hearing was closed.**
290 **Councilmember Scott made a motion to approve the ordinance and Councilmember**
291 **Straughan seconded the motion. The ordinance was read as follows:**

292
293 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
294 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY
295 OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV,
296 PERMISSIBLE USES, SECTION 2, USE STANDARDS, SECTION 2.1.6, RETAIL AND
297 PERSONAL SERVICE USE CONDITIONS, SPECIFICALLY TO AMEND THE
298 REQUIRED CONDITIONS FOR A "PRIVATE CLUB, LODGE OR FRATERNAL
299 ORGANIZATION;" PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
300 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
301 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
302 CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

303

304 The motion passed unanimously by a vote of 7 ayes and 0 nays.

305

306 **VIII. ACTION ITEMS**

307

308 1. FF2007-002 -- Discuss and consider a request by Isaac Pena for
309 approval of a front yard fence on Lot 1, Block A, Isaac Pena Addition,
310 which is zoned (PD-50) Planned Development No. 50 District and located
311 at 925 N. Goliad district, and take any action necessary

312 Robert LaCroix discussed the background of this request for a front yard white picket
313 fence. The applicant, Isaac Pena, came forward to request Council approval.
314 Councilmember Straughan made a motion to approve the request and Councilmember
315 Sevier seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0
316 nays.

317

318 2. Discuss and consider adoption of a Resolution directing publication of
319 notice of intent to issue certificates of obligation; and resolving other
320 matters relating to the subject and take any action necessary.

321 Mary Smith discussed the background of this request. Mayor Cecil made a motion to
322 approve the resolution and Councilmember Straughan seconded the motion. The motion
323 passed by a vote of 6 ayes and 1 nay [Sevier].

324

325 3. Discuss and consider an amendment to the Code of Ordinances,
326 amending Chapter 6, Buildings and Building Regulations, specifically to
327 add a new Article XII, Review of Permits for Demolition, and take any
328 necessary action.

329 Robert LaCroix discussed the background of this request. Mayor Cecil made a motion to
330 approve the ordinance and Councilmember Nielsen seconded the motion. The ordinance
331 was read as follows:

332

333 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
334 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS
335 PREVIOUSLY AMENDED, IN CHAPTER 6 BUILDINGS AND BUILDING REGULATIONS
336 BY THE ADDITION OF ARTICLE XII REVIEW OF PERMITS FOR DEMOLITION;
337 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
338 THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR A SEVERABILITY CLAUSE;
339 PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
340 [1st Reading]

341

342 The motion passed unanimously by a vote of 7 ayes and 0 nays.

343

344 4. Discuss and consider setting the date for Council retreat and take any
345 action necessary.

346 Julie Couch discussed the retreat and need to go ahead and set the date. After short
347 discussion, it was determined that the retreat would be scheduled for October 25-27,
348 2007. Mayor Cecil advised that he wanted consistency between the agenda and the time.
349 Couch advised that discussion of the priorities would be at the end of the retreat and
350 would take several hours.

351

352 5. Discuss and consider calling the public hearings on the 2007-2008 fiscal
353 year tax rate and proposed budget on August 20, 2007 and September 4,
354 2007 and take any action necessary.

355 **Mary Smith discussed the background of this item and stated that it was required by**
356 **statute. Councilmember Straughan made a motion to approve calling the public hearings**
357 **for August 20, 2007 and September 4, 2007. Councilmember Scott seconded the motion**
358 **and the motion passed unanimously by a vote of 7 ayes and 0 nays.**

359
360 6. Discuss and consider the City of Rockwall's proposed Operating Budget
361 for the period October 1, 2007 through September 30, 2008, and the
362 Amended Budget for October 1, 2006 through September 30, 2007, and
363 take any action necessary.

364 **Mary Smith advised that she had provided the Council with updated worksheets for**
365 **revenues. Julie Couch asked the Council if they had any changes that they wanted**
366 **made. Mayor Cecil stated that he is still interested in a consensus of the Council. No**
367 **one had any changes. No action was taken on this item.**

368
369 **IX. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
370 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

371
372 1. Departmental Reports
373 Finance Report
374 Building Department Monthly Report -- June 2007
375 Quarterly Report from Rockwall County Committee on Aging
376 Police Department Monthly Report -- June 2007
377 Police Department -- 2nd Quarter 2007 Crime Report
378 Parks Department Monthly Report -- June 2007
379 Rockwall Fire Department Monthly Report -- June 2007

380 2. City Manager's Report

381
382 **X. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS**
383 **GOVERNMENT CODE TO DISCUSS:**

384
385 1. Deliberation regarding the purchase, exchange, lease, or value of real
386 property.

387 2. Personnel Issues, including Board, Commission, and Committee
388 Appointments, and Related Matters, including City Manager's Evaluation.

389 3. Commercial or financial information regarding business prospects that the
390 City seeks to have locate, stay, or expand in or near the territory of the
391 City of Rockwall and with which the Board is conducting economic
392 development negotiations.

393 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation
394 with attorney with regard to a matter that it is the duty of the attorney to
395 consult with the Council and falls under the attorney-client privilege
396

397 XI. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

398 Councilmember Nielsen made a motion to appoint the following persons to various
400 boards and/or commissions and Councilmember Sweet seconded the motion. The
401 motion passed unanimously by a vote of 7 ayes and 0 nays.
402

BOARD OF ADJUSTMENTS		2-year terms
Member 3	Glenn Carr	Aug 2009
BUILDING & STANDARDS COMMISSION		2-year terms
Member 4	Kristen Muth	Aug 2009
PARKS AND RECREATION BOARD		2 year terms
Member 6	Chandra Karlen	Aug 2009
PLANNING & ZONING COMMISSION		2 year terms
Member 1	Earl Milner	Aug 2009
Member 2	Charles W. Bricker (Bill)	Aug 2009
Member 3	Dennis Lowry	Aug 2009
Member 5	Lynn Davis	Aug 2009

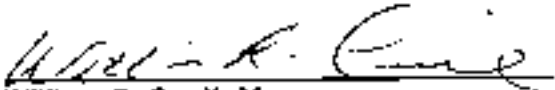
403 Councilmember Straughan made a motion to approve the purchase of a tract of land
404 from the Rockwall Independent School District, described as:

405 Being all of Lot 19, Block Z of Hickory Ridge, Phase Four, an Addition to
407 the City of Rockwall (2.463 acres) as recorded in Cabinet E, Slide 288, of
408 the Plat Records of Rockwall County, Texas.
409

410 Said property shall be the site of a new fire station. Councilmember Scott seconded the
411 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
412

413 There being no further business to come before the Council, Mayor Cecil adjourned the
414 meeting at 11:30 p.m.
415

416 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
417 TEXAS, this 20th day of August, 2007.
418
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420
421 
422 William R. Cecil, Mayor
423

424 ATTEST:
425 
426 Dorothy Brooks, TRMC, CMC, City Secretary
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428



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Minutes
Rockwall City Council
Monday, August 20, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Pro Tem Stephen Straughan called the meeting to order at 3:07 p.m. Present were Councilmembers Glen Farris, Cliff Sevier, Margo Nielsen, and David Sweet. Also present was City Manager Julie Couch. Mayor Cecil joined the meeting as it was adjourned into Executive Session. Councilmember Matt Scott joined the meeting at approximately 3:30 p.m. City Attorney Pete Eckert joined the meeting at approximately 4:00 p.m.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. DISCUSS THE CITY'S MASTER DRAINAGE PLAN.

IV. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken at this time as a result of Executive Session. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of September, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary



Minutes
Rockwall City Council
Monday, August 20, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DAVID SWEET

III. CONSENT AGENDA

1. Consider approval of the Minutes of the August 6, 2007 City Council Meeting and take any action necessary.
2. Consider approval of a Resolution denying the GRIP request by Almos and take any action necessary.
3. Z2007-018 -- Consider approval of an Ordinance for a City-initiated amendment to (PD-50) Planned Development No. 50 district (Ord. 05-35), specifically to amend Section 2 "Conditions," and take any action necessary. (2nd Reading)
4. H2007-006 -- Consider approval of an Ordinance for a City-initiated request amending the Old Town Rockwall Historic District to remove properties located along the east side of North Goliad, and take any action necessary. The overall proposal is comprised of approximately 9.791-acres and includes those properties from 404 North Goliad to 912 North Goliad. (2nd Reading)
5. Z2007-019 -- Consider approval of an Ordinance for a City-initiated request to amend the Unified Development Code of the City of Rockwall by adding the following new section: Section 6.2-1 (NGC OV) North Goliad Corridor Overlay District, and take any action necessary. (2nd Reading)
6. Z2007-023 -- Consider approval of an Ordinance for a City-initiated request to amend the Unified Development Code of the City of Rockwall (Ord. No. 04-38), specifically Article IV, Permissible Uses, Section 2, Use Standards, and take any action necessary. (2nd Reading)
7. AM2007-001 -- Consider approval of an Ordinance for a City-initiated amendment to the Code of Ordinances, amending Chapter 6, Buildings and Building Regulations, specifically to add a new Article XII, Review of Permits for Demolition, and take any action necessary. (2nd Reading)
8. P2007-027 -- Discuss and consider a request by Danny Murphy of Dan-Cat, Inc. for approval of a final plat of Lot 1, Block A, Murphy Plaza No. 2 Addition, being a 0.61-acre tract zoned (GR) General Retail district and located at 2918 Ridge Rd, and take any action necessary.

- 96 9. Consider authorizing the City Manager to execute a contract renewal with
97 Rockwall Aviation, Inc for Fixed Base Operator (FBO) Services at the
98 Ralph M. Hall / Rockwall Municipal Airport and take any necessary action.
- 99 10. Consider approval of a resolution requesting TXDOT change the IH-30
100 Service Road on the south side of IH-30 from Shoreline Trail to Horizon
101 Road, to one-way eastbound and take any action necessary

102
103 **Councilmember Straughan made a motion to approve all of the Consent Agenda Items**
104 **and Councilmember Nielsen seconded the motion. The ordinances were read as follows:**

105
106 **ORDINANCE NO. 07-27**

107
108 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
109 THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, IN
110 CHAPTER 8 BUILDINGS AND BUILDING REGULATIONS BY THE ADDITION OF ARTICLE XII
111 REVIEW OF PERMITS FOR DEMOLITION; PROVIDING FOR A PENALTY OF FINE NOT TO
112 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR A
113 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR
114 AN EFFECTIVE DATE. [2nd Reading]

115
116 **ORDINANCE NO. 07-28**

117
118 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
119 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS
120 PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.2 HISTORIC OVERLAY
121 DISTRICT AND ORDINANCE NO. 02-26; AMENDING THE BOUNDARIES OF THE "OLD TOWN
122 ROCKWALL" HISTORIC DISTRICT, BEING A 76.97-ACRE TRACT, MORE SPECIFICALLY
123 DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
124 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
125 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
126 FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

127
128 **ORDINANCE NO. 07-29**

129
130 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
131 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AND ORDINANCE NO.
132 05-35, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-50) PLANNED DEVELOPMENT
133 DISTRICT NO. 50, AMENDING SECTION 2, ON PROPERTY MORE SPECIFICALLY
134 DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS;
135 CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO
136 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE,
137 PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND
138 PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

139
140 **ORDINANCE NO. 07-30**

141
142 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
143 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS
144 PREVIOUSLY AMENDED, BY AMENDING ARTICLE III ZONING DISTRICT AND MAPS; AND
145 ARTICLE V DISTRICT DEVELOPMENT STANDARDS, ADDING A NEW SECTION 6.2.1 (NGC
146 OV) NORTH GOLIAD CORRIDOR OVERLAY DISTRICT; PROVIDING FOR A PURPOSE
147 STATEMENT; PROVIDING FOR APPLICATION AND BOUNDARIES; PROVIDING FOR
148 ARCHITECTURAL STANDARDS; PROVIDING FOR SITE DESIGN STANDARDS; PROVIDING
149 FOR LANDSCAPING STANDARDS; PROVIDING FOR SIGN STANDARDS; PROVIDING FOR
150 LIGHTING STANDARDS; AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A";
151 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
152 DOLLARS (\$2000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE;
153 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd
154 Reading]

ORDINANCE NO. 07-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE USES, SECTION 2, USE STANDARDS, SECTION 2.1.8, RETAIL AND PERSONAL SERVICE USE CONDITIONS, SPECIFICALLY TO AMEND THE REQUIRED CONDITIONS FOR A "PRIVATE CLUB, LODGE OR FRATERNAL ORGANIZATION;" 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; AND PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

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

IV. APPOINTMENTS

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

Planning and Zoning Chairman Bill Bricker discussed the planning and zoning items on tonight's agenda.

2. Appointment with Park Board Chairman Glenn Varner regarding lake side park and take any action necessary.

Chairman of the Parks and Recreation Board, Glenn Varner, discussed the Shoal Creek Petition and stated that the Park Board does not support the request and denied the Shoal Creek request. Varner advised that the Park Board voted 7-0 to maintain the land as park land.

V. PUBLIC HEARING ITEMS

1. Z2007-012 -- Continue a public hearing and consider approval of an Ordinance for a City-initiated request to rezone land of approximately 71.88-acres from Central Business (CBD) District, General Retail (GR) District, Single Family Residential (SF-7) District, Neighborhood Services (NS) District, Multi-Family Residential (MF-14) District, Planned Development No. 50 (PD-50) District, and Planned Development No. 55 (PD-55) District, to Downtown (DT) District in accordance with the City's approved Downtown Plan, and take any action necessary. The 71.88-acre (+/-) subject property is located in the downtown area of the City of Rockwall, Rockwall County, Texas and shall be incorporated as the Downtown Regulating Plan Boundary. (1st Reading)

Robert LaCroix discussed the background of this item and showed a supplemental power point presentation on the proposed "Downtown" zoning, including special exceptions for single-family dwellings within the district. LaCroix advised the Council they could take one of two separate actions. (1) They could move forward with the plan as presented; (2) they could table for 45 days. Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on this matter. The following persons came forward to address the Council:

Johnny Johnson
303 N. Clark

208 Likes the "old style" architecture. Likes home replacement amendment,
209 but it should be in place before approval. 71 acres is to large, just do the
210 square.

211
212 **Mike Kitkoski**
213 2500 Shorecrest
214 Rockwall is "happening" – is scared that the law of unintended
215 consequences may be in play here (referring to The Harbor). You can make
216 Rockwall history come alive. It is people shopping and eating in
217 downtown. With the new hospital, new professionals will be living here.
218 Keep the downtown plan as it has been presented. Vote for option 1. Let's
219 do it and move forward.

220
221 **Carol Crow**
222 504 Williams Street
223 How do you successfully blend new urbanism with old town. Most people
224 will not walk to the square. Weather is a factor. Take the five lots on
225 Kaufman and the three lots on Fannin out of the plan. The plan has pitted
226 shop owners against homeowners. Children and people are more
227 important than the developers.

228
229 **Bill Bricker**
230 505 Westway
231 Planning & Zoning has unanimously supported the plan as written. Pass it
232 as it stands.

233
234 **Ross Ramsay**
235 637 Stafford Circle
236 Keep the original boundaries as presented. We need to do this. We have
237 not had any progress on the square for many years.

238
239 **Mike Lucas**
240 1932 Gullwing Drive
241 We need to continue with the downtown plan. We are at the point of
242 change, where we need to make the decision that is in the best interest of
243 the whole of Rockwall. We need to have people live in downtown. You just
244 have to say "I do."

245
246 **Mary Hanrahan**
247 201 S. Clark
248 The Old Town Association is ok with the plan, except for the properties on
249 Kaufman and Fannin. Take those properties out of the plan and pass it.

250
251 **Glen Smith**
252 602 Williams
253 Polled the business owners and they are in agreement with the plan. Leave
254 Kaufman street in it. Approve the plan as it is.

255
256 **Mike Pittman**
257 300 Munson
258 Old Town is in support of the plan with exception of the properties on
259 Kaufman and Fannin.

260
261 **Barb Coleson**
262 **228 Sovereign**
263 **There is no place for a structure in the downtown plan to house 100 people.**
264 **The target people are young professionals and empty nesters. Give us the**
265 **same support that you gave and give the Whittles. Is worried about new**
266 **businesses on SH-205. No city can have "dead space." Shop keepers are**
267 **holding on by the skin of their teeth – this area deserves to be an important**
268 **part of the city.**
269
270 **Ivy Burns**
271 **319 Renee Drive**
272 **Rockwall Estates**
273 **We need a light at County Line and Horizon Road.**
274
275 **Lynn Davis**
276 **942 Bluffview Drive**
277 **She couldn't keep a business going in downtown – that's why she moved**
278 **to The Harbor. Pass the plan as is.**
279
280 **Janice Hill**
281 **114 E. Rusk**
282 **Has owned a business on the square since the 1980's. As a business**
283 **owner, she hopes that a compromise can be reached. Why is Rockwall**
284 **moving so slowly? Listen to the homeowners around the square. Please**
285 **put the plan in motion. Please move forward.**
286
287 **Sherry Pittman**
288 **300 Munson**
289 **Chairman of the Historic Preservation Advisory Board. They voted**
290 **unanimously for the plan, with the exception of the houses on Kaufman**
291 **and Fannin.**
292
293 **Todd Hughes**
294 **1209 S. Lakeshore Drive**
295 **Approves of the downtown plan with the exception of the Kaufman and**
296 **Fannin Street properties.**
297
298 **David Dorotik**
299 **509 Parks Avenue**
300 **This proposal doubles the area. How necessary is it to have it that large?**
301 **What engineering studies have been done on the infrastructure? We are**
302 **proud of the downtown and don't want to see it replaced. Most**
303 **homeowners in his area don't want this zoning.**
304
305 **There being no one further address the Council, Mayor Cecil closed the public hearing.**
306
307 **Councilmember Straughan made a motion to approve the downtown plan as presented**
308 **with the special exception for single family development subject to an amendment to the**
309 **Unified Development Code, Article IV to clarify what urban residential includes. Mayor**
310 **Cecil seconded the motion. And the ordinance was read as follows:**
311

312 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
313 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY
314 AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM CENTRAL BUSINESS (CB)
315 DISTRICT, GENERAL RETAIL (GR) DISTRICT, SINGLE FAMILY RESIDENTIAL (SF-7)
316 DISTRICT, NEIGHBORHOOD SERVICES (NS) DISTRICT, MULTI-FAMILY RESIDENTIAL (MF-
317 14) DISTRICT, PLANNED DEVELOPMENT NO. 50 (PD-50) DISTRICT, AND PLANNED
318 DEVELOPMENT NO. 55 (PD-55) DISTRICT, TO DOWNTOWN (DT) DISTRICT IN
319 ACCORDANCE WITH THE CITY'S APPROVED DOWNTOWN PLAN, ON LAND CONTAINING
320 APPROXIMATELY 71.88-ACRES, AND MORE SPECIFICALLY DESCRIBED HEREIN AS
321 EXHIBIT "A"; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
322 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
323 CLAUSE; PROVIDING FOR A REPEALER CLAUSE, PROVIDING FOR AN EFFECTIVE DATE.
324 [1st Reading]
325

326 **The motion failed by a vote of 2 ayes (Cecil and Straughan) and 5 nays (Farris, Sevier,**
327 **Nielsen, Scott and Sweet).**

328
329 **Councilmember Farris then made a motion to approve the ordinance with the removal of**
330 **the 3 properties on Kaufman [401, 403 and 405] and the three properties on Fannin [306,**
331 **308 and 310]. Councilmember Scott seconded the motion. Motion passed unanimously**
332 **by a vote of 7 ayes and 0 nays.**
333

- 334 **2. Z2007-024 -- Hold a public hearing and consider approval of an**
335 **Ordinance for a City-initiated request to amend the Unified Development**
336 **Code (Ord. 04-38) of the City of Rockwall, specifically Article V, Section**
337 **6.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, and take any**
338 **action necessary. (1st Reading)**

339 **Robert LaCroix discussed the background of this request involving the properties at**
340 **3620, 3622 and 3624 Lakeside Drive. LaCroix advised that the Planning and Zoning**
341 **Commission recommended denial of the change by a vote of 5-1. LaCroix also advised**
342 **that in order for this matter to be approved by tonight's Council, it will take a super**
343 **majority vote. Mayor Cecil opened the floor to anyone in the audience who wished to**
344 **address the Council on this matter. The following persons came forward to address the**
345 **Council:**

346
347 **Jackie McLarry**
348 **3622 Lakeside Drive**
349 **Asked for approval of this item. It is reasonable and not biased to anyone.**

350
351 **Pam Watkins**
352 **3620 Lakeside Drive**
353 **Asked for approval. By adding this provision, it does not automatically**
354 **mean approval.**

355
356 **Sean Wilson**
357 **3624 Lakeside Drive**
358 **Was surprised by the Planning & Zoning Commission decision. Asked the**
359 **City Council for approval. Believes Council should be able to hear**
360 **individual cases.**

361
362 **Mike Crawford**
363 **3620 Lakeside Drive**
364 **Was surprised by the Planning & Zoning Commission decision. Is in favor**
365 **of the ordinance. Understands that it does not guarantee approval.**

365
367 There being no one further to address the Council, Mayor Cecil closed the public
368 hearing. Councilmember Scott made a motion to approve the ordinance and
369 Councilmember Sweet seconded the motion. The ordinance was read as follows:

370
371 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
372 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL AS
373 HERETOFORE AMENDED BY AMENDING ARTICLE V, SECTION 6.15, LAKE RAY HUBBARD
374 TAKELINE OVERLAY (TL, OV) DISTRICT; PROVIDING FOR A PENALTY OF FINE NOT TO
375 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
376 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND
377 PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

378
379 The motion passed by a vote of 6 ayes and 1 nay [Farris].

380
381 3. Take public comment on the alternatives for alignment of SH-66
382 commencing east of Clark Street and continuing to FM-549 and take any
383 necessary action.

384 City Engineer Chuck Todd discussed the background of this item and introduced Bob
385 Reach the City's consultant on the project. Mr. Reach talked about the alignment
386 alternatives and the cost for each one. The north alignment would cost \$20.1 million for
387 2.5 miles. The southern alignment would cost \$21.4 million for 2.6 miles. Mayor Cecil
388 opened the floor for public comment and the following persons came forward to address
389 the Council:

390
391 **Tim McCallum**
392 5140 Standing Oak
393 This discussion was had and passed 6 to 1 – stay with the southern route.

394
395 **Bill Bricker**
396 505 Westway
397 If you go with the southern route, you will also have to move the museum
398 and other buildings. Thinks the northern route is better. It's been there
399 over 20 years. There is an implied commitment. As a developer you
400 depend on what is in place when you plan a development. The southern
401 route is going to cause accessibility problems to the park, Park Place and
402 will cause a noise problem for the homeowners in the Park Place
403 development. If you build the southern route, he would like there to be a 50
404 foot berm and the road to be below grade. The connectivity affects the
405 whole town. The park could have been expanded to the ball fields. The
406 speed limit on SH-66 should be 30 mph.

407
408 **Billie Tuttle**
409 603 Stonebridge Drive
410 Was there the first the southern route was approved and was surprised to
411 see it on the agenda again. Keep the southern route.

412
413 **Mary Hanrahan**
414 201 S. Clark
415 Is concerned about pedestrian access to the park – wants to be sure
416 everyone who currently uses it will still be able to do so. What about the
417 museum and the other buildings? The sooner you can tell them about the
418 move, the better.

419
420 **Pam Kitkoski**
421 **2500 Shorecrest**
422 **Urged the Council to keep the southern route. To run a highway through**
423 **the park is the wrong thing to do.**

424
425 **Mike Mischler**
426 **372 Equestrian Drive**
427 **Please think about the noise and lights for the homeowners in Park Place.**

428
429 **There being no one further to address the Council, Mayor Cecil advised the citizens that**
430 **this item would be on the next agenda for final approval. After short discussion, Bricker**
431 **advised that he is ok with the southern route if he can get the conditions he asked for**
432 **guaranteed.**

433
434 **Mayor Cecil then advised the public that this is only the beginning. Once a route is**
435 **approved, we have to send the information to TxDOT and it only becomes the "route"**
436 **when they agree to it. It could be a year to 18 months before action is taken by them.**

437
438 **4. Hold a public hearing on the proposed fiscal year 2008 tax rate.**

439 **Julie Couch discussed the background of this item. Mayor Cecil opened the public**
440 **hearing and the following persons came forward to address the Council:**

441
442 **Calvin Barnard**
443 **2610 Chelsea Court**
444 **Although his taxes are frozen, he feels the amount is too high. Smaller**
445 **cars should be considered and why are annexing Lake Rockwall Estates?**

446
447 **Tim McMcCallum**
448 **5140 Standing Oak**
449 **Spoke against the tax rate.**

450
451 **David Dorotik**
452 **509 Parks**
453 **Spoke against the tax rate.**

454
455 **Melbu Jeffus**
456 **1903 S. FM-549**
457 **Spoke against the tax rate.**

458
459 **Mike Kitkoski**
460 **2500 Shorecrest**
461 **Spoke in favor of the tax rate.**

462
463 **There being no one further to address the Council, Mayor Cecil closed the public hearing.**

464
465 **5. Hold a public hearing on the proposed budget for fiscal year 2008 and**
466 **take any action necessary.**

467 **Julie Couch gave a brief overview of the budget. Mayor Cecil opened the public hearing**
468 **and the following persons came forward to address the Council:**

469

470 Calvin Barnard
471 2610 Chelsea Court
472 Don't add to the Police Department – don't annex Lake Rockwall Estates.

473
474 Tim McCallum
475 5140 Standing Oaks
476 Lower the M&O.

477
478 There being no one further to address the Council, Mayor Cecil closed the public
479 hearing. After lengthy discussion, a special budget work session was scheduled for
480 Monday, September 10, 2007, at 4:00 p.m.

481
482 VI. ACTION ITEMS

- 483
484 1. A2007-001 -- Discuss and consider approval of an Ordinance for a City-
485 initiated request to annex land of approximately 316.91 acres generally
486 located north of SH 66, west of FM 549, and south of Cornelius Rd. and
487 contiguous to the existing City Limits line, and take action necessary. (1st
488 Reading)

489 Robert LaCroix discussed the background of this item and advised the Council that a
490 settlement had been reached in the Peoples matter. This annexation is for a portion of
491 the property owned by Dwayne Cain, pursuant to the conditions set out in the 212
492 Agreement. Councilmember Scott made a motion to annex that portion of the property
493 pursuant to the 212 Agreement and Councilmember Sweet seconded the motion. The
494 ordinance was read as follows:

495 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING
496 FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL,
497 TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 18.15 ACRES OF
498 LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT
499 BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE
500 DATE. (1st Reading)

501
502
503 The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 504
505 2. Discuss and consider a process for naming the 205 Bypass and State
506 Road 549 and take any action necessary.

507 This item was not acted on and will be on the 9/4/07 agenda.

- 508
509 3. Discuss and consider the award of the bid for the construction of the west
510 lanes of the 205 By-pass, IH-30 to SH-276 and take any action
511 necessary.

- 512 4. Discuss and consider award the bid for the construction of the 205 By-
513 pass from FM-552 to Quail Run and take any action necessary.

514 Mayor Cecil made a motion to approve Action Items #3 and #4 and Councilmember Scott
515 seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

- 516
517 5. Discuss and consider approval of the Site Plan for the Development of
518 the Park at Hickory Ridge and take any action necessary.

519 This item was not acted on and will be on the 9/4/07 agenda.

520

521 6. Discuss and consider a report from the Airport Subcommittee regarding a
522 long-term action plan for the Ralph M. Hall Rockwall Municipal Airport and
523 take any necessary action.

524 Julie Couch discussed the recommendation for a 90-day moratorium. Councilmember
525 Straughan made a motion to approve a 90-day moratorium on further development or
526 through-the-fence agreements adjacent to the airport property so that a long-term action
527 plan can be developed. Councilmember Scott seconded the motion and the motion
528 passed unanimously by a vote of 7 ayes and 0 nays.

529
530 7. Discuss and consider review of the Downtown parking arrangement for
531 possible revisions and take any action necessary.

532 **This item was not acted on and will be on the 9/4/07 agenda.**

533
534 8. Discuss and consider requesting Staff to develop a short (3-5 years) and
535 long range (6-10 years) debt service projection (what if) plan for all
536 known, proposed and actual capital improvements. This plan should
537 include capital improvement possibilities such as I.R.E. Facilities, FOD,
538 paid fire department, additional fire stations, DT Plan, etc. and discuss the
539 projected cost, sources of funds and potential impact to budget/tax rate
540 and take any action necessary.

541 **This item was not acted on and will be on the 9/4/07 agenda.**

542
543 9. Discuss and consider harmonizing the appointment, reprimand and
544 removal requirements for board and commission members appointed by
545 the City Council.

546 **This item was not acted on and will be on the 9/4/07 agenda.**

547
548 **TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

549
550 Councilmember Scott made a motion to appoint Bill Houser to fill the unexpired term of
551 Martin Musser on the REDC. Councilmember Nielsen seconded the motion and the
552 motion passed unanimously by a vote of 7 ayes and 0 nays.

553
554 Councilmember Nielsen made a motion to appoint Sandi Whitley to the Historic
555 Preservation Advisory Board and Mayor Cecil seconded the motion. The motion passed
556 unanimously by a vote of 7 ayes and 0 nays.

557
558 Councilmember Nielsen made a motion to temporarily suspend current municipal judge
559 William Kortemier effective immediately until his case in County Court is resolved.
560 Councilmember Sweet seconded the motion. The motion passed unanimously by a vote
561 of 7 ayes and 0 nays.

562
563 **Councilmember Scott recused himself at this time.**

564
565 Councilmember Nielsen made a motion to appoint Matt Scott as interim municipal court
566 judge, without compensation, on a temporary basis until a temporary judge can be
567 appointed. Councilmember Straughan seconded the motion. The motion passed by a
568 vote of 6 ayes and 1 abstain [Scott].

569
570 **Councilmember Scott returned to the meeting.**

571
572 There being no further business to come before the Council, Mayor Cecil adjourned the
573 meeting at 11:22 p.m.

574
575 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
576 TEXAS, this 4th day of September, 2007.
577

578
579
580 
581 William R. Cecil, Mayor

582 ATTEST:
583 
584 Dorothy Brooks, TRMC, CMC, City Secretary
585
586



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Minutes
Rockwall City Council
Tuesday, September 04, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nilsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of September, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, TRMC, CMC, City Secretary



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46
47
48
49
50

Agenda
Rockwall City Council
Tuesday, September 04, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Gollad, Rockwall, Texas 75087

51 I. CALL TO ORDER

52
53 Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and
54 Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott
55 and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete
56 Eckert.

57
58 II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MARGO NIELSEN

59
60 III. OPEN FORUM

61
62 Mayor Cecil opened the floor to anyone in the audience who wished to address the
63 Council on any subject not scheduled for a public hearing on tonight's agenda. The
64 following persons came forward to address the Council:

65
66 Vivian Craig
67 509 Bourn Avenue
68 Mr. Craig wants money.
69

70 Pastor Joe Robbins
71 805 Peter's Colony
72 Pastor Robbins is concerned about a well located at 705 Peter's Colony.
73 This well has not been filled in and needs security around it. Pastor
74 Robbins stated that he had talked to Code Enforcement about the problem.
75 Mayor Cecil asked City Manager Julie Couch to work with Pastor Robbins
76 to resolve this problem.
77

78 Bill Bricker
79 505 West Way
80 With regard to the naming of the Bypass, Mr. Bricker stated he would
81 appreciate the Council considering the name "Boardwalk."
82

83 There being no one further to address the Council, Mayor Cecil closed the public
84 hearing.

85
86 IV. CONSENT AGENDA

- 87
88 1. Consider approval of the Minutes from the August 20, 2007 meeting and
89 take any action necessary.
90
91 2. Consider approval to engage Fox, Byrd & Co. P.C. as the City's auditors
92 for the fiscal year ended September 30, 2007 and take any action
necessary

- 93 3. Consider approval of the alignment of SH-66 commencing east of Clark
94 Street and continuing to FM-549 and take any action necessary.
- 95 4. Z2007-012 -- Consider approval of an Ordinance for a City-initiated
96 request to rezone land of approximately 71.88-acres from Central
97 Business (CBD) District, General Retail (GR) District, Single Family
98 Residential (SF-7) District, Neighborhood Services (NS) District, Multi-
99 Family Residential (MF-14) District, Planned Development No. 50 (PD-
100 50) District, and Planned Development No. 55 (PD-55) District, to
101 Downtown (DT) District in accordance with the City's approved Downtown
102 Plan, and take any action necessary. The 71.88-acre (+/-) subject
103 property is located in the downtown area of the City of Rockwall, Rockwall
104 County, Texas and shall be incorporated as the Downtown Regulating
105 Plan Boundary. (2nd Reading)
- 106 5. Z2007-024 -- Consider approval of an Ordinance for a City-initiated
107 request to amend the Unified Development Code (Ord. 04-38) of the City
108 of Rockwall, specifically Article V, Section 6.15, Lake Ray Hubbard
109 Takeline Overlay (TL OV) District, and take any action necessary. (2nd
110 Reading)
- 111 6. A2007-001 -- Consider approval of an Ordinance for a City-initiated
112 request to annex land of approximately 18.15 acres generally located
113 north of SH 66, west of FM 549, and south of Cornelius Rd, and
114 contiguous to the existing City Limits line, and take action necessary.
115 (2nd Reading)
- 116 7. Consider approval of the ONCOR easement and Electric Facilities
117 Extension Agreement for the Animal Adoption Center and take any action
118 necessary.
- 119 8. Consider approval of the Engineering Services Contract with PBS&J for
120 the design of improvements to White Road from east of FM-740 to Tubbs
121 and the extension of Shadydale Lane to Oak Drive and the extension of
122 Ranch Trail to County Line Road and take any action necessary.
- 123 9. Consider approval of revisions to the Development Agreement and the
124 Memorandum of Development Agreement with Presbyterian Hospital and
125 take any action necessary.

126
127 **Councilmember Straughan requested that Consent Agenda Item #3 be pulled.**
128 **Councilmember Nielsen made a motion to approve the remaining items and**
129 **Councilmember Farris seconded the motion. The ordinances were read as follows:**

130
131 **ORDINANCE NO. 07-34**

132
133 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
134 **THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY**
135 **AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM CENTRAL BUSINESS (CBD)**
136 **DISTRICT, GENERAL RETAIL (GR) DISTRICT, SINGLE FAMILY RESIDENTIAL (SF-7)**
137 **DISTRICT, NEIGHBORHOOD SERVICES (NS) DISTRICT, MULTI-FAMILY RESIDENTIAL (MF-**
138 **14) DISTRICT, PLANNED DEVELOPMENT NO. 50 (PD-50) DISTRICT, AND PLANNED**
139 **DEVELOPMENT NO. 55 (PD-55) DISTRICT, TO DOWNTOWN (DT) DISTRICT IN**
140 **ACCORDANCE WITH THE CITY'S APPROVED DOWNTOWN PLAN, ON LAND CONTAINING**
141 **APPROXIMATELY 69.84-ACRES, AND MORE SPECIFICALLY DESCRIBED HEREIN AS**
142 **EXHIBIT "A"; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO**

143 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
144 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
145 [2nd Reading]

146
147 ORDINANCE NO. 07-35

148
149 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
150 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS
151 PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.15, LAKE RAY HUBBARD
152 TAKELINE OVERLAY (TL OV) DISTRICT; PROVIDING FOR A PENALTY OF FINE NOT TO
153 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
154 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND
155 PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

156
157 ORDINANCE NO. 07-36

158
159 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING
160 FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL,
161 TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 18.15 ACRES OF
162 LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT
163 BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE
164 DATE. [2nd Reading]

165
166 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

167
168 **Councilmember Straughan stated that he pulled Consent Agenda Item #3 to be sure that**
169 **the details regarding the 50 foot berm, the lowering of the road, etc. will be included in**
170 **the recommendation sent to TXDOT. Councilmember Scott made a motion to approve**
171 **the southern alignment of SH-66 and instructed Staff to include the requirements stated**
172 **above with our recommendation to TXDOT for the preferred route of SH-66.**
173 **Councilmember Straughan seconded the motion and the motion passed unanimously by**
174 **a vote of 7 ayes and 0 nays. Ms. Couch advised the Council that she would send them a**
175 **copy of the document she will send to TXDOT.**

176
177 **V. APPOINTMENTS**

- 178
179 1. Appointment with the Planning and Zoning Chairman to discuss and
180 answer any questions regarding cases on the agenda and related issues
181 and take any action necessary.

182 **Bill Bricker, Planning and Zoning Chairman, discussed the Planning and Zoning**
183 **Commission actions on the various planning and zoning items on tonight's agenda.**

184
185 **VI. PUBLIC HEARING ITEMS**

- 186
187 1. Z2007-025 -- Hold a public hearing and consider approval of an
188 Ordinance for a request by Phil Powell for a change in zoning from (Ag)
189 Agricultura. district to (SF-E/2.0) Single Family Estate district on a 2.92+-
190 acre property located at 530 Cullins Rd and currently described as Tract
191 4-5, Abstract 80, W. W. Ford Survey, and take any action necessary. (1st
192 Reading)

193 **Robert LaCroix, Planning Director, discussed the background of this item. LaCroix**
194 **advised that Mr. Powell was not in attendance at this time. City Attorney Pete Eckert**
195 **advised that the Council could defer the item at this time. If Mr. Powell did not show up**
196 **later in the evening, the Council would need to open the public hearing and continue it.**

197 2. Z2007-026 -- Hold a public hearing and consider approval of an
198 Ordinance for a request by Michael Allen of Allen and Ridinger Consulting
199 for approval of a Specific Use Permit (SUP) to allow for an "Auto Repair
200 Garage, Minor" within the (C) Commercial zoning district, on Lot 1, Block
201 D, La Jolla Pointe Phase 2 Addition, being a 0.688-acre tract situated
202 within the Scenic Overlay (SOV) district at the northwest corner of La
203 Jolla Pointe Dr and Ridge Rd (FM 740), and take any action necessary,
204 (1st Reading)

205 **Robert LaCroix discussed the background of this item. LaCroix advised that it would**
206 **take a ¾ vote to pass this item since we had received notices against the project.**
207 **LaCroix advised that the Planning and Zoning Commission did not approve this request.**
208 **Mr. Leslie Walls came forward and gave a presentation on the project and requested the**
209 **Council's approval. Mayor Cecil opened the public hearing and the following persons**
210 **came forward to address the Council:**

211
212 **Tony Scalise**
213 **LaJolla Point Joint Venture**
214 **1412 Main Street, Suite 2100**
215 **Dallas, Texas 75202**
216 **LaJolla Point Joint Venture owns the property. Mr. Scalise stated that the**
217 **joint venture put in the street and has approximately 14 acres left to**
218 **develop in the area and feels that the tire store is appropriate for the area**
219 **and asked for the Council's approval.**

220
221 **Mike Crawford**
222 **2630 Lakeside Drive**
223 **Mr. Crawford spoke against the project.**

224
225 **Charlie Holt, Attorney**
226 **500 Turtle Cove (Office)**
227 **1970 Hidden Valley (Home)**
228 **Mr. Holt spoke against the project on behalf of Dr. Brooks who owns the**
229 **building next to the subject property.**

230
231 **There being no one further to address the Council, Mayor Cecil closed the public**
232 **hearing. Councilmember Straughan made a motion to deny the request and**
233 **Councilmember Sevier seconded the motion. The motion passed unanimously by a vote**
234 **of 7 ayes and 0 nays.**

235
236 3. Hold a public hearing on the proposed fiscal year 2008 tax rate.

237 **Mary Smith, Finance Director, stated that this was the second statutory public hearing on**
238 **the tax rate. Mayor Cecil opened the public hearing but no one came forward so the**
239 **public hearing was closed.**

240
241 4. Hold a public hearing on the proposed budget for fiscal year 2008 and
242 take any action necessary.

243 **Mary Smith stated this was the second statutory public hearing on the budget. Mayor**
244 **Cecil opened the public hearing and the following persons came forward to address the**
245 **Council:**

246
247 Calvin Barnard
248 2610 Chelsea Court
249 Mr. Barnard stated that he has a problem with annexing Lake Rockwall
250 Estates and the purchase of equipment.

251
252 Ed Fowler
253 Rockwall Police Association
254 Mr. Fowler stated that the City had always hired good, professional, well
255 educated staff. In the last seven months the City has lost employees to
256 Frisco and other cities due to pay. Fowler stated that the City also needed
257 to have good equipment.

258
259 Robert Hill
260 2975 Oak Drive
261 is concerned about the budget. Feels we are spending too much on the
262 debt side. We need to concentrate on the services. Don't annex Lake
263 Rockwall Estates. Also stated his concerns about unprofessional behavior
264 of council members in the news media.

265
266 There being no one further to address the Council, Mayor Cecil closed the public
267 hearing. No action was taken on this item.

268
269 VII. ACTION ITEMS

- 270
271 1. Discuss and consider approval of the Site Plan for the development of the
272 Park at Hickory Ridge and take any action necessary.

273 Brad Griggs, Parks Director, discussed the plan for the Park at Hickory Ridge. Griggs
274 stated that the neighborhood did not want soccer courts. There is an area where soccer
275 can be played, but there will be no lights in that area. The cost of the park will be
276 approximately \$540,000. Councilmember Nielsen made a motion to approve the plan and
277 Councilmember Sweet seconded the motion. The motion passed unanimously by a vote
278 of 7 ayes and 0 nays.

- 279
280 2. Discuss and consider adoption of Conceptual Site Plan for Caruth Lake
281 Park and take any action necessary.

282 Brad Griggs discussed the conceptual site plan for Caruth Lake Park and stated that the
283 Park Board had unanimously approved the plan. When money becomes available to
284 construct the park, the Park Board will hold the requisite public hearings.
285 Councilmember Farris made a motion to adopt the conceptual site plan and
286 Councilmember Straughan seconded the motion. After short discussion, the motion
287 passed unanimously by a vote of 7 ayes and 0 nays.

- 288
289 3. Discuss an Ordinance authorizing the issuance and sale of the City's
290 General Obligation Bonds, Series 2007; levying an annual ad valorem tax
291 for payment of said bonds; approving the official statement; providing an
292 effective date; and enacting other provisions relating to the subject. (1st
293 Reading) No action except the reading of the ordinance can take
294 place

295 Mary Smith discussed the background of this item and the ordinance was read as
296 follows:

297
298 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL,
299 TEXAS, COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION,
300 SERIES 2007; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE
301 SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING THE OFFICIAL
302 STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS
303 RELATING TO THE SUBJECT. [1st Reading]

304
305 4. Discuss an Ordinance authorizing the issuance and sale of the City's
306 Combination Tax and Surplus Revenue Certificates of Obligation, Series
307 2007; levying an annual ad valorem tax and providing for the security for
308 and payment of said certificates; approving the official statement,
309 providing an effective date, and enacting other provisions relating to the
310 subject. (1st Reading); No action except reading the ordinance can
311 take place.

312 Mary Smith discussed the background of this item and the ordinance was read as
313 follows:

314
315 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL,
316 TEXAS, GENERAL OBLIGATION BONDS, SERIES 2007; LEVYING AN ANNUAL AD
317 VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID
318 BONDS; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE, AND
319 ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT. [1st Reading]

320
321 5. Discuss and consider a request from Mr. Kerry Foster, from ID Solutions
322 International, representing Presbyterian Hospital, requesting a variance
323 on the height of eight feet (8') on-site traffic signs and take any action
324 necessary.

325 Jeffrey Widmer, Building Official, discussed the background of this request. Kerry
326 Foster of ID Solutions, 2606 Club Meadow, Garland, Texas, came forward and requested
327 that the Council approve the variance. Councilmember Straughan made a motion to
328 approve the variance and Councilmember Farris seconded the motion. The motion
329 passed unanimously by a vote of 7 ayes and 0 nays.

330
331 6. MIS2007-012 -- Discuss and consider a request by Kyle Money of Big
332 League Sports Academy for a waiver to the masonry requirements set
333 forth in Article V, Section 4.1, General Commercial District Standards, of
334 the City of Rockwall Unified Development Code, for a proposed
335 accessory building located at 505 County Line Rd on Tract 26-1, W W
336 Ford Survey, Abstract No. 80, which is zoned (C) Commercial District,
337 and take any action necessary.

338 Robert LaCroix discussed the background of this request. LaCroix advised that this item
339 is only for the waiver to the masonry requirements. The Planning and Zoning
340 Commission approved the request to construct the building 100% of hardy plank. Since
341 there is no fire protection in the area, no building permits can be issued at this time. The
342 applicant, Kyle Money, 405 Chatham Street, Sunnyvale, Texas, came forward and
343 requested approval. Councilmember Straughan made a motion to approve the waiver the
344 masonry requirements to 100% hardy plank and Councilmember Sevier seconded the
345 motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

346
347 7. Discuss and consider initiating an amendment to the Unified
348 Development Code to add a Specific Use Permit for a "General Retail
349 Store" within the "RQ" Residential Office zoning district and take any
350 action necessary.

351 Robert LaCroix discussed the background of this item and showed pictures of properties
352 along N. Goliad. Councilmember Nielsen made a motion instructing Staff to initiate the
353 amendment to the ordinance and Councilmember Farris seconded the motion. After a
354 short discussion regarding concern about street parking, Council instructed City
355 Manager Julie Couch to work with TXDOT to do away with parking on the street in this
356 area. Couch stated she would bring TXDOT's response back in 30 days. The motion
357 passed unanimously by a vote of 7 ayes and 0 nays.

358
359 8. Discuss and consider a process for naming the 205 Bypass and State
360 Road 549 and take any action necessary.

361 Councilmember Nielsen stated that she had requested this item be put on the agenda.
362 Nielsen then made a motion to instruct the Naming Subcommittee to start work on this
363 project. Councilmember Scott seconded the motion and the motion passed unanimously
364 by a vote of 7 ayes and 0 nays.

365
366 9. Discuss and consider review of the Downtown parking arrangement for
367 possible revisions and take any action necessary.

368 Mayor Cecil stated that he had been approached by the business owners regarding the
369 parking issues. Rick Crowley, Assistant City Manager, talked about the parking survey
370 and recommended changes. Crowley stated that a voucher program has been proposed
371 to the Downtown Merchants Association. To get a voucher, the shop owner and
372 employees have to agree not to park in front their business. Crowley recommended a 90
373 day trial. Mayor Cecil made a motion to have two (2) hour parking on all streets facing
374 the Courthouse (Rusk – 2 blocks, Kaufman, San Jacinto) and to have the voucher
375 program, but not the 90 day trial period. (Assistant City Manager will be sure that the
376 signs are posted appropriately.) Councilmember Farris seconded the motion. After
377 discussion, Mayor Cecil amended his motion to retain four 15-minute parking spots and
378 Councilmember Farris amended his second. The motion passed unanimously by a vote
379 of 7 ayes and 0 nays.

380
381 10. Discuss and consider requesting Staff to develop a short (3-5 years) and
382 long range (6-10 years) debt service projection (what if) plan for all
383 known, proposed and actual capital improvements. This plan should
384 include capital improvement possibilities such as LRE, Facilities, FOD,
385 paid fire department, additional fire stations, DT Plan, etc. and discuss the
386 projected cost, sources of funds and potential impact to budget/tax rate
387 and take any action necessary.

388 Mayor Cecil discussed the background of this request. Councilmember Straughan made
389 a motion to direct Staff to put the information together and bring back to the Council.
390 After discussion, Councilmember Scott seconded the motion. The motion passed
391 unanimously by a vote of 7 ayes and 0 nays. City Manager Julie Couch and Finance
392 Director Mary Smith will work together on the project and bring back an outline of the
393 information for the Council in 30 days.

394

395 11. Discuss and consider harmonizing the appointment, reprimand and
396 removal requirements for board and commission members appointed by
397 the City Council and take any action necessary.

398 Councilmember Scott discussed the background of this item and recommended
399 removing the provision for removal of a board or commission member for an ethical
400 violation and to add that it would take four (4) votes of the Council to approve the
401 removal of a board or commission member. Mayor Cecil made a motion to accept the
402 above recommendations and Councilmember Scott seconded the motion. The motion
403 passed unanimously by a vote of 7 ayes and 0 nays.

404
405 12. Discuss and consider taking action to ensure the "Hill" above The Harbor
406 develops appropriately and take any action necessary

407 Mayor Cecil discussed the background of this item. The "Hill" should be a master plan
408 and we need to secure the zoning to allow this to happen. Councilmember Scott made a
409 motion forming "The Hill Subcommittee" consisting of Mayor Cecil and Councilmembers
410 Straughan and Farris. Councilmember Nielsen seconded the motion. The Subcommittee
411 will look at the patchwork of existing zoning and will look at a master plan to move the
412 development of The Hill in the right direction. The Subcommittee will report back to the
413 Council in 90 days. The motion passed unanimously by a vote of 7 ayes and 0 nays.

414
415 **VIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,
416 FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

- 417
418 1. Departmental Reports
419 Parks Department Monthly Report -- July 2007
420 Fire Department Monthly Reports - July 2007
421 Building Department Monthly Report -- July 2007
422 Finance Monthly Report

- 423 2. City Manager's Report

424
425 City Manager Julie Couch discussed scheduling for Founder's Day. After discussion,
426 Mayor Cecil instructed Staff to do what is most effective for the event for the participants
427 and the stakeholders.

428
429 Couch also advised the Council of the Open Meetings and Ethics training scheduled for
430 Monday, September 24, 2007, starting at 6:00 p.m. for dinner and 6:30 for instruction.

431
432 With regard to Public Hearing #1 above (Z2007-025), the applicant, Phil Powell, did not
433 make this meeting, so Mayor Cecil opened the public hearing and made a motion to
434 continue it until the next meeting. Councilmember Scott seconded the motion. The
435 motion passed unanimously by a vote of 7 ayes and 0 nays.

436
437 There being no further regular business to come before the Council, Mayor Cecil
438 adjourned the meeting into Executive Session at 9:08 p.m.

439
440 **IX. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS
441 GOVERNMENT CODE TO DISCUSS:**

- 442
443 1. Deliberation regarding the purchase, exchange, lease, or value of real
444 property.

- 445 2. Personnel Issues, including Board, Commission, and Committee
446 Appointments, and Related Matters
- 447 3. Commercial or financial information regarding business prospects that the
448 City seeks to have locate, stay, or expand in or near the territory of the
449 City of Rockwall and with which the Board is conducting economic
450 development negotiations.
- 451 4. Pursuant to Section 551.071(2) of the Open Meetings Act. Consultation
452 with attorney with regard to a matter that it is the duty of the attorney to
453 consult with the Council and falls under the attorney-client privilege
454

455 X. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

456
457 The Council voted unanimously to reappoint Mayor Bill Cecil and Councilmember
458 Stephen Straughan to the ES Corporation.

459
460 The Council voted unanimously to appoint Cathy Mason Penn to act as interim municipal
461 court judge starting October 1, 2007. City Attorney Pete Eckert will contact Ms. Penn
462 regarding the appointment.

463
464 There being no further business to come before the Council, Mayor Cecil adjourned the
465 meeting at 10:00 p.m.

466
467 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
468 TEXAS, this 17th day of September, 2007.

469

470

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477

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ATTEST:

Dorothy Brooks
Dorothy Brooks, TRMC, CMC, City Secretary

William R. Cecil
William R. Cecil, Mayor



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MINUTES
ROCKWALL CITY COUNCIL
Monday, September 17, 2007
3:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers David Sweet, Matt Scott, Margo Nielsen, Stephen Straughan and Glen Farris. Councilmember Cliff Sevier was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of October, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary



MINUTES
ROCKWALL CITY COUNCIL
Monday, September 17, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers David Sweet, Matt Scott, Margo Nielsen, Stephen Straughan and Glen Farris. Councilmember Cliff Sevier was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR BILL CECIL

III. PROCLAMATIONS / AWARDS

A surprise award was made by Kent Sperling to Julie Couch announcing that the City of Rockwall had received the "Superior Rating" for our water service. This is a rating the City had been working on for a number of years.

1. Constitution Week

Marilyn King and Sandra Solomon of the Daughters of the Revolution received the proclamation.

IV. CONSENT AGENDA

- 1. Consider approval of the July 23, 2007, Minutes from the Special City Council meeting and take any action necessary.**
- 2. Consider approval of the Minutes from the July 27, 2007 City Council Budget Retreat and take any action necessary.**
- 3. Consider approval of the Minutes from the July 30, 2007 Special Meeting and Joint Work Session with the Planning and Zoning Commission and Historic Preservation Advisory Board and take any action necessary.**
- 4. Consider approval of the Minutes from the September 4, 2007 City Council meeting and take any action necessary.**
- 5. P2007-028-- Discuss and consider a request by Marc Bentley of Bentley Engineering, Inc., for approval of a replat of Lot 3A-R, Block C, Ellis Center Phase Two, being a 0.969-acre tract zoned (LI) Light Industrial district and situated at the northeast corner of Alpha Drive and Sigma Court, and take any action necessary.**
- 6. Consider approval of the award of the construction bid for the Sherman Drainage Pilot Channel Project and take any action necessary.**
- 7. Consider authorizing the City Manager to enter into a contract for boat dock repair at The Harbor and take any action necessary.**

94 Councilmember Straughan requested that Consent Agenda Item #7 be pulled and then
95 made a motion to approve the remaining Consent Agenda Items (1, 2, 3, 4, 5 and 6).
96 Councilmember Sweet seconded the motion. The motion passed by a vote of 6 ayes and
97 1 absent [Sevier].
98

99 With regarding to Consent Agenda Item #7, Councilmember Straughan requested
100 clarification on additional flotation devices. Brag Griggs, Parks Director, discussed how
101 the dock will be changed and that additional floats will be installed to strengthen the
102 dock. Councilmember Straughan then made a motion to approve the contract and Mayor
103 Cecil seconded the motion. After short discussion, the motion passed by a vote of 5
104 ayes and 1 nay [Scott] and 1 absent [Sevier].
105

106 **V. APPOINTMENTS**
107

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

111 **Bill Bricker, Planning and Zoning Chairman, came forward and talked about the planning
112 and zoning cases on tonight's agenda.**
113

- 114 2. Appointment with Mike Crawford regarding variances to lease the
115 Takeline and take any action necessary.

116 **Mike Crawford requested that the Council approve the various so he and his adjacent
117 neighbors could lease the Takeline. Councilmember Scott made a motion to grant the
118 variances and Councilmember Straughan seconded the motion. The motion passed by a
119 vote of 6 ayes and 1 absent [Sevier].**
120

- 121 3. Appointment with David Medanich, First Southwest Company regarding
122 the sale of bonds and to consider approval of an Ordinance authorizing
123 the issuance and sale of the City's General Obligation Bonds, Series
124 2007; levying an annual ad valorem tax for payment of said bonds;
125 approving the official statement; providing an effective date; and enacting
126 other provisions relating to the subject and take any action necessary.
127 (2nd Reading)

128 **Mary Smith, Finance Director, introduced David Medanich. Medanich gave the results of
129 the bond sale. Councilmember Scott made a motion to approve the Ordinance and
130 Councilmember Straughan seconded the motion. The ordinance was read as follows:**
131

132 **ORDINANCE NO. 07-33**
133

134 **AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL,
135 TEXAS, GENERAL OBLIGATION BONDS, SERIES 2007; LEVYING AN ANNUAL AD
136 VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID
137 BONDS; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND
138 ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.**
139

140 **The motion passed by a vote of 6 ayes and 1 absent [Sevier].**
141

- 142 4. Appointment with David Medanich, First Southwest Company regarding
143 the sale of bonds and to consider approval of an Ordinance authorizing
144 the issuance and sale of the City's Certificates of Obligation, Series 2007;

198 Robert LaCroix discussed the background of this item. The request is for a 48" tubular
199 steel fence. LaCroix advised the Homeowner's Association had approved the fence and
200 that Staff recommended approval with conditions – a building permit is required, it
201 cannot be built in the common area without HOA approval and he must sign an
202 indemnification for the City. The applicant did not appear at this meeting. Mayor Cecil
203 opened the public hearing and Councilmember Scott made a motion to continue the
204 public hearing until the next meeting. Councilmember Straughan seconded the motion
205 and the motion passed by a vote of 6 ayes and 1 absent [Sevier].
206

207 3. Z2007-027 -- Hold a public hearing and consider approval of an
208 Ordinance for a request by Matthew King for approval of a Specific Use
209 Permit (SUP) to allow for a "structure over 36 feet in height" in the Scenic
210 Overlay (SOV) district, specifically for a proposed four-story hotel
211 measuring 46 feet in height, located on Lot 8, Block A, Rockwall Towne
212 Center Phase 4 Addition, being a 1.78-acre tract zoned (C) Commercial
213 and situated on Vigor Way (private street) between IH-30 and Ridge Rd,
214 and take action necessary. (1st Reading)

215 Robert LaCroix discussed the background of the request for an SUP. The SUP is strictly
216 for the height of the building. If it is approved, the applicant has to come before the
217 Planning and Zoning commission for approval of the project. LaCroix advised that the
218 Planning and Zoning Commission had voted to approve the SUP. Additionally, there will
219 be parking for 1 space per unit. The applicant, Matthew King, 2319 Winston Crest Circle,
220 Heath, came forward and requested approval. Mayor Cecil opened the public hearing,
221 but no one came forward, so the public hearing was closed. Councilmember Farris made
222 a motion to deny the request and Councilmember Straughan seconded the motion. The
223 motion to deny passed by a vote of 5 ayes, 1 nay [Cecil] and 1 absent [Sevier].
224

225

226 VII. ACTION ITEMS

227

228 Mayor Cecil advised the audience that the Council would consider Action Item #1 later in
229 the session.
230

231 1. MIS2007-003 -- Discuss and consider approval of a Resolution
232 establishing a public hearing date to consider land use assumptions and
233 a capital improvements plan, and take any action necessary. [See
234 discussion below]

235 2. Discuss and consider the Rockwall Economic Development Corporation
236 Budget for fiscal year 2008 and amended budget for fiscal year 2007 and
237 take any action necessary.

238 Sheri Franza of the REDC discussed the REDC budget. Councilmember Straughan made
239 a motion to approve the budget and Councilmember Sweet seconded the motion. The
240 motion passed by a vote of 6 ayes and 1 absent [Sevier].
241

242 3. Discuss and consider the Rockwall Technology Park Association budget
243 for fiscal year 2008 and amended budget for fiscal year 2007 and take
244 any action necessary.

245 Councilmember Nielsen recused herself from hearing or taking part in any part of the
246 discussion on this item.

247
248 Sheri Franza discussed the Tech Park budget and stated that the REDC Board of
249 Directors had approved it. Councilmember Straughan made a motion to approve the
250 Rockwall Technology Park Association budget and Councilmember Farris seconded the
251 motion. The motion passed by a vote of 5 ayes, 1 abstain [Nielsen], and 1 absent
252 [Sevier].

253
254 Councilmember Nielsen returned to the meeting.

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256 4. Discuss and consider the Hotel/Motel Subcommittee recommendations
257 for funding in fiscal year 2008 and take any action necessary.

258 Councilmember Farris recused himself from hearing or taking part in any part of the
259 discussion on this item.

260
261 Mary Smith discussed the Subcommittee recommendations. Councilmember Straughan
262 made a motion to accept the Subcommittee recommendations and Mayor Cecil seconded
263 the motion. The motion passed by a vote of 5 ayes, 1 abstain [Farris], and 1 absent
264 [Sevier].

265
266 Councilmember Farris returned to the meeting.

267
268 5. Discuss and consider approval of an Ordinance adopting the amended
269 budget for fiscal year 2007 and take any action necessary.

270 Mary Smith discussed the background of this item. Mayor Cecil made a motion to
271 approve the ordinance and Councilmember Farris seconded the motion. The ordinance
272 was read as follows:

273
274 ORDINANCE NO. 07-38

275
276 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
277 AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2006
278 THROUGH SEPTEMBER 30, 2007; PROVIDING FOR AN EFFECTIVE DATE.

279
280 The motion passed by a vote of 6 ayes and 1 absent [Sevier].

281
282 6. Discuss and consider (a) Ratification of the property tax increase
283 reflected in the fiscal year 2008 budget and take any necessary action;
284 and (b) Approval of an Ordinance adopting the budget for fiscal year 2008
285 and take any action necessary.

286 Mary Smith discussed the background and stated that HB3195 called for specific
287 language when approving the budget. Councilmember Nielsen stated that this budget
288 will raise more total property taxes than last year's budget by \$3,419,823 and of that
289 amount \$557,004 is tax revenue to be raised from new property added to the tax roll this
290 year. Nielsen then made a motion to ratify the tax increase reflected in the increase and
291 Councilmember Farris seconded the motion. The motion passed by a vote of 6 ayes and
292 1 absent [Sevier]. Councilmember Nielsen then made a motion to approve the ordinance
293 and Councilmember Farris seconded the motion. After lengthy discussion, the
294 ordinance was read as follows:

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ORDINANCE NO. 07-39

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, 2007, THROUGH SEPTEMBER 30, 2008; 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 6 ayes and 1 absent [Sevier].

7. Discuss and consider approval of an Ordinance levying ad valorem taxes for the tax year 2007 and take any action necessary.

Mary Smith discussed the background of this item. Councilmember Scott made a motion to increase the tax to \$0.4865 per \$100 valuation and Councilmember Straughan seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 07-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2007 AT A RATE OF \$.4865 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2007 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 2007 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes and 1 absent [Sevier].

The Council then proceeded to act on Action Item #1.

1. MIS2007-003 -- Discuss and consider approval of a Resolution establishing a public hearing date to consider land use assumptions and a capital improvements plan, and take any action necessary.

Stan Sefko, the City's consultant, gave a power point presentation about impact fees and stated that the Capital Improvement Advisory Committee would review every six months. After discussion, Mayor Cecil made a motion to approve the Resolution establishing public hearing dates and Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Sevier].

The following action was taken as a result of the early Executive Session:

Councilmember Straughan made a motion approving the amended Harbor agreement with the Whittles and authorizing the City Manager to execute the agreement. Councilmember Sweet seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Sevier].

Councilmember Scott made a motion to approve a planning and design and construction agreement with BLD Consulting LLC subject to legal form approval by the City Attorney and Councilmember Sweet seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Sevier].

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There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 8:10 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of October, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:
Dorothy Brooks
Dorothy Brooks, TRMC, CMC, City Secretary



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Minutes
Rockwall City Council
Monday, October 1, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers David Sweet, Matt Scott, Margo Nielsen, Cliff Sevier, Stephen Straughan and Glen Farris. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:


1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(1) and (2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Nielsen made a motion to appoint Ken Sterling to the Building and Standards Commission and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

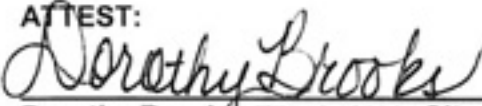
Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of October, 2007.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, TRMC, CMC, City Secretary



Minutes
Rockwall City Council
Monday, October 1, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. **CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers David Sweet, Matt Scott, Margo Nielsen, Cliff Sevier, Stephen Straughan and Glen Farris. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE -- COUNCILMEMBER CLIFF SEVIER**

III. **PROCLAMATIONS / AWARDS**

1. **Pumpkin Patch Month**

Mayor Cecil presented the proclamation to several women representing the Pumpkin Patch.

2. **Fire Prevention Week**

Mayor Cecil presented the proclamation to Police Chief Mark Moeller – Fire Chief Mark Poindexter had been called away on a fire call.

IV. **OPEN FORUM**

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

Vivian Craig

509 Bourn Avenue

Mr. Craig wants money. Mayor Cecil repeatedly told him that there would be no money forthcoming from the City.

No one else came forward to address the Council, so Mayor Cecil closed the Open Forum session.

V. **CONSENT AGENDA**

1. Consider authorizing the City Manager to enter into a Contract for Assessment and Collection with the Rockwall County Central Appraisal District for the 2007-2008 collection year and take any action necessary.

2. Z2007-025 -- Consider approval of an Ordinance for a request by Phil Powell for a change in zoning from (Ag) Agricultural district to (SF-E/2.0) Single Family Estate district on a 2.921-acre property located at 530

- 98 Cullins Rd and currently described as Tract 4-5, Abstract 80, W. W. Ford
99 Survey, and take any action necessary. (2nd Reading)
- 100 3. Consider authorizing the City Manager to execute an agreement with
101 Dallas, Garland & Northeastern Railroad, Inc. (DGNO) for the upgrade of
102 the existing railroad crossing on Turtle Cove Road and take any action
103 necessary.
- 104 4. Consider authorizing the abandonment of a 28-square foot utility
105 easement (part of a 24-foot utility easement) in the La Jolla Pointe
106 Addition and take any action necessary.

107
108 **Councilmember Farris requested that Consent Agenda Item #3 be pulled and then made**
109 **a motion to approve the remaining items (1, 2, and 4). Councilmember Straughan**
110 **seconded the motion and the ordinance was read as follows:**

111
112 **ORDINANCE NO. 07-40**

113
114 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
115 **AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS**
116 **PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG)**
117 **AGRICULTURAL DISTRICT TO (SF-E/2.0) SINGLE FAMILY ESTATE DISTRICT, ON A**
118 **2.921-ACRE TRACT KNOWN AS TRACT 4-5, ABSTRACT 80, W. W. FORD SURVEY AND**
119 **LOCATED AT 530 CULLINS ROAD; PROVIDING FOR A PENALTY OF FINE NOT TO**
120 **EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
121 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
122 **PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]**

123
124 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**

125
126 **Councilmember Farris requested clarification on the construction of the crossing. City**
127 **Engineer Chuck Todd discussed the background and advised that it would be a concrete**
128 **crossing. Councilmember Farris then made a motion to approve Consent Agenda Item**
129 **#3 and Councilmember Nielsen seconded the motion. The motion passed unanimously**
130 **by a vote of 7 ayes and 0 nays.**

131
132 **VI. APPOINTMENTS**

- 133
134 1. Appointment with the Planning and Zoning Chairman to discuss and
135 answer any questions regarding cases on the agenda and related issues
136 and take any action necessary. **[No one appeared]**
- 137 2. Appointment with Airport Subcommittee to discuss the David Block
138 project at Ralph M. Hall / Rockwall Municipal Airport and take any action
139 necessary.

140
141 **Robert LaCroix, Planning Director, discussed the background of the project and the**
142 **Subcommittee's recommendation. Mayor Cecil made a motion to approve the request by**
143 **David Block to be able to complete his project and Councilmember Sweet seconded the**
144 **motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**

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VII. PUBLIC HEARING ITEMS

1. FF2007-003 -- Continue a public hearing and consider a request by Thomas and Erika Udstuen for approval of a front yard fence, including a variance to the maximum height requirement of 42-inches (proposed 48-inches), on Lot 49, Chandlers Landing #2, located at 501 Columbia Drive, and take any action necessary.]

Robert LaCroix discussed the background of this request. Thomas Udstuen, the applicant, came forward and requested approval. The public hearing having been continued from the previous meeting, Mayor Cecil asked if there was anyone in the audience who wanted to give their input on this request. No one came forward, so the public hearing was closed. Councilmember Straughan made a motion to approve the request and Councilmember Nielsen seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

2. Z2007-028 -- Hold a public hearing and consider approval of an Ordinance for a city-initiated revision to the City of Rockwall Unified Development Code (Ord. No. 04-38), specifically Article IV, Permissible Uses, to amend the Land Use Table to add a Specific Use Permit (SUP) for "General Retail Store" in the Residential Office (RO) district, and take any action necessary. (1st Reading)

Robert LaCroix discussed the background of this request and stated that the Planning and Zoning Commission had voted to recommend approval. Mayor Cecil opened the public hearing, but no one appeared, so the public hearing was closed. Councilmember Straughan made a motion to approve the ordinance, but to include sidewalks with the 205 improvements. Councilmember Sweet seconded the motion. After discussion, Councilmember Straughan amended his motion to approve the ordinance as written and Councilmember Sweet seconded the motion. The ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. No. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE USES, TABLE 1, LAND USE TABLES, SPECIFICALLY TO ADD A SPECIFIC USE PERMIT (SUP) FOR "GENERAL RETAIL STORE" IN THE RESIDENTIAL OFFICE (RO) DISTRICT, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A;" 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; AND PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

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

VIII. ACTION ITEMS

1. Discuss and consider the request of the residents along Shoal Creek Lane regarding the Takeline behind their homes and take any action necessary.

Mayor Cecil advised that he would let the residents along Shoal Creek come forward to address the Council on this issue and requested that they do not repeat the information provided by previous speakers. The Parks and Recreation Board voted against the

195 request. The following Shoal Creek residents spoke in favor of taking the Takeline area
196 behind their homes out of the Park Master Plan and allowing them to lease it instead:

197
198 **Corey Fritz**
199 **2445 Shoal Creek**

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201 **Jason Hierholzer**
202 **2335 Shoal Creek**

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204 **Sandra Hierholzer**
205 **2335 Shoal Creek**

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207 **Kathy Venzon**
208 **2305 Shoal Creek**

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210 **Marsha Bardwell**
211 **2435 Shoal Creek**

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213 **Ken Venzon**
214 **2305 Shoal Creek**

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216 **Carol McMillan**
217 **2315 Shoal Creek**

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219 **Ken Martin**
220 **2345 Shoal Creek**

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222 **Phyllis Martin**
223 **2345 Shoal Creek**

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225 **Councilmember Farris made a motion to deny the Shoal Creek residents' request and**
226 **Councilmember Scott seconded the motion. The motion passed unanimously by a vote**
227 **of 7 ayes and 0 nays.**

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229 **2. Discuss and consider approval of the Resolution to suspend the request**
230 **of Atmos Energy Corp., Mid-Tex Division, for an annual gas reliability**
231 **infrastructure program (GRIP) rate increase in this municipality and take**
232 **any action necessary.**

233 **City Attorney Pete Eckert discussed the background of this item. Councilmember**
234 **Nielsen made a motion to approve the Resolution to suspend the request of Atmos**
235 **Energy and Councilmember Straughan seconded the motion. The motion passed**
236 **unanimously by a vote of 7 ayes and 0 nays.**

237
238 **3. Left blank on purpose.**

239 **4. Discuss and consider Naming Subcommittee recommendations for**
240 **naming FM 549 and the 205 Bypass and take any action necessary.**

241 **Councilmember Straughan discussed the Naming Subcommittee recommendations. The**
242 **Subcommittee recommends leaving FM549 as is, but recommends naming the 205**
243 **Bypass "John King Boulevard." After a short discussion, Mayor Cecil made a motion to**

244 accept the Subcommittee's recommendations and Councilmember Straughan seconded
245 the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.
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248 **IX. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
249 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
250

- 251 1. Departmental Reports
252 Police Department Monthly Report
253 KART Quarterly Report
254 Rockwall County Committee on Aging Quarterly Report
255 CAPP Savings Report
256 Fire Dept. Monthly Reports
257 Building Department Monthly Report -- August 2007
258 Finance Monthly Report
259 Park Department Monthly Report
260 Administrative Services Year End Mgmt Report FY'06-'07
- 261 2. City Manager's Report
262

263 City Manager Julie Couch reminded the Council of the upcoming Council retreat
264 scheduled for October 25-27, 2007, the grand opening ceremony for the Law
265 Enforcement Center scheduled for October 17, 2007, and the Foxchase Park opening on
266 October 13, 2007.
267

268 Councilmember Scott requested that Police Chief Moeller give a status report regarding
269 the "cheese" drug death of a local teen. Councilmember Straughan questioned Fire
270 Chief Poindexter about coverage at the fire stations.
271

272 There being no further business to come before the Council in regular session, Mayor
273 Cecil adjourned the meeting into Executive Session at 7:47 p.m.
274

275 **X. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS**
276 **GOVERNMENT CODE TO DISCUSS:**
277

- 278 1. Deliberation regarding the purchase, exchange, lease, or value of real
279 property.
- 280 2. Personnel Issues, including Board, Commission, and Committee
281 Appointments, and Related Matters.
- 282 3. Commercial or financial information regarding business prospects that the
283 City seeks to have locate, stay, or expand in or near the territory of the
284 City of Rockwall and with which the Board is conducting economic
285 development negotiations.
- 286 4. Pursuant to Section 551.071(1) and (2) of the Open Meetings Act:
287 Consultation with attorney with regard to a matter that it is the duty of the
288 attorney to consult with the Council and falls under the attorney-client
289 privilege.

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XI. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session. There being no further business to come before the Council, Mayor Cecil adjourned the meeting at 9:00 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of October, 2007.


William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, RMC, CMC, City Secretary



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Minutes
Rockwall City Council
Monday, November 05, 2007
3:00 p.m. Work Session and Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

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I. CALL TO ORDER

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Mayor Cecil called the meeting to order at 3:00 p.m. Present were Mayor Bill Cecil and Councilmembers Matt Scott, Margo Nielsen, Cliff Sevier, Stephen Straughan and Glen Farris. Councilmember David Sweet joined the meeting at approximately 4:00 p.m. Also present were City Manager Julie Couch and City Attorney James Tidwell.

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II. HOLD WORK SESSION TO DISCUSS POSSIBLE ACTIONS REGARDING ALCOHOL PERMITS

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Discussion ensued regarding City regulations should the local option for beer and wine be approved by voters, but no formal action was taken.

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III. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

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1. Deliberation regarding the purchase, exchange, lease, or value of real property.
 2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
 3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
 4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

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IV. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

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Councilmember Straughan made a motion to authorize the City Manager to execute a contract with Martha Barron and Councilmember Sweet seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

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Councilmember Straughan made a motion to authorize the City Manager to enter into a contract with Regal Realtors to purchase a tract of land known as Parcel 11 located on J. Wilkie Boulevard. Councilmember Farris seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this _____ day of _____, 2007.**

William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

Minutes
Rockwall City Council
Monday, November 05, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney James Tidwell.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER STEPHEN STRAUGHAN

III. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

Pastor Joe Robbins
805 Peter's Colony

Pastor Robbins expressed his continuing concern regarding the well at 705 Peter's Colony that is covered, but not fenced. Jeffrey Widmer advised that there is a steel plate covering the well and that we have had trouble finding a contractor that can fill the well pursuant to state regulations. He believes that we can get the well filled-in within approximately 30 days. The second item of concern for Pastor Robbins is the traffic and speeding on Bourn, which has gotten busy due to the construction on 205. Mayor Cecil instructed the Police Chief to check into the matter.

Sam Buffington
509 Bourn

Mr. Buffington also expressed his concerns regarding the speeding and heavy traffic on Bourn. Mayor Cecil instructed the City Manager to put this item on the next agenda for action by the Council. Mr. Buffington also thanked the Council for the improved access to the old grave yard.

No one else came forward to address the Council, so Mayor Cecil closed the Open Forum session.

IV. CONSENT AGENDA

1. Consider approval of the Minutes of the October 15, 2007 City Council meeting and take any action necessary.
2. Consider authorizing the City Manager to enter into an agreement with the Rockwall County Committee on Aging for certain nutritional / service programs for the 2007-2008 fiscal year and take any action necessary.

- 104 3. Consider approval of an Ordinance naming the 205 Bypass John King
105 Boulevard and take any action necessary. (2nd Reading)
- 106 4. H2007-008 -- Discuss and consider approval of an Ordinance for a
107 request by George Stacey for a Historic Landmark designation for the
108 Austin-Stacey House located at 912 N. Goliad. The tract is zoned (PD-50)
109 Planned Development No. 50 and is located outside of the Old Town
110 Rockwall Historic District and identified as a "High Contributing Property"
111 within the Historic survey, and take any action necessary. (2nd Reading)
- 112 5. Z2007-029 -- Discuss and consider approval of an Ordinance for a
113 request by Jerry Archer of Archer Car Care for approval of a Specific Use
114 Permit (SUP) to allow for an "Auto Repair Garage, Minor" within the (GR)
115 General Retail district, on a 0.23-acre tract known as the west part of Lots
116 1-4, Block U, Rockwall Old Town Addition and located at 306 E.
117 Washington, and take any action necessary. (2nd Reading)
- 118 6. Z2007-030 -- Discuss and consider approval of an Ordinance for a
119 request by Randall Ahlfs of Tri-star Construction for approval of a Specific
120 Use Permit (SUP) to allow for "Animal Boarding/Kennel without Outside
121 Pens" in the General Retail (GR) district, in conjunction with a proposed
122 Animal Clinic on a 1.08-acre tract comprised of part of Lot 4, Stonebridge
123 Center Phase 1 (0.733-ac), and a 0.347-acre tract known as Block 86C of
124 the B F Boydston Addition and part of Lot 22A, Block J, Stonebridge
125 Meadows #4 Addition, situated along the south side of SH 66 east of
126 Lakeshore Drive, and take any action necessary. (2nd Reading)
- 127 7. Z2007-031 -- Discuss and consider approval of an Ordinance for a
128 request by Daniel and Lidia Mendez for approval of a change in zoning
129 from (SF-7) Single Family Residential District to (C) Commercial district
130 for a 0.5-acre tract known as Tract 1, Abstract 24, N M Ballard Survey,
131 and located at 1415 Highway 276, and take any action necessary. (2nd
132 Reading)
- 133 8. Z2007-032 -- Discuss and consider approval of an Ordinance for a
134 request by Scott Jungels for approval of a Specific Use Permit (SUP)
135 allowing for a "Landing/Stairs exceeding the maximum requirements"
136 within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the
137 take area adjacent to his property at 1200 Crestcove Drive, being Lot 25,
138 Block B, Hillcrest Shores Phase 3 Addition, and take any action
139 necessary. (2nd Reading)
- 140 9. P2007-029 -- Discuss and consider a request by Jed Dolson of Stone
141 Creek SF, Inc., for approval of a final plat of Stone Creek Phase I
142 Addition, being 109.522-acres zoned (PD-70) Planned Development No.
143 70 District and located along the east side of SH 205 south of FM 552
144 and north of Quail Run Rd, and take any action necessary.
- 145 10. Consider approval of an Engineering Contact for the Squabble Creek and
146 Brockway Branch drainage improvements and take any action necessary.
- 147 11. Consider approval of the bid award for Police Patrol Vehicles and take
148 any action necessary.

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ORDINANCE NO. 07-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR AN "ANIMAL BOARDING/KENNEL WITHOUT OUTSIDE PENS" ON A 1.08-ACRE TRACT OF LAND COMPRISED OF PART OF LOT 4, STONEBRIDGE CENTER PHASE 1 (0.733-AC) AND A 0.347-ACRE TRACT KNOWN AS BLOCK 86C OF THE B F BOYDSTON ADDITION AND PART OF LOT 22A, BLOCK J, STONEBRIDGE MEADOWS #4 ADDITION, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (2nd Reading)

ORDINANCE NO. 07-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-7) SINGLE FAMILY RESIDENTIAL DISTRICT TO (C) COMMERCIAL DISTRICT, ON A 0.5-ACRE TRACT KNOWN AS TRACT 1, ABSTRACT 24, N. M. BALLARD SURVEY AND LOCATED AT 1415 HIGHWAY 276; 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. (2nd Reading)

ORDINANCE NO. 07-47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A LANDING/STAIRS EXCEEDING THE MAXIMUM REQUIREMENTS WITHIN THE LAKE RAY HUBBARD TAKELINE OVERLAY DISTRICT, ON A TRACT OF LAND ADJACENT TO LOT 25, BLOCK B, HILLCREST SHORES PHASE 3 ADDITION AND LOCATED AT 1200 CRESTCOVE DRIVE; 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. (2nd Reading)

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

After clarification regarding barriers in front of the oil storage tank, Councilmember Straughan made a motion to approval Consent Agenda Item #5 and Councilmember Farris seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 07-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR AN "AUTO REPAIR GARAGE, MINOR" WITHIN THE (GR) GENERAL RETAIL DISTRICT ON A 0.23-ACRE TRACT OF LAND KNOWN AS THE WEST PART OF LOTS 1-4, BLOCK U, ROCKWALL OLD TOWN ADDITION, LOCATED AT 306 E. WASHINGTON, SUITE C; 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. (2nd Reading)

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

260
261 Regarding Consent Agenda #19, Councilmember Nielsen requested clarification
262 regarding requiring small businesses to have inspections. City Engineer Chuck Todd
263 discussed the reasons why inspections are required. Todd advised that TCEQ had
264 changed the definitions and that is why we are amending our Code. We have required
265 the inspections for a number of years. After discussion, Councilmember Farris made a
266 motion to approve the ordinance and Councilmember Straughan seconded the motion.
267 The ordinance was read as follows:

268
269 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
270 THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 26 WATER,
271 SEWER AND SEWERAGE DISPOSAL, IN ARTICLE V. WATER, SECTION 26-118; PROVIDING
272 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
273 (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED
274 COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING
275 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING
276 FOR AN EFFECTIVE DATE. (1st Reading)
277

278 The motion passed unanimously by a vote of 7 ayes and 0 nays.
279

280 **V. APPOINTMENTS**
281

- 282 1. Appointment with the Planning and Zoning Chairman to discuss and
283 answer any questions regarding cases on the agenda and related issues
284 and take any action necessary. **[No one appeared]**
- 285 2. Appointment with Omega Hawkins, General Manager of Kaufman Area
286 Rural Transportation, to give an annual report and discuss a funding
287 request for the 2007-2008 fiscal year and take any necessary action.

288 **Omega Hawkins came forward and gave a status report to the Council. Councilmember**
289 **Nielsen made a motion to approve the budget expenditure of \$20,000 and**
290 **Councilmember Sevier seconded the motion. The motion passed unanimously by a vote**
291 **of 7 ayes and 0 nays.**
292

293 **VI. PUBLIC HEARING ITEMS**
294

- 295 1. FF2007-004 -- Hold a public hearing and consider a request by Tiffany
296 and Eric Slabotsky for approval of a front yard fence, including a variance
297 to the maximum height requirement of 42-inches (proposed 48-inches),
298 on Lots 51 and 52, Chandlers Landing #2, located at 505 Columbia Drive,
299 and take any action necessary.

300 **Robert LaCroix, Planning Director, discussed the background of this request for a**
301 **variance. The applicant, Eric Slabotsky, came forward and requested Council approval.**
302 **Mayor Cecil opened the public hearing, but no one came forward to address the Council,**
303 **so the public hearing was closed. Councilmember Straughan made a motion to approve**
304 **the request and Councilmember Sevier seconded the motion. The motion passed**
305 **unanimously by a vote of 7 ayes and 0 nays.**
306

307 **VII. ACTION ITEMS**

308

- 309 1. Discuss and consider initiating annexation procedures for approximately
310 234.04 acres of land adjoining the existing City limits located east of FM
311 3097 and north of FM 549 and take any action necessary.

312 **Robert LaCroix discussed the background of this item. Councilmember Straughan made**
313 **a motion directing Staff to start the proceedings to annex approximately 234.04 acres of**
314 **land adjoining the existing city limits located east of FM3097 and north of FM549.**
315 **Councilmember Sevier seconded the motion. The motion passed unanimously by a vote**
316 **of 7 ayes and 0 nays.**

317

318 **Mayor Cecil instructed Staff to go ahead and send a letter (this is not the formal notice)**
319 **informing the landowners that the Council took this action. Councilmember Scott asked**
320 **City Attorney Tidwell if this would go against any regulations. Tidwell advised that it**
321 **would not and that it would not impact future annexations.**

322

- 323 2. Discuss and consider approval of an Ordinance amending the Code of
324 Ordinances in Chapter 2, Division 5 Code of Ethics and take any action
325 necessary. (1st Reading)

326 **Julie Couch discussed the background of this item. Councilmember Scott stated that we**
327 **should provide that no board or commission member could be appointed except by a**
328 **majority of the full council. Councilmember Scott then made a motion to postpone this**
329 **item until the first meeting in January. Mayor Cecil seconded the motion and the motion**
330 **passed unanimously by a vote of 7 ayes and 0 nays.**

331

- 332 3. Discuss and consider approval of an Ordinance amending the Code of
333 Ordinances in Chapter 6 Buildings and Building Regulations and take any
334 action necessary. (1st Reading)

335 **Julie Couch started the discussion of this item and the following item and stated that it**
336 **was her recommendation that the Council not take action on either item tonight. Jeffrey**
337 **Widmer, Building Official, discussed the Buildings and Building Regulation amendments**
338 **and stated that it was a combined effort. They (including the fire department) held**
339 **meetings with builders regarding the amendment and went through all of the**
340 **recommended amendments. There were no concerns vocalized by any of the builders.**
341 **This ordinance re-establishes the Construction Advisory and Appeals Board so builders**
342 **will have an avenue to take their complaints and issues.**

343

- 344 4. Discuss and consider approval of an Ordinance amending the Code of
345 Ordinances in Chapter 10 Fire Prevention and Protection and take any
346 action necessary. (1st Reading)

347 **Fire Marshal, Ariana Adair, spoke about the fire code amendments. Adair sat on the COG**
348 **Committee and has been asked to sit on next year's committee. Fire Chief Mark**
349 **Poindexter also discussed the amendments.**

350

351 **Councilmember Straughan made a motion to hold a work session on Monday, December**
352 **10, 2007, at 6:00 p.m. to discuss these code amendments. Councilmember Farris**
353 **seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0**
354 **nays.**

355

356 5. Discuss and consider requiring an SUP for a car dealership in light
357 industrial zoning areas and take any action necessary.

358 **Councilmember Scott stated that he requested that this matter be brought to the Council**
359 **for action. Councilmember Scott then made a motion to require an SUP for car**
360 **dealerships in light industrial zoning areas and Councilmember Sevier seconded the**
361 **motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**

362
363 6. Discuss and consider refusal by cable providers to make the NFL
364 Network a part of their standard cable package and take any action
365 necessary.

366 **Mayor Cecil stated that he put this on the agenda, but does not propose any action be**
367 **taken. Cecil stated that it is not relevant to our citizens, but it is a national issue.**

368
369 **VIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
370 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

- 371
372 1. Departmental Reports
373 Monthly Finance Report
374 Fire Department September 2007 Reports
375 Police Department Monthly Report
376 Police Department Quarterly Crime Index
377 Park Department Monthly Report -- September 2007

- 378 2. City Manager's Report

379
380 **Julie Couch advised the Council that TRMS will be revising how they handle certain**
381 **issues and wanted the Council to be aware that those changes will probably impact the**
382 **City.**

383
384 **There being no further business to come before the Council, Mayor Cecil adjourned the**
385 **meeting at 8:05 p.m.**

386
387 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
388 **TEXAS, this _____ day of _____, 2007.**

389
390
391
392

William R. Cecil, Mayor

393
394 **ATTEST:**
395
396
397 _____
398 **Dorothy Brooks, TRMC, CMC, City Secretary**

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Minutes
Rockwall City Council
Monday, November 19, 2007
4:00 p.m. Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Margo Nielsen, Stephen Straughan, David Sweet and Glen Farris. Councilmembers Matt Scott and Cliff Sevier were absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Straughan made a motion to appointment Councilmember Sweet t the Takeline Subcommittee and Councilmember Farris seconded the motion. The motion passed by a vote of 4 ayes, 1 abstain [Sweet] and 2 absent [Scott and Sevier]. Mayor Cecil adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____ day of _____, 2007.

William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

Minutes
Rockwall City Council
Monday, November 19, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Margo Nielsen, Stephen Straughan, David Sweet and Glen Farris. Councilmembers Matt Scott and Cliff Sevier were absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DAVID SWEET

III. PROCLAMATIONS / AWARDS

1. Rockwall Kiwanis Week

Mayor Cecil presented the proclamation to members of the Kiwanis -- Maryann Hall, Amanda Lockhart, Eileen Flanagan, Nora Bollman, Michael Hunter, Pat Turner, Nicole Bowen, and Councilmember Glen Farris.

IV. CONSENT AGENDA

1. Consider approval of the Minutes of the September 10, 2007 City Council work session and take any action necessary.
2. Consider approval of the Minutes of the October 25-27, 2007 City Council and Staff Retreat and take any action necessary.
3. Consider approval of the Minutes of the November 5, 2007 City Council meeting and take any action necessary.
4. Consider approval of an Ordinance amending Chapter 26 of the Code of Ordinances regarding revisions to the City's backflow prevention regulations and take any action necessary. (2nd Reading)
5. Consider approval of an Ordinance amending the Code of Ordinances in Chapter 3 Alcoholic Beverages and take any action necessary. (1st Reading)
6. Consider approval of an Ordinance amending the Code of Ordinances in Chapter 20 Planning and take any action necessary. (1st Reading)
7. Consider award of the bid for construction of Caruth Lake Park Trail and take any action necessary.
8. P2007-032 -- Discuss and consider a request by Chris Cuny of F C Cuny Corp. for approval of a final plat of the Alliance Addition, being a 16.073-acre tract zoned (PD-57) Planned Development No. 57 district and located at the northeast corner of FM 3097 and FM 549, and take any action necessary.

- 93 9. Consider the award of the construction contract for the section of the 205
94 By-pass from FM-552 north to SH-205 and take any action necessary.
- 95 10. Consider authorizing the execution of a utility easement for AT&T facilities
96 at the IH-30 water tower site and take any action necessary.
- 97 11. Consider approval of a contract with Kaufman Area Rural Transportation
98 for transportation services in the City of Rockwall and take any action
99 necessary.
- 100 12. Consider approval of a Resolution supporting the updated Rockwall
101 County Thoroughfare Plan and take any action necessary.

102 **Councilmember Sweet requested that Consent Agenda Item No. 5 be pulled.**
103 **Councilmember Straughan made a motion to approve the remaining Consent Agenda**
104 **Items and Councilmember Farris seconded the motion. The ordinances were read as**
105 **follows:**

106
107 **ORDINANCE NO. 07-48**

108
109 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
110 **AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER**
111 **26 WATER, SEWER AND SEWERAGE DISPOSAL, IN ARTICLE V. WATER, SECTION**
112 **26-118 COMPLIANCE WITH TCEQ RULES AND REGULATIONS; PROVIDING FOR A**
113 **PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
114 **(\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED**
115 **COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS;**
116 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
117 **CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

118
119 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
120 **AMENDING THE CODE OF ORDINANCE OF THE CITY OF ROCKWALL, IN CHAPTER 3**
121 **ALCOHOLIC BEVERAGES, SEC. 3-2 SALE OF ALCOHOLIC BEVERAGES WITHIN 300**
122 **FEET OF A PUBLIC OR PRIVATE SCHOOL, CHURCH, OR PUBLIC HOSPITAL;**
123 **PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS**
124 **(\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE**
125 **DATE. [1st Reading]**

126
127 **The motion passed by a vote of 5 ayes and 2 absent [Scott and Sevier].**

128
129 **Councilmember Sweet stated that he pulled Consent Agenda Item #5 because he could**
130 **not support it. Councilmember Straughan made a motion to approve Consent Agenda #5**
131 **ad Councilmember Farris seconded the motion. The ordinance was read as follows:**

132
133 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
134 **AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER**
135 **20 PLANNING BY THE ADDITION OF ARTICLE II LAND USE STANDARDS; PROVIDING**
136 **FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS;**
137 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1st**
138 **Reading]**

139
140 **The motion passed by a vote of 3 ayes, 2 nays [Cecil and Sweet], and 2 absent [Scott and**
141 **Sevier].**

142
143 **V. APPOINTMENTS**

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

148 **Planning and Zoning Chairman Bill Bricker discussed the planning and zoning items on**
149 **tonight's agenda.**

- 150
151 2. Appointment with Sam Buffington to discuss and consider reducing the
152 speed limit to 25 mph on Bourn, Sam Houston, Peter's Colony, etc. and
153 take any action necessary.

154 **Sam Buffington, President and the Southside Coalition, came forward, along with Pastor**
155 **Joe Robbins, to request that the Council consider reducing the speed limit in the**
156 **southside area to 25 mph. They are concerned about speeding cars and people talking**
157 **on cell phones who are not paying attention, especially because there are no sidewalks**
158 **in the area and people have to walk in the street. Councilmember Straughan made a**
159 **motion directing Staff to prepare an ordinance lowering the speed in the southside area**
160 **to 25 mph. Mayor Cecil seconded the motion and the motion passed by a vote of 5 ayes**
161 **and 2 absent [Scott and Sevier].**

- 162
163 3. Appointment with Mark Spencer with MHS Planning and Design to
164 Discuss the Lakeside Park Site Plan and take any action necessary.

165 **Brad Griggs introduced Mark Spencer of MHS Planning and Design and discussed the**
166 **Park Board's approval of the design. Mr. Spencer gave a power point presentation on**
167 **the proposed design of Lake Park. After a short discussion, Councilmember Farris made**
168 **a motion approving the plan and instructing Staff to move forward with the plan.**
169 **Councilmember Straughan seconded the motion and the motion passed by a vote of 5**
170 **ayes and 2 absent [Scott and Sevier].**

- 171
172 4. Appointment with the Facilities Subcommittee to discuss and consider
173 recommendations for Fire Stations #3 and #4 and take any action
174 necessary.

175 **Councilmember Nielsen discussed the Subcommittee's work on this matter and Joey**
176 **Boyd discussed the background of the recommendations. After discussion,**
177 **Councilmember Sweet made a motion to approve the Subcommittee's recommendations.**
178 **Mayor Cecil seconded the motion and the motion passed by a vote of 5 ayes and 2**
179 **absent [Scott and Sevier].**

180
181 **VI. PUBLIC HEARING ITEMS**

- 182
183 1. Z2007-033 -- Hold a public hearing and consider approval of an
184 Ordinance for a request by Steve Meier of Mays & Co. Real Estate
185 Development for approval of a Specific Use Permit (SUP) to allow for an
186 "Auto Repair Garage, Minor" within the (C) Commercial zoning district, on
187 Lot 1, Block A, Derrick Addition, being a 0.8121-acre tract located at 740
188 E IH-30 and situated at the northwest corner of IH-30 and White Hills
189 Drive, and take any action necessary. (1st Reading)

190 **Robert LaCroix, Planning Director, discussed the background of this request for an SUP**
191 **and advised that Staff and the Planning and Zoning Commission recommended approval.**
192 **The applicant, Steve Meier, came forward and asked Council to approve the request.**

193 Mayor Cecil opened the public hearing, but no one came forward to address the Council
194 on this issue, so the public hearing was closed. Councilmember Straughan made a
195 motion to approve the Ordinance and Councilmember Sweet seconded the motion. The
196 ordinance was read as follows:

197
198 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
199 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS,
200 AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW
201 FOR AN "AUTO REPAIR GARAGE, MINOR" ON A 0.8121-ACRE TRACT OF LAND
202 KNOWN AS LOT 1, BLOCK A, DERRICK ADDITION AND LOCATED AT 740 E IH-30, AND
203 MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING FOR SPECIAL
204 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF
205 TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
206 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
207 AN EFFECTIVE DATE. [1st Reading]

208 The motion passed by a vote of 5 ayes and 2 absent [Scott and Sevier].

209
210 2. Z2007-034 -- Hold a public hearing and consider approval of an
211 Ordinance for a request by David Kochalka of Kimley-Horn & Associates,
212 Inc., for an amendment to (PD-65) Planned Development No. 65 district,
213 being 49.35-acres overall and generally situated along the west side of
214 SH 205 (N. Goliad), south of Quail Run Rd and north of the Lakeview
215 Summit subdivision, and take any action necessary. (1st Reading)

216 Robert LaCroix discussed the background of this request. The applicant is
217 proposing to amend P0-65 and has submitted a revised concept plan and amended
218 development standards. The applicant is requesting that the allowable maximum height
219 of buildings located within 250 of SH 205 on Parcels 3, 4, & 5 be increased from 28-feet to
220 36-feet. In addition the applicant is requesting that the additional use of a Retail/Gas
221 Store with a maximum of Maximum Six (6) Dispensers (accommodating up to Twelve (12)
222 Vehicles) be relocated from Parcel 4 to Parcel 5. The Retail/Gas store is being relocated
223 in an effort to accommodate a proposed Walgreens on Parcel 4, located on the northwest
224 corner of SH 205 and North Lakeshore. A site plan for the proposed Walgreens is
225 running concurrently with the proposed amendment to PD-65. The applicant's
226 representative from Kimley-Horn came forward and requested that the Council approve
227 this change. Mayor Cecil opened the public hearing but no one came forward to address
228 the Council, so the public hearing was closed. After discussion, Councilmember
229 Straughan made a motion to approve the request as presented and Councilmember
230 Sweet seconded the motion. The ordinance was read as follows:

231
232 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
233 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS
234 PREVIOUSLY AMENDED, SO AS TO AMEND (PD-65) PLANNED DEVELOPMENT NO. 65
235 DISTRICT (ORD. NO. 06-02) FOR A 49.35-ACRE TRACT OF LAND MORE SPECIFICALLY
236 DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;
237 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT
238 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
239 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
240 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1st Reading]

241
242 The motion passed by a vote of 3 ayes, 2 nay [Farris and Nielsen], and 2 absent [Scott
243 and Sevier].

244

- 245 3. Z2007-035 -- Hold a public hearing and consider approval of an
246 Ordinance for a request by Tommy and Sylvia Yetts for approval of a
247 Specific Use Permit (SUP) to allow for a "Boat and Trailer Dealership"
248 (and accessory boat/RV storage) within (PD-46) Planned Development
249 No. 46 District, on a 9.953-acre tract known as Tract 2, Abstract 186, J. A.
250 Ramsey Survey, located at 2325 Hwy 276, and take any action
251 necessary. (1st Reading)

252 **Michael Hampton, Senior Planner, discussed the background of this item and advised**
253 **that Staff and the Planning and Zoning Commission recommended approval with**
254 **conditions. City Attorney Pete Eckert advised Council that the 1999 PD controls the**
255 **zoning. The applicants, Tommy and Sylvia Yetts, came forward and requested that the**
256 **Council approve this item. Mayor Cecil opened the public hearing but no one came**
257 **forward to address the Council, so the Public Hearing was closed. Councilmember**
258 **Nielsen made a motion to approve the Ordinance and Councilmember Farris seconded**
259 **the motion. The ordinance was read as follows:**

260
261 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
262 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS,
263 AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW
264 FOR A BOAT AND TRAILER DEALERSHIP WITH ACCESSORY BOAT AND
265 RECREATIONAL VEHICLE (RV) STORAGE WITHIN (PD-46) PLANNED DEVELOPMENT
266 NO. 46 DISTRICT ON A 9.953-ACRE TRACT OF LAND KNOWN AS TRACT 2, ABSTRACT
267 186, J. A. RAMSEY SURVEY, LOCATED AT 2325 HWY 276, AND MORE SPECIFICALLY
268 SHOWN IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A
269 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
270 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
271 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [1st
272 Reading]

273
274 **The motion passed by a vote of 5 ayes and 2 absent [Scott and Sevier].**

- 275
276 4. Hold a public hearing and consider approval of an Ordinance amending
277 chapter 25 of the Code of Ordinances by adding a new section 25-2
278 entitled "Taxation of Tangible Personal Property in Transit" and take any
279 action necessary.

280 **Mary Smith discussed the background of this item. Mayor Cecil opened the public**
281 **hearing but no one came forward to address the Council, so the public hearing was**
282 **closed. Mayor Cecil made a motion to approve the Ordinance and Councilmember**
283 **Straughan seconded the motion. The ordinance was read as follows:**

284
285 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
286 AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS
287 PREVIOUSLY AMENDED, IN CHAPTER 25, ARTICLE 1 BY ADDING A NEW SECTION 25-
288 2 TAXATION OF TANGIBLE PERSONAL PROPERTY IN TRANSIT, PROVIDING FOR THE
289 AD VALOREM TAXATION OF TANGIBLE PERSONAL PROPERTY IN TRANSIT OR
290 "SUPER FREEPORT" GOODS PURSUANT TO SECTION 11.253 OF THE TEXAS TAX
291 CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE;
292 AND PROVIDING FOR AN EFFECTIVE DATE.

293
294 **The motion passed by a vote of 5 ayes and 2 absent [Scott and Sevier].**

295
296 **VI. ACTION ITEMS**

297

298 1. Discuss and consider approval of a Resolution increasing the solid waste
299 collection rates and take any action necessary.

300 **Mary Smith discussed the background of this request and stated that the increase is**
301 **approximately \$0.60 per month. Councilmember Straughan made a motion to approve**
302 **the Resolution and Councilmember Farris seconded the motion. The motion passed by a**
303 **vote of 5 ayes and 2 absent [Scott and Sevier].**

304
305 2. Discuss and consider a request by Allied Waste regarding the City's
306 bulk/brush collection schedules and take any action necessary.

307 **Mary Smith discussed the background of the request to divide the City into two areas for**
308 **bulk pickup. Bulk pickup will still be twice a month. Councilmember Straughan made a**
309 **motion to approve the request and Mayor Cecil seconded the motion. The motion**
310 **passed by a vote of 5 ayes and 2 absent [Scott and Sevier].**

311
312 3. Discuss and consider adopting a Clean Fleet Vehicle Policy for use by
313 agencies in the North Central Texas Council of Governments and take
314 any action necessary.

315 **Joey Boyd discussed the background of this item. Councilmember Sweet requested**
316 **information on how long we maintain fire engines. Fire Chief Poindexter stated that we**
317 **keep fire engines as long as possible – approximately 20 years. City Manager Julie**
318 **Couch stated that she does not envision this policy being impactful to us and**
319 **recommended approval. Mayor Cecil made a motion to approve the Resolution and**
320 **Councilmember Farris seconded the motion. The motion passed by a vote of 5 ayes and**
321 **2 absent [Scott and Sevier].**

322
323 4. Discuss and consider construction of Airport Road and take any action
324 necessary.

325 **Mayor Cecil stated that he requested that this item be put on the agenda for Council**
326 **discussion. Cecil stated that he felt that Airport Road could be constructed using the**
327 **money in the Street Assessment Fund. City Manager advised that other projects were**
328 **already promised out of that fund. After discussion, it was decided that Staff would**
329 **provide the Council information at the first meeting in January 2008 regarding the**
330 **numbers regarding utilization of the Street Assessment Fund and an analysis of what it**
331 **would cost to remove the curve and curbs vs. no curbs.**

332
333 **There being no further business to come before the Council, Mayor Cecil adjourned the**
334 **meeting at 8:37 p.m.**

335
336 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
337 **TEXAS, this _____ day of _____, 2007.**

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343 **William R. Cecil, Mayor**

344 **ATTEST:**
345 _____
346 **Dorothy Brooks, TRMC, CMC, City Secretary**

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Minutes
Rockwall City Council
Monday, December 03, 2007
2:00 p.m. Work Session and Pre-Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. HOLD WORK SESSION TO DISCUSS THE FIRE SERVICES ASSESSMENT PERFORMED BY EMERGENCY SERVICES EDUCATION AND CONSULTING GROUP AND TAKE ANY ACTION NECESSARY.

Discussion about the assessment ensued, but no action was taken by the Council on this item.

III. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Straughan made a motion to appoint Frank Miller to the Central Appraisal Board. The motion was seconded by Councilmember Sweet and passed by a vote of 6 ayes and 1 abstention [Scott].

Councilmember Straughan made a motion to appoint Dale Morgan and Joe Floeter to full voting members of the REDC Board of Directors and Councilmember Sweet seconded the motion. The motion passed by a vote of 7 ayes and no nays.

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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this _____ day of _____, 2008.**

William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

Minutes
Rockwall City Council
Monday, December 03, 2007
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen, Matt Scott and David Sweet. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MARGO NIELSEN

III. OPEN FORUM

Mayor Cecil opened the floor to anyone in the audience who wished to address the Council on any subject not scheduled for a public hearing on tonight's agenda. The following persons came forward to address the Council:

Mark Russo,

402B Fannin Street

Mr. Russo expressed his concerns about the safety of Highway 205 (at Ralph Hall Parkway) and Fannin Street during construction.

Timothy A. Greenwalt

335 Dalton Road

Mr. Greenwalt expressed his opposition to the sale of alcoholic beverages at the proposed 7-11 to be located on the northeast corner of Highway 205 and Dalton Road.

Karen Fox-Frazier

808 Bear Branch Court

Ms. Frazier also spoke in opposition to the sale of beer and wine at the proposed 7-11 across the street from Nebbie Williams Elementary School and the Free Methodist Church

IV. CONSENT AGENDA

1. Consider approval of the Minutes from the November 19, 2007 City Council meeting and take any action necessary.

2. Consider approval of an Ordinance amending the Code of Ordinances in Chapter 3 Alcoholic Beverages and take any action necessary. (2nd Reading)

3. Consider approval of an Ordinance amending the Code of Ordinances in Chapter 20 Planning and take any action necessary. (2nd Reading)

- 103 4. Z2007-033 -- Consider approval of an Ordinance for a request by Steve
 104 Meier of Mays & Co. Real Estate Development for approval of a Specific
 105 Use Permit (SUP) to allow for an "Auto Repair Garage, Minor" within the
 106 (C) Commercial zoning district, on Lot 1, Block A, Derrick Addition, being
 107 a 0.8121-acre tract located at 740 E IH-30 and situated at the northwest
 108 corner of IH-30 and White Hills Drive, and take any action necessary.
 109 (2nd Reading)
- 110 5. Z2007-034 -- Consider approval of an Ordinance for a request by David
 111 Kochalka of Kimley-Horn & Associates, Inc., for an amendment to (PD-
 112 65) Planned Development No. 65 district, being 49.35-acres overall and
 113 generally situated along the west side of SH 205 (N. Goliad), south of
 114 Quail Run Rd and north of the Lakeview Summit subdivision, and take
 115 any action necessary. (2nd Reading)
- 116 6. Z2007-035 -- Consider approval of an Ordinance for a request by Tommy
 117 and Sylvia Yetts for approval of a Specific Use Permit (SUP) to allow for a
 118 "Boat and Trailer Dealership" (and accessory boat/RV storage) within
 119 (PD-46) Planned Development No. 46 District, on a 9.953-acre tract
 120 known as Tract 2, Abstract 186, J. A. Ramsey Survey, located at 2325
 121 Hwy 276, and take any action necessary. (2nd Reading)
- 122 7. Consider approval of an Ordinance amending the Sign Ordinance in
 123 Section III, B. Functional Standards, 13. Political Signs and take any
 124 action necessary. (1st Reading)
- 125 8. Consider authorizing the abandonment of a portion of a 20-foot utility
 126 easement at 5702 Ranger Drive and take any action necessary.
- 127 9. Consider approval of an Ordinance amending the Code of Ordinances in
 128 Chapter 16 Motor Vehicles to provide for a speed limit of 25 mph in an
 129 area known as the Southside Community and take any action necessary.
- 130 10. Consider authorizing the City Manager to execute documents necessary
 131 for the development of the Park at Hickory Ridge and take any action
 132 necessary.
- 133 11. Consider approval of a Facility Agreement with the Shores Homeowners
 134 Association for the construction of a median opening at the Twin Creek
 135 Lane intersection with Ridge Road West and take any action necessary.
- 136 12. Consider approval of a Resolution adopting an Annexation Service Plan
 137 for the Lake Rockwall Estates area and take and action necessary.

138 **Councilmember Scott requested that Consent Agenda Items 1, 5, 7, 9 and 11 be pulled**
 139 **and made a motion to approve the remaining Consent Agenda Items (2, 3, 4, 6, 8, 10 and**
 140 **12). Councilmember Farris seconded the motion. Councilmember Sevier requested that**
 141 **Consent Agenda Items 2 and 4 be pulled. Councilmember Scott amended his motion to**
 142 **approve the remaining Consent Agenda items (#'s 3, 6, 8,10 and 12) and Councilmember**
 143 **Farris amended his second. The ordinances were read as follows:**
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ORDINANCE NO. 07-53

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 20 PLANNING BY THE ADDITION OF ARTICLE II LAND USE STANDARDS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

ORDINANCE NO. 07-54

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A BOAT AND TRAILER DEALERSHIP WITH ACCESSORY BOAT AND RECREATIONAL VEHICLE (RV) STORAGE WITHIN (PD-46) PLANNED DEVELOPMENT NO. 46 DISTRICT ON A 9.953-ACRE TRACT OF LAND KNOWN AS TRACT 2, ABSTRACT 186, J. A. RAMSEY SURVEY, LOCATED AT 2325 HWY 276, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

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

Councilmember Scott stated that he pulled Consent Agenda Item 1 because he was absent from the November 19, 2007 council meeting. Mayor Cecil made a motion to approve Consent Agenda Item 1 and Councilmember Sweet seconded the motion. The motion passed by a vote of 5 ayes and 2 abstentions (Scott and Sevier).

Councilmember Scott stated that he pulled Consent Agenda Item 5 because he could not support it. Councilmember Farris also expressed his opposition to this item. Councilmember Straughan made a motion to approve Consent Agenda Item 5 and Councilmember Sweet seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 07-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-65) PLANNED DEVELOPMENT NO. 65 DISTRICT (ORD. NO. 06-02) FOR A 49.35-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; 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. [2nd Reading]

The motion failed by a vote of 4 nays [Scott, Farris, Sevier and Nielsen] and 3 ayes [Sweet, Straughan and Cecil].

Councilmember Scott then made a motion to reconsider Consent Agenda Item 5 and Councilmember Farris seconded the motion. The motion passed by a vote of 7 ayes and 0 nays. Councilmember Scott made a motion to table Consent Agenda Item 5

201 (Z2007-034) until the first City Council meeting in January 2008 and Councilmember
202 Farris seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

203
204 Councilmember Scott stated that he pulled Consent Agenda Item 7 because he wanted to
205 offer a motion to include the language “whereas in line with state law” in the ordinance.
206 Councilmember Nielsen seconded the motion. The ordinance was read as follows:

207
208 ORDINANCE NO. 07-56

209
210 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
211 THE SIGN ORDINANCE IN SECTION III, B. FUNCTIONAL STANDARDS, 13. POLITICAL SIGNS
212 AND TABLE II FUNCTIONAL STANDARDS; PROVIDING FOR A PENALTY OF A FINE NOT TO
213 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
214 PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN
215 EFFECTIVE DATE.

216
217 The motion passed by a vote of 7 ayes and 0 nays. The changes requested effectively
218 make this a first reading of the ordinance. The ordinance will be on the agenda for
219 December 12, 2007 for second reading.

220
221 Councilmember Scott stated that he pulled Consent Agenda Item 9 because he couldn't
222 support it. Councilmember Straughan made a motion to approve Consent Agenda Item 9
223 and Councilmember Nielsen seconded the motion. The ordinance was read as follows:

224
225 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
226 AMENDING CHAPTER 16 MOTOR VEHICLES, ARTICLE VI OPERATION, DIVISION 7 BY
227 ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER
228 THE PROVISIONS OF THE TRANSPORTION CODE, SECTION 545.356, UPON THE ROADS
229 DELINEATED ON THE ATTACHED EXHIBIT, OR PARTS THEREOF, WITHIN THE
230 CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A PENALTY OF
231 A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200); PROVIDING A
232 SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st Reading]

233
234 The motion passed by a vote of 6 ayes and 1 nay [Scott].

235
236 Councilmember Scott stated that he pulled Consent Agenda Item 11 regarding approval
237 of a Facility Agreement with the Shores Homeowners Association for the construction of
238 a median opening at the Twin Creek Lane intersection with Ridge Road West because he
239 could not support it. Mayor Cecil made a motion to approve Consent Agenda Item 11 and
240 Councilmember Straughan seconded the motion. The motion passed by a vote of 5 ayes
241 and 2 nays (Scott and Straughan).

242
243 Councilmember Sevier stated that he pulled Consent Agenda Item 2 because he was not
244 present at the November 19, 2007 meeting and needed some clarification. Robert
245 LaCroix, Planning Director, provided the background on this item. After a lengthy
246 discussion on this item, Councilmember Farris made a motion to approve Consent
247 Agenda Item 2 and Councilmember Scott seconded the motion. The ordinance was read
248 as follows:

249
250 ORDINANCE NO. 07-52

251
252 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
253 AMENDING THE CODE OF ORDINANCE OF THE CITY OF ROCKWALL, IN CHAPTER 3
254 ALCOHOLIC BEVERAGES, SEC. 3-2 SALE OF ALCOHOLIC BEVERAGES WITHIN 300
255 FEET OF A PUBLIC OR PRIVATE SCHOOL, CHURCH, OR PUBLIC HOSPITAL;

256 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS
257 (\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE
258 DATE.
259

260 The motion failed by a vote of 4 nays [Cecil, Sweet, Straughan and Sevier] and 3 ayes
261 [Scott, Farris and Nielsen].
262

263 Mayor Cecil then made a motion to reconsider Consent Agenda Item 2 and
264 Councilmember Straughan seconded the motion. The motion passed by a vote of 7 ayes
265 and 0 nays.
266

267 Mayor Cecil made a motion that the ordinance be amended to provide for a variance
268 procedure, remove the 500 feet requirement and be brought back before the Council at
269 the December 12, 2007 work session. Councilmember Straughan seconded the motion.
270 The motion passed by a vote of 6 ayes and 1 nay (Nielsen).
271

272 V. APPOINTMENT ITEMS 273

- 274 1. Appointment with Pat Sapp to discuss handicap parking issues in
275 Rockwall and take any action necessary.
276

277 Pat Sapp, 2805 Marcy Lane, came forward to discuss his concerns about handicapped
278 parking in the City of Rockwall, specifically at The Harbor. Mr. Sapp is a disabled veteran
279 and spoke about the importance of handicapped accessibility. Police Chief Moeller and
280 Assistant Police Chief Riggs reported on the police departments efforts to enforce
281 handicapped parking in the City. Mayor Cecil reported that Whittle Development will be
282 meeting with Mr. Sapp to address his concerns about handicapped parking at The
283 Harbor. Councilmember Straughan made a motion to direct Staff to review the
284 handicapped parking ordinance and fire lane parking ordinance and bring back
285 recommendations strengthening the ordinances to the Council at the second Council
286 meeting in January. Councilmember Sweet seconded the motion. The motion passed by
287 a vote of 7 ayes and 0 nays.
288

289 VI. ACTION ITEMS 290

- 291 1. Discuss and consider approval of an Ordinance promulgating regulations
292 for the sale of alcoholic beverages within the city and establishing permit
293 and license fees and take any action necessary. (1st Reading)

294 City Manager Julie Couch discussed the background of this item. Councilmember Sweet
295 made a motion to approve the ordinance as written and Councilmember Straughan
296 seconded the motion. The ordinance was read as follows:
297

298 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
299 TEXAS, PROMULGATING REGULATIONS FOR THE SALE OF ALCOHOLIC
300 BEVERAGES WITHIN THE CITY; ESTABLISHING PERMIT AND LICENSE FEES;
301 PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES;
302 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE
303 HUNDRED DOLLARS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A
304 REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [1st Reading]
305

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

307 2. Update report and discussion regarding parking large vehicles and utility
308 trailers in residential areas and take any action necessary.

309 **Jeffrey Widmer, Code Enforcement Director, discussed the background of this item.**
310 **After a lengthy discussion, including input from two citizens (Terry Raulston, 141**
311 **Summerhill Drive and Robert Coburn, 129 Summerhill Drive), Councilmember Farris**
312 **made a motion to direct staff to review other cities ordinances and, in 30 days, provide**
313 **recommendations for an ordinance that addresses oversized vehicles and commercial**
314 **vehicles parked in residential neighborhoods. Councilmember Straughan seconded the**
315 **motion. The motion passed by a vote of 7 ayes and 0 nays.**

316
317 3. Discuss and consider approval of a Resolution adopting the Official
318 Zoning Map for the City and take any action necessary.

319 **Robert LaCroix, Planning Director, discussed the background of this item.**
320 **Councilmember Sevier made a motion to approve the Resolution adopting the Official**
321 **Zoning Map for the City and Councilmember Straughan seconded the motion. The**
322 **motion passed by a vote of 7 ayes and 0 nays.**

323
324 4. Discuss and consider a City initiated rezoning of "PD-32", Planned
325 Development District No. 32 and those properties zoned "C", Commercial,
326 that front the south side of Interstate 30 from Horizon Road to Lakefront
327 Trail and take any action necessary.

328 **Robert LaCroix, Planning Director discussed the background on this item. After**
329 **discussion, Councilmember Farris made a motion to move forward with the staff initiated**
330 **recommendations on PD-32. Councilmember Scott seconded the motion. The motion**
331 **passed by a vote of 7 ayes and 0 nays.**

332
333 5. Discuss Lake Rockwall Estates Task Force formation and take any action
334 necessary.

335 **Councilmember Nielsen provided the background on this item. Councilmember Scott**
336 **made a motion to approve the Lake Rockwall Estates Subcommittee's request to form a**
337 **Lake Rockwall Estates Task Force. Councilmember Straughan seconded the motion.**
338 **The motion passed by a vote of 7 ayes and 0 nays.**

339
340 **Rick Crowley, Assistant City Manger, provided an update on the Lake Rockwall Estates**
341 **Improvement Program. Councilmember Sweet requested that the Lake Rockwall Estates**
342 **Subcommittee establish a reporting schedule to update the full Council on the Lake**
343 **Rockwall Estates Improvement Program.**

344
345 **VII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
346 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

347
348 1. Departmental Reports
349 Police Department Monthly Report -- October 2007
350 Fire Department Monthly Reports

351 2. City Manager's Report

352
353 **There being no further business to come before the Council, Mayor Cecil adjourned the**
354 **meeting at 10:14 p.m.**

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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this _____ day of _____, 2008.**

William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

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Minutes
Rockwall City Council
Wednesday, December 12, 2007
5:00 p.m. Special Meeting and Work Session
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Cecil called the meeting to order at 5:00 p.m. Present were Mayor Bill Cecil and Councilmembers Glen Farris, Stephen Straughan, Cliff Sevier, Margo Nielsen and David Sweet. Councilmember Matt Scott was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

II. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Straughan made a motion to authorize the City to proceed with acquisition on the Rand parcel in the amount of \$135,000, providing replacement fencing, repair of the existing dirt road, and providing for the construction of a stock underpass to paid 50% by the land owner and 50% by the City. Councilmember Sweet seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Scott].

Councilmember Straughan made a motion approving three Resolutions, finding that a necessity exists to acquire real property on behalf of the Rockwall Economic Development Corporation for expansion of the technology park and finding that a necessity exists to acquire real property for construction of the 205 bypass; authorizing the city attorney to institute eminent domain proceedings for the acquisition of right-of-way across certain hereinafter described tracts of land for construction of 205 bypass [Rockwall Bypass Ltd. and Newman Lofland Estate]. Councilmember Sweet seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Scott].

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IV. CONSENT ITEMS

1. Consider approval of an Ordinance amending the Code of Ordinances in Chapter 3 Alcoholic Beverages and take any action necessary. (2nd Reading)
2. Consider approval of an Ordinance amending the Sign Ordinance in Section III, B. Functional Standards, 13. Political Signs and take any action necessary. (2nd Reading)
3. Consider approval of an Ordinance promulgating regulations for the sale of alcoholic beverages within the city and establishing permit and license fees and take any action necessary. (2nd Reading)
4. Consider authorizing the City Manager to execute a design-build contract between the City of Rockwall and Speed Fab-Crete for the design and construction of Fire Stations #3 and #4 and take any action necessary.

Mayor Cecil made a motion approving the Consent Items and Councilmember Straughan seconded the motion. The ordinances were read as follows:

ORDINANCE NO. 07-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCE OF THE CITY OF ROCKWALL, IN CHAPTER 3 ALCOHOLIC BEVERAGES, SEC. 3-2 SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A PUBLIC OR PRIVATE SCHOOL, CHURCH, OR PUBLIC HOSPITAL; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. [2nd Reading]

ORDINANCE NO. 07-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE SIGN ORDINANCE IN SECTION III, B. FUNCTIONAL STANDARDS, 13. POLITICAL SIGNS AND TABLE II FUNCTIONAL STANDARDS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [2nd Reading]

ORDINANCE NO. 07-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROMULGATING REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY; ESTABLISHING PERMIT AND LICENSE FEES; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE. [2nd Reading]

The motion passed by a vote of 6 ayes and 1 absent [Scott].

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V. ACTION ITEMS

1. Discuss and consider approval of wholesale water supply contract with Blackland Water Supply Corporation and take any action necessary.

Mary Smith, Finance Director, discussed the background of this item and the terms of the contract. Councilmember Straughan made a motion to approve the contract and Councilmember Sweet seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

2. Discuss and consider approval of CCN Transfer agreement with Blackland Water Supply Corporation and take any action necessary.

Mary Smith discussed the background of this item. Smith advised that Blackland had requested payments over four years, instead of a lump-sum payment. Councilmember Straughan made a motion to approve the agreement and Councilmember Farris seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

VI. HOLD WORK SESSION TO DISCUSS CHANGES IN THE BUILDINGS AND BUILDING REGULATION CODE AND THE FIRE CODE AND TAKE ANY ACTION NECESSARY.

Fire Chief Mark Poindexter and Fire Marshal Ariana Adair discussed the recommended changes in the Fire Code. Jeffrey Widmer, Building Official, discussed the recommended changes in the Buildings and Building Regulations. No action was taken by the Council.

Mayor Cecil adjourned the meeting into Executive Session at 9:16 p.m.

HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

III. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Straughan made a motion to name Councilmember Nielsen as the Council Liaison to the downtown effort and Councilmember Sevier seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Scott].

138 Mayor Cecil made a motion to reappoint Kirte Kinser as an ex-officio member of the
139 Rockwall Economic Development Corporation and Councilmember Farris seconded the
140 motion. The motion passed by a vote of 5 ayes, 1 nay [Sweet], and 1 absent [Scott].
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142 There being no further business to come before the Council, Mayor Cecil adjourned the
143 meeting at 10:30 p.m.
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145 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
146 TEXAS, this _____ day of _____, 2008.
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151 _____
152 William R. Cecil, Mayor

153 ATTEST:
154 _____
155 Dorothy Brooks, TRMC, CMC, City Secretary
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