
ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, December 07, 2020 - 5:00 PM
City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Jim Pruitt was present, virtually, via ZOOM. Councilmember Anna Campbell was absent from the meeting.

Mayor Pro Tem Fowler read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. EXECUTIVE SESSION.

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:45 p.m.

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

Mayor Pro Tem Fowler reconvened the meeting at 6:00 p.m. Five of the seven council members were present in person, with Mayor Pruitt participating virtually via ZOOM, and Council Member Campbell being absent.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL

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

VI. OPEN FORUM

Mayor Pro Tem Fowler explained how Open Forum is conducted, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Councilmember Macalik moved to reappoint Eric Chodun and Jerry Welch to an additional three-year term to the Planning & Zoning Commission thru August of 2023. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).

Macalik also moved to appoint Ginger Womble to the ART Commission to replace Betty Houglund (with a term to run thru August of 2022). Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 16, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-043** - Consider a request by Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage Investments-Rockwall EDP, LLC for the approval of an **ordinance** amending an existing *Specific Use Permit* for the purpose of increasing the number of storage units permitted by *Ordinance No. 14-25* to account for the number of storage units constructed on a 2.857-acre parcel of land identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1245 SH-276, and take any action necessary (**2nd Reading**).
3. **Z2020-044** - Consider a request by Casey Cox of Costal Plains Estates for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.21-acre parcel of land identified as Lot 24, Block A, Chandler's Landing, Phase 7, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 102 Thistle Place, and take any action necessary (**2nd Reading**).
4. **Z2020-046** - Consider a request by Mike Whittle of Whittle & Johnson Custom Homes for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.15-acre parcel of land identified as Lot 24, Block E, Chandler's Landing #16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 295 Victory Lane, and take any action necessary (**2nd Reading**).
5. **P2020-048** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a *Replat* for Lots 4-7, Block A, Dalton Goliad Addition being a 5.683-acre parcel of land identified as Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the N. SH-205 Overlay (N. SH-205 OV) District, generally located on the west side of SH-205 north of the intersection of SH-205 and FM-552, and take any action necessary.
6. Consider approval of an emergency purchase of a pump at the FM 3097 Lift Station in the amount of \$60,877.58 and authorizing the City Manager to execute a purchase order to Barco Pump to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
7. Consider approval of a bid award for the purchase of a Police accident/crime scene reconstruction system in the amount of \$57,541.40 and authorizing the City Manager to execute a purchase order to FARO Technologies to be funded out of General Fund Reserves, and take any action necessary.
8. Consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

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

CITY OF ROCKWALL
ORDINANCE NO. 20-47
SPECIFIC USE PERMIT NO. S-235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *EXISTING MINI-WAREHOUSE FACILITY* ON A 2.857-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK A, PLATINUM STORAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 20-48
SPECIFIC USE PERMIT NO. S-236

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.21-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK A, CHANDLER'S LANDING, PHASE 7, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 20-49
SPECIFIC USE PERMIT NO. S-237

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.15-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK E, CHANDLER'S LANDING, PHASE 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;

PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Campbell).

IX. APPOINTMENT ITEMS

1. Appointment with Randall Bryant to discuss and consider a request related to the naming of the swimming pool located at Gloria Williams Park, and take any action necessary.

**Randall Bryant
2603 Norwood Drive
Dallas, TX 75228**

Mr. Bryant came forth and explained that two months ago he came to Council and indicated he would attempt to locate members of the Gloria Williams family to discuss this matter with them, especially related to the ‘anonymously submitted opposition’ concerning the potential renaming of this swimming pool. However, he has not had success in securing an opportunity to speak to the Williams family, despite having passed his request and phone number along to the Williams’ family via city staff. He went on to respectfully request that the Council go ahead and move forward with taking action on his request to rename the swimming pool after Ruby Dabney.

Mayor Pro Tem Fowler expressed a desire to have some additional information to review before moving forward with formal action on this request. As such, indication was given that this will be brought back before City Council as an “Action Item” at the next city council meeting.

**Pricylla Bento
2002 S. Lakeshore Drive
Rockwall, TX**

Ms. Bento came forth and shared that she is in support of the request to rename the swimming pool, and she generally encouraged the Council to move forward with renaming the swimming pool in Mrs. Dabney’s honor.

2. Appointment with Rockwall resident Patty Griffin, 2140 Airport Road, regarding Blackland Water Supply Company’s (WSC) customer services policies and procedures, and take any action necessary.

Patty Griffin came forth and shared that she owns the property at 2140 Airport Road. Ms. Griffin generally explained that she had a renter living in this home on Airport Road for a period of time, and that renter did not ever pay her water bill. So, Blackland shut off the water for ‘non-payment’ and indicated that the property owner is responsible for the outstanding, unpaid water bill, including all late fees that accumulated. She went on to basically explain the play-by-play of the events associated with the unpaid water bill, late fees, the water being turned off, turned back on and turned off again. She shared that 15 years ago, this property was annexed into the City of Rockwall, and she believes that – since it was annexed by the City years ago – city services, including city provided water should be extended to her address. She went on to speak about the contracts that are in place related to Blackland Water Supply furnishing water to her address and the immediate area in

general. She wants the City Council to look into what it would take for the City of Rockwall to purchase the rights to serve her and her neighbor's addresses with CITY provided water.

Mayor Pro Tem Fowler asked staff to explain how services end up being extended to properties after they are annexed into the City. Mr. Crowley and Mrs. Smith from the City Manager's Office both briefly replied, explaining – in general – that the process to potentially purchase the 'right to serve' previously annexed properties can take a long period of time. The cases usually end up with the Public Utility Commission (PUC) and involve a lot of negotiation to arrive at a price. City Attorney Frank Garza generally indicated that, even if Blackland was willing to give up the 'right to serve,' the City of Rockwall could not currently serve this particular area.

General discussion took place pertaining to Blackland Water Supply Company and the City of Rockwall evaluating 'the right to serve' this and other previously annexed areas that have been brought into its city limits.

Council generally indicated that it will in fact look into this matter. However, it is uncertain how things will play out. No action was taken at this time as a result of the discussion.

X. ACTION ITEMS

- 1. MIS2020-016** - Discuss and consider a request by Charles Smith of Pentagon on behalf of Dynacap Holdings Limited for the approval of a *Miscellaneous Request* for a variance to the proximity requirements for the sale of alcoholic beverages stipulated by the Unified Development Code (UDC) for a 2.202-acre tract of land identified as Tract 12 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1541 E. IH-30, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He generally explained that the applicant currently owns the building in question, and a portion of the property is occupied by a church (tenant). He would like to place a winery in the other portion of the building. In order to do so, Mr. Miller, generally explained, the applicant will need to obtain a variance to the proximity requirements associated with the sale of alcoholic beverages.

Mr. Charles Smith
611 E. Boydston
Rockwall, TX

Mr. Smith came forth and introduced himself generally indicating that the church (current tenant) is okay with this winery being placed at this location; however, at this point it was only a verbal conversation, and he does not yet have the church's 'okay' in writing.

Mayor Pruitt moved to table this item in order to allow time for the applicant to obtain a letter from the church to indicate the church is in fact okay with this request. He would also like written indication from the school district and any other pertinent parties that may have an interest in this request as to whether or not they're okay with the request too. Councilmember Daniels seconded the motion. After brief discussion, the motion passed by a vote of 6 ayes with 1 absence (Campbell).

2. **MIS2020-017** - Discuss and consider a request by Jim Ziegler of PegasusAblon on behalf of Ablon at Harbor Village, LP for the approval of a Miscellaneous Request for a variance to the underground utility requirements stipulated by the Municipal Code of Ordinances and the Unified Development Code (UDC) for a 1.064-acre parcel of land identified as Lot 11, Block A, The Rockwall-Harbor Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located between 2125 & 2600 Lakefront Trail, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant, Jim Ziegler, came forth and shared that he would like his garage to have power, and that is the reason behind this request. Councilmember Hohenshelt moved to approve MIS2020-017. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell).

3. Discuss and consider 2021-2031 Park Master Plan, and take any action necessary.

Parks Director, Travis Sales shared that this plan has taken about a year to complete (COVID has delayed it by a few months, overall). MHS Planning & Design is the consulting firm that was hired to undertake this planning project, and staff (including the Planning Department) worked closely with MHS to complete it. The Park Board has also provided input into the process. The purpose of the plan is that it will be used for guidance over the course of the upcoming ten year period to help the city plan and address parks and recreation related needs and desires.

**Kevin Johnson
Park Board Chairman
944 Sunset Hill Drive
Rockwall, TX 75087**

**Hunter Rush
MHS Planning & Design**

Mr. Rush came forth and provided a presentation to Council to brief members on the new Park Master Plan that has been developed.

Following Mr. Rush's presentation, City Manager Rick Crowley provided follow-up comments, pointing out that specific costs and funding plans for every project would have to be developed and evaluated in the future. The Park Dedication regulations and associated fees were touched on as well as previous, voter-approved funding for a large community park in the south side of the city. Mr. Crowley pointed out that locating and securing land for a south community park has been challenging.

Councilmember Johannesen moved to approve the 2021-2031 Park Master Plan as presented. Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence (Campbell). (See adopted resolution No. 20-17).

4. Discuss and consider 2021, 1st quarter Parks & Recreation Events, and take any action necessary.

Mr. Sales, Parks Director, came forth and shared that regarding the upcoming Daddy Daughter Dance, because of the COVID-19 pandemic, the Hilton Hotel is requiring that the body temperature of each attendee be checked outside of the hotel before entrance into the hotel will be permitted. Mr. Sales shared that over 750 people typically attend this event. Brief discussion took place related to how staff will manage taking temperatures while also managing and hosting the event. It was suggested that the city hold two, separate ticketed events to 'break up' the crowd and limit the attendance, per event. Councilmember Macalik indicated that she is not in favor of it being held at all (even if broken up into two, separate events); however, the majority of Council members did generally indicate that they are ok with moving forward with two, separate Daddy Daughter Dance events.

Brief discussion ensued pertaining to other, proposed and upcoming Parks & Rec events. Council took no formal action pertaining to this discussion item.

5. Discuss and consider on-street parking related concerns on Kyle Drive, Industrial Boulevard and Justin Road, including consideration of an ordinance amending the Code of Ordinances in Ch. 26 'Motor Vehicles & Traffic,' Article VII. 'Stopping, Standing or Parking,' Section 26-505 'Prohibited in Specific Places' to address prohibition of parking, and take any action necessary. (1st Reading)

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item. Indication was given that about 5 years ago, a crosswalk was installed and 'no parking signs' were erected on Kyle Drive at the request of the school district; however, staff recently discovered that no ordinance prohibiting parking along this stretch of road was actually ever adopted. Therefore, it has not been enforceable. So, at a minimum Council is being asked to consider an ordinance prohibiting parking along Kyle Drive. In addition, Mr. Boyd shared details about parking along Industrial and Justin Road, sharing that the Council may wish to consider 'no parking' along these stretches of roadway as well.

Clarification was given that the draft ordinance that has been brought before the Council this evening only reflects prohibition of parking along Kyle Drive. Mr. Boyd shared that, if Council is ok with staff doing so, staff would like to just watch and keep an eye out on Industrial and Justin Road before potentially moving forward with parking prohibitions along those roadways.

Councilmember Hohenshelt expressed disagreement with instituting "no parking" along Kyle Drive thru passage of an ordinance, especially considering that drivers from "visiting sports teams" (associated with the high school) have no other good place to park, and they do and will continue to park along the Kyle Drive roadway.

City Engineer Amy Williams shared that, yes, the street was designed to accommodate "on street" parking. Following brief, additional comments, Councilmember Johannesen moved to remove the "no parking signs" from Kyle Drive and to actually allow it to be utilized for on-street parking. Mayor Pruitt seconded the motion. The motion passed by a vote of 5 ayes, 1 nay (Macalik) and 1 absence (Campbell).

6. Discuss and consider submission of future transportation-related projects to the Rockwall County Roadway Consortium, and take any action necessary.

Indication was given that this item will be delayed until the next, regular city council meeting. So, no discussion took place concerning this item, and no action was taken.

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

1. Building Inspections Monthly Report - November 2020
2. Fire Department Monthly Report - October 2020
3. Parks & Recreation Monthly Report - October 2020
4. Police Department Monthly Report - October 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

City Manager Rick Crowley shared that staff is happy to answer any questions Council may have pertaining to monthly reports. There being no questions, Mayor Pro Tem Fowler summarized some recent city-related events that were held (i.e. annual Christmas parade and tree lighting). Council took no action pertaining to these reports.

XII. EXECUTIVE SESSION.

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).


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

Council did not reconvene in Executive Session following the close of the public meeting agenda. See action taken after the "Call to Order" (at 6:00 p.m.) above.

XIV. ADJOURNMENT

Mayor Pro Tem Fowler adjourned the meeting at 7:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21ST DAY OF DECEMBER, 2020.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

