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**MINUTES
ROCKWALL CITY COUNCIL**

June 7, 2004

6:00 p.m. Regular Meeting

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

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1. **CALL TO ORDER**

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Mayor Jones called the meeting to order at 6:00 p.m. Present were Mayor Ken Jones and Councilmembers Tim McCallum, Bob Cotti, Stephen Straughan, John King, Terry Raulston and Bill Cecil.

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2. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TIM MCCALLUM**

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3. **SWEARING-IN OF NEW COUNCILMEMBERS**

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City Secretary Dorothy Brooks presided over the swearing-in ceremony. Councilmembers Bill Cecil, Stephen Straughan and John King took their oaths.

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4. **PROCLAMATIONS**

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a. Juneteenth – **Jean Allen received the Juneteenth Proclamation.**

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b. Presentation of Certificate of Achievement to Julie Couch – **City Manager Julie Couch accepted the Certificate.**

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5. **OPEN FORUM**

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Mayor Jones announced that anyone wishing to talk about anything not on tonight's agenda could come forward and address the Council. The following persons came forward:

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**Joann Glover
Rockwall County Committee on Aging
Gave status report.**

47
48

Tony Rios spoke in support of the activities of the Rockwall County Committee on Aging.

Sam Buffington spoke in support of the activities of the Rockwall County Committee on Aging.

**Doris Yanger
Rockwall Alliance for the Arts
Advised the Council that the Rockwall Alliance for the Arts would be commissioning a bronze sculpture for the City of the three men drilling a well and described the process that would be followed.**

Mary Hanrahan

49 Stated she thought the City should have better communication with the
50 citizens. She is concerned that the new changes to the Comprehensive
51 Zoning Ordinance are more restrictive.
52

53 There being no one further to address the Council, Mayor Jones closed the Open Forum.
54

55 **6. CONSENT AGENDA**
56

- 57 a. Consider approval of the Minutes from the May 10, 2004, Special Meeting
58 and take any action necessary.
- 59 b. Consider tabling approval of the **Ordinance** forming the Tax Increment
60 Financing (TIF) zone (The Harbor Project) and take any action necessary.
- 61 c. Consider approval of an **Ordinance** for a city-initiated revision to the City
62 of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23), including
63 revisions and the inclusion into the zoning ordinance the City's existing
64 Landscape Ordinance (Ord. No. 88-28), Tree Preservation Ordinance
65 (Ord. No. 02-24) and Outdoor Lighting Ordinance (Ord. No. 97-33) and
66 take any action necessary. **(2nd Reading)**
- 67 d. Consider approval of an **Ordinance** for a request by Joey Howell for an
68 amendment to (PD-11) Planned Development No. 11 district, specifically
69 to amend the front yard setback requirement to 20-feet for Hillcrest
70 Shores Phase 3, which is under development along the west side of
71 North Lakeshore Drive north of Hillcrest Shores Phase 2 and south of The
72 Shores development and take any action necessary. **(2nd Reading)**
- 73 e. Consider approval of an **Ordinance** for a request by Tim Seymore of Tim
74 Seymore Custom Homes for approval of a conditional use permit (CUP)
75 to allow for an accessory structure (batting cage) that exceeds the
76 maximum height requirement of 15-feet and the maximum size
77 requirement of 1,250 square feet within the (SF-E/1.5) Single Family
78 Estate zoning district, located at 2045 Broken Lance Lane and known as
79 Lot 3, Block B, The Oaks of Buffalo Way Addition. **(2nd Reading)**

80 **Councilmember King requested that Consent Item 6a be pulled. Councilmember**
81 **McCallum made a motion to approve the remaining items and Councilmember Cotti**
82 **seconded the motion. The ordinances were read as follows:**
83

84 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
85 ADOPTING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
86 ROCKWALL, SO AS TO PROVIDE FOR GENERAL PROVISIONS, AUTHORITY AND
87 ADMINISTRATIVE PROCEDURES, ZONING DISTRICTS AND MAP, PERMISSIBLE
88 USES, DISTRICT DEVELOPMENT STANDARDS, PARKING AND LOADING,
89 ENVIROMENTAL PERFORMANCE, LANDSCAPE STANDARDS, TREE
90 PRESERVATION, PLANNED DEVELOPMENT, ZONING RELATED APPLICATIONS,
91 ENFORCEMENT, AND DEFINITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO
92 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE;
93 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE;
94 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE
95 DATE.
96

97 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
98 AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
99 ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
100 CONDITIONAL USE PERMIT FOR AN ACCESSORY BUILDING EXCEEDING THE

101 MAXIMUM PERMITTED HEIGHT AND THE MAXIMUM SIZE REQUIREMENT WITHIN
102 THE (SF-E/1.5) SINGLE-FAMILY ESTATE DISTRICT, ON A TRACT LOCATED AT 2045
103 BROKEN LANCE LANE (LOT 3, BLOCK B, THE OAKS OF BUFFALO WAY);
104 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT
105 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
106 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
107 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
108

109 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
110 AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
111 ROCKWALL, AND ORDINANCE NO. 01-08, AS HERETOFORE AMENDED, SO AS TO
112 AMEND "PD-11" PLANNED DEVELOPMENT DISTRICT NO. 11 TO REQUIRE A
113 MINIMUM FRONT YARD SETBACK OF TWENTY (20) FEET ON AN APPROXIMATE
114 37.423-ACRE TRACT OF LAND KNOWN AS HILLCREST SHORES PHASE 3 AND
115 MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING
116 FOR SPECIAL CONDITIONS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING
117 FOR A DEVELOPMENT PLAN; PROVIDING FOR A PENALTY OF FINE NOT TO
118 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE
119 AND EVERY DAY THE OFFENSE CONTINUES SHALL BE DEEMED A SEPARATE
120 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
121 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
122

123 **The motion passed by a vote of 5 ayes and 2 abstain [Cecil and Raulston].**
124

125 **Councilmember Cotti stated that Consent Item 6e required a majority vote and asked that**
126 **the matter be reconsidered. Councilmember Cotti then made a motion to approve**
127 **Consent item 6e and Councilmember McCallum seconded the motion. City Attorney**
128 **Eckert advised that it was not necessary to read the ordinance caption again. The**
129 **motion passed unanimously by a vote of 7 ayes and 0 nays.**
130

131 **Councilmember Cotti then made a motion to approve Consent item 6a and**
132 **Councilmember McCallum seconded the motion. The motion passed by a vote of 3 ayes**
133 **[Cotti, Straughan, McCallum], 4 abstain [Cecil, King, Raulston and Jones] and 0 nays.**
134

135 **7. APPOINTMENTS**

- 136
137 **a. Appointment with Douglas I. French of Merchandise Collection Services**
138 **and take any action necessary.**

139 **Doug French with Merchandise Collection Services (MCS) addressed the Council. MCS**
140 **provides clothing donation drop boxes and gives local charities a small percentage of**
141 **the profits from the sale of the clothing. MSC would like to have 8-10 locations within**
142 **Rockwall. MCS is a for-profit company. After Council discussion, Councilmember Terry**
143 **Raulston made a motion to deny Mr. French's request and Councilmember John King**
144 **seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
145

- 146 **b. Appointment with Ruth Peck regarding Musicfest and take any action**
147 **necessary.**

148 **Ms. Peck gave a status report on Musicfest.**
149

- 150 **c. Appointment with Planning and Zoning Chairman to discuss and answer**
151 **any questions regarding cases on the agenda and related issues and**
152 **take any necessary action.**

153 Phillip Herbst discussed the action taken by the Planning and Zoning Commission on the
154 items on tonight's agenda.

155

156 **8. PUBLIC HEARING ITEMS**

157

158 a. **Z2004-017** -- Hold a public hearing and consider approval of an
159 **Ordinance** for a request from John Benedetto and others, for a change in
160 zoning from (SF-7) Single Family Residential district to (PD-50) Planned
161 Development No. 50 district for properties known as parts of Lots 1, 2 and
162 3, WD Austin Addition. The overall proposal is comprised of
163 approximately 2.19-acres and includes the properties addressed as 902,
164 904, 906, 908 and 912 N. Goliad Street. **(1st Reading)**

165

166 Robert LaCroix, Director of Community Development, discussed the background of the
167 request.

168

169 Mayor Jones opened the public hearing and the following persons came forward to
170 address the Council:

171

172 John Benedetto (Applicant)

173 906 N. Goliad

174

175 There being no one further to address the Council, Mayor Jones closed the public
176 hearing.

177

178 Councilmember Raulston made a motion to approve the request with Staff
179 recommendations and Councilmember McCallum seconded the motion. The ordinance
180 was read as follows:

181

182 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
183 AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
184 ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING
185 FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD-50"; PLANNED DEVELOPMENT
186 DISTRICT NO. 50 ON A 2.19-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, AND 3,
187 W.D. AUSTIN ADDITION; INCLUDING PROPERTIES ADDRESSED AS 902, 904, 906,
188 908 AND 912 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT
189 "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING
190 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
191 DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE;
192 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE
193 DATE.

194

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

196

197 b. **Z2004-019** -- Hold a public hearing and consider approval of an
198 **Ordinance** for a request by Frank Carrillo of Fox and Jacobs Homes for
199 an amendment to (PD-10) Planned Development No. 10 district,
200 specifically to increase the maximum lot coverage from 35% to 45% for
201 the 233 single-family residential lots located within Hickory Ridge
202 Phase 4. **(1st Reading)**

203 Robert LaCroix discussed the background of the request.

204
205 **Mayor Jones opened the public hearing and the following persons came forward to**
206 **address the Council:**

207
208 **Frank Carillo, Applicant.**

209
210 **Billy Morris**
211 **1102 Vail Court**

212
213 **Councilmember Raulston made a motion to approve the request with Staff**
214 **recommendations and Councilmember Cotti seconded the motion. The ordinance was**
215 **read as follows:**

216
217 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
218 **AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF**
219 **ROCKWALL AND ORDINANCE NO. 00-08, AS HERETOFORE AMENDED, SO AS TO**
220 **AMEND "PD-10", PLANNED DEVELOPMENT DISTRICT NO. 10 TO INCREASE THE**
221 **MAXIMUM BUILDING COVERAGE FROM 35% TO 45% ON AN APPROXIMATE 92.586-**
222 **ACRE TRACT OF LAND KNOWN AS HICKORY RIDGE PHASE 4 AND MORE**
223 **SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR**
224 **SPECIAL CONDITIONS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR A**
225 **DEVELOPMENT PLAN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE**
226 **SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND EVERY**
227 **DAY THE OFFENSE CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE;**
228 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER**
229 **CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

230
231 **The motion passed by a vote of 4 ayes [Jones, Cotti, Raulston and King] and 3 nays**
232 **[Straughan, Cecil and McCallum].**

233
234 **9. SITE PLANS/PLATS**

- 235
236 **a. SP2004-008 -- Discuss and consider a request by Dub Douphrate of**
237 **Douphrate & Associates, Inc., for approval of a site plan for Rockwall**
238 **Crossing, a 26.09-acre commercial development situated within the (I-30**
239 **OV) I-30 Corridor Overlay District, located between Interstate 30 and**
240 **Ralph Hall Parkway east of Mims Rd.**

241 **Robert LaCroix discussed the background of the request. The applicant was available to**
242 **answer questions that the Council had regarding the project. After discussion,**
243 **Councilmember Raulston made a motion to approve the request with Staff and Planning**
244 **and Zoning recommendations, and Council recommendation that 10% of the front of the**
245 **buildings be stone. Councilmember Cotti seconded the motion. The motion passed**
246 **unanimously by a vote of 7 ayes and 0 nays.**

247
248 **10. ACTION ITEMS**

- 249
250 **a. Item removed.**
- 251 **b. Discuss and consider setting a date for the City Council and City Boards**
252 **and Commission members to hold an ethics seminar with the City**
253 **Attorney and take any action necessary.**

254 **City Attorney Pete Eckert stated that Staff was looking for a date for the seminar and was**
255 **suggesting July 12, 2004. Mayor Jones stated that he was not available at that time.**
256 **After Council discussion, Councilmember McCallum made a motion to hold the ethics**
257 **seminar during the regular quarterly workshop on August 9, 2004. Mayor Jones**
258 **seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
259

260 c. Discuss and consider approval of a Resolution creating a Capital
261 Improvement Plan Review Task Force (CIP Task Force) and take any
262 action necessary.

263 **City Manager Julie Couch discussed the creation of the task force and stated that 12**
264 **members, and no more, be appointed. Couch stated that it was important that there be**
265 **ongoing communication between the Council and the task force. Councilmember Cotti**
266 **made a motion to approve the Resolution and that there be no less than 7 members and**
267 **no more than 12 members on the task force. Councilmember Cecil seconded the motion.**
268 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
269

270 d. Discuss and consider approval of a Resolution creating a Charter Review
271 Commission and take any action necessary.

272 **City Manager Julie Couch discussed the creation of a Charter Review Commission and**
273 **stated that the number of members on the Commission is dictated by the Charter. Couch**
274 **then asked the Council what direction they wanted to give the Commission. After**
275 **Council discussion, Councilmember Cecil made a motion to appoint a Charter**
276 **Commission to review the Charter and make recommendations with no input from the**
277 **Council Subcommittee. Councilmember King seconded the motion. The motion passed**
278 **unanimously by a vote of 7 ayes and 0 nays.**
279

280 e. Discuss and consider recommendation from the Park Board to rename
281 the lake at Myers Park Pickens Lake and take any action necessary.

282 **Brad Griggs, Parks and Recreation Director, discussed the recommendation by the Park**
283 **Board to rename the lake at Myers Park Pickens Lake. Councilmember Cotti made a**
284 **motion to approve the recommendation and Councilmember McCallum seconded the**
285 **request. The motion passed unanimously by a vote of 7 ayes and 0 nays.**
286

287 f. Report by Robert LaCroix and Brad Griggs on tree mitigation policy and
288 take any action necessary.

289 **Robert LaCroix and Brad Griggs gave a short power point presentation on the status of**
290 **the tree mitigation policy.**
291

292 **11. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
293 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
294

295 a. Departmental Reports

296 b. City Manager's Report

297 **Julie Couch advised the Council that they had been provided an activity report on the**
298 **Homeland Security and Task Force grants. She commended Police Chief Mark Moeller,**
299 **Fire Chief Mark Poindexter and Emergency Management Coordinator Kristy Ashberry for**
300 **a tremendous job, which sometimes came with very short notice, resulting in the receive**
301 **of a half million dollars.**

302
303 Couch advised that the radio system is under construction. Rick Crowley advised that
304 the tower is being built by Verizon and construction will start in a couple of weeks, and
305 the radio system is still scheduled for completion by February 2005.

306
307 Councilmember Cotti asked if it was possible for the citizens to be advised the latest
308 update on area road projects. Couch advised that we can give them what we get from
309 TxDOT. Cotti asked that we find a better way to get the information to the public. Couch
310 advised that the web page is scheduled to be up on July 6, 2004, and the information will
311 be on it. Couch advised that Staff is currently in the process of addressing how we can
312 better communicate with the citizens.

313
314 Councilmember McCallum stated that retail receipts are up 19% here. That kind of
315 increase is not happening anywhere else in our country. Additionally, this year there are
316 more new homes being built than remodels. McCallum stated that The Center being 27%
317 behind on its budget was not addressed in the monthly report. Mayor Jones stated that
318 The Center is not intended to be for-profit – that it is rented out at rates the citizens can
319 afford. McCallum stated that this was for usage standpoint. McCallum wanted to know
320 how we advertise The Center. We need to get the word out. He wishes it could be free –
321 the budget is an indicator that it is not being utilized. Brad Griggs advised that so far
322 this year 31,000 people have been through The Center – the projection for the year is
323 50,000. Programs for seniors have increased. The Park Board looked at the fee
324 scheduled and decided it was ok. They did recommend additional advertising. The
325 Center is not a revenue producing facility. McCallum stated that we need to look at
326 reduced fees for non-profit use – similar to the building at Harry Myers. Griggs reminded
327 McCallum that we have costs at The Center for Staff that we don't have at Harry Myers.
328 McCallum stated that he would like to see an update.

329
330 There being no further business to come before the Council in regular session, Mayor
331 Jones adjourned the meeting into Executive Session at 9:23 p.m.

332
333 **12. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074, 551.076 AND**
334 **551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- 335 a. Land Acquisition for City Facilities and Park Land.
- 336 b. Personnel Issues, including Board, Commission, and Committee
337 Appointments, and Related Matters; selection of Mayor Pro Tem.
- 338 c. Commercial or financial information regarding business prospects that the
339 City seeks to have locate, stay, or expand in or near the territory of the
340 City of Rockwall and with which the Board is conducting economic
341 development negotiations.
- 342 d. Water Vulnerability Assessment briefing.
- 343 e. Consultation with City Attorney regarding pending litigation: City v. Evans.

344
345 **13. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**
346

347 Mayor Ken Jones made a motion to appoint Councilmember Tim McCallum as Mayor Pro
348 Tem and Councilmember John King seconded the motion. The motion passed
349 unanimously by a vote of 7 ayes and 0 nays.

350
351 **Councilmember Bob Cotti made a motion to appoint Councilmember Bill Cecil to the**
352 **Airport Subcommittee and Councilmember McCallum seconded the motion. The motion**
353 **passed unanimously by a vote of 7 ayes and 0 nays.**
354

355 **There being no further to come before the Council, Mayor Jones adjourned the meeting**
356 **at 12:00 p.m.**
357
358

359
360 **ATTEST:** **_____**
Ken Jones, Mayor

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363 **_____**
364 **Dorothy Brooks, City Secretary**
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MINUTES
ROCKWALL CITY COUNCIL

June 21, 2004

6:00 p.m. Regular Meeting

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

1. CALL TO ORDER

Mayor Jones called the meeting to order at 6:00 p.m. Present were Mayor Ken Jones and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Bill Cecil, John King and Terry Raulston.

2. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TERRY RAULSTON

Prior to consideration of the Consent Items, Councilmember Bob Cotti recognized Robert Hargrove, Internal Operations Manager, for his contributions to the City and stated that he would be missed. Mayor Jones stated he echoed Cotti's comments.

3. CONSENT ITEMS

- a. Consider approval of the Minutes from the May 17, 2004, City Council meeting and take any action necessary.
- b. Consider approval of the Minutes from the June 7, 2004, City Council meeting and take any action necessary.
- c. Consider tabling approval of the **Ordinance** forming the Tax Increment Financing (TIF) zone (The Harbor Project) and take any action necessary.
- d. Consider approval of an **Ordinance** for a request from John Benedetto and others, for a change in zoning from (SF-7) Single Family Residential district to (PD-50) Planned Development No. 50 district for properties known as parts of Lots 1, 2 and 3, WD Austin Addition and take any action necessary. The overall proposal is comprised of approximately 2.19-acres and includes the properties addressed as 902, 904, 906, 908 and 912 N. Goliad Street. **(2nd Reading)**
- e. Consider approval of an **Ordinance** for a request by Frank Carrillo of Fox and Jacobs Homes for an amendment to (PD-10) Planned Development No. 10 district, specifically to increase the maximum lot coverage from 35% to 45% for the 233 single-family residential lots located within Hickory Ridge Phase 4 and take any action necessary. **(2nd Reading)**
- f. Consider approval of a request from Eugene Middleton of Winkelmann and Associates for a residential final plat of a 33.018-acre, 82-lot subdivision known as The Preserve Phase 2, zoned (PD-41) Planned Development No. 41 and located east of North Lakeshore, south of North Alamo, west of SH 205 and north of Reinhardt Elementary School and take any action necessary.
- g. Consider approval of the award of a bid to the lowest bidder for fire fighting equipment and take any action necessary.

Councilmember Raulston requested that Consent Item 3a be pulled. Councilmember McCallum requested that Consent Items 3e and 3f be pulled and then made a motion to

48 approve the remaining Consent Items, 3b, 3c, 3d, and 3g. Councilmember Cotti
49 seconded the motion and the ordinance was read as follows:

50
51 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
52 AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
53 ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING
54 FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD-50"; PLANNED DEVELOPMENT
55 DISTRICT NO. 50 ON A 2.19-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, AND 3,
56 W.D. AUSTIN ADDITION; INCLUDING PROPERTIES ADDRESSED AS 902, 904, 906,
57 908 AND 912 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT
58 "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING
59 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND
60 DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE;
61 PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE
62 DATE.

63
64 The motion passed unanimously by a vote of 7 ayes and 0 nays.

65
66 Councilmember Cotti made a motion to approve Consent Item 3a and Councilmember
67 McCallum seconded the motion. The motion passed by a vote of 4 ayes and 3 abstain
68 [King, Cecil and Raulston].

69
70 Councilmember Cotti made a motion to approve Consent Item 3e and Councilmember
71 Raulston seconded the motion. The ordinance was read as follows:

72
73 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
74 AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
75 ROCKWALL, AND ORDINANCE NO. 00-08, AS HERETOFORE AMENDED, SO AS TO
76 AMEND "PD-10" PLANNED DEVELOPMENT DISTRICT NO. 10 TO INCREASE THE
77 MAXIMUM BUILDING COVERAGE FROM 35% TO 45% ON AN APPROXIMATE 92.586-
78 ACRE TRACT OF LAND KNOWN AS HICKORY RIDGE PHASE 4 AND MORE
79 SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR
80 SPECIAL CONDITIONS; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR A
81 DEVELOPMENT PLAN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
82 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND EVERY
83 DAY THE OFFENSE CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE;
84 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
85 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

86
87 The motion passed by a vote of 5 ayes and 2 nays [Cecil and McCallum].

88
89 Councilmember McCallum stated he had pulled Consent Item 3f because he had
90 questions regarding the trees. Robert LaCroix, Director of Community Services,
91 discussed the background of the request from Eugene Middleton of Winkelmann and
92 Associates for a residential final plat and stated that the developer would not be
93 benching the lots. Councilmember McCallum made a motion to approve the request and
94 Councilmember Raulston seconded the motion. The motion passed unanimously by a
95 vote of 7 ayes and 0 nays.

96
97 **4. APPOINTMENTS**

- 98
99 a. Appointment with Ms. Melanie Johnson regarding parking on the Square.

100 **Ms. Johnson did not appear.**

101

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

105 **Philip Herbst stated there was nothing on the agenda for him to discuss.**

106 c. Appointment with Mike Lucas of Breakfast Rotary regarding KidZone and
107 take any action necessary.

108 **Mike Lucas of Breakfast Rotary gave a status report on KidZone and stated that they**
109 **were 90% complete, but lacked the funds to complete the project. Prior to discussion by**
110 **the Council, Councilmembers Bob Cotti, John King and Stephen Straughan recused**
111 **themselves because of their membership in Breakfast Rotary. After discussion,**
112 **Councilmember McCallum made a motion to give the Breakfast Rotary \$60,000 from the**
113 **Recreational Fund for completion of KidZone. Councilmember Raulston seconded the**
114 **motion and the motion passed by a vote of 4 ayes and 3 recusals [Cotti, Straughan and**
115 **King].**

116
117 **6. ACTION ITEMS**

118
119 a. Discuss and consider approval of a **Resolution** authorizing participation
120 with other cities in studying possibilities for municipalization of gas
121 distribution services and take any action necessary.

122 **City Manager Julie Couch discussed the background of the request and City Attorney**
123 **Pete Eckert recommended approval. Councilmember Raulston made a motion to**
124 **approve the Resolution and Councilmember Cotti seconded the motion. The motion**
125 **passed unanimously by a vote of 7 ayes and 0 nays.**

126
127 b. Discuss and consider approval of an **Ordinance** for a city-initiated
128 request to amend the Comprehensive Zoning Ordinance (Ord. 83-23) of
129 the City of Rockwall, specifically to add a new Section 2.31, (TL OV) Lake
130 Ray Hubbard Takeline Overlay District and take any action necessary.
131 **(2nd Reading)**

132 **Mayor Jones recused himself from the discussion of this matter and Mayor Pro Tem**
133 **McCallum presided over the discussion. Brad Griggs, Director of Parks and Recreation,**
134 **advised the Council that Dallas had lifted the moratorium on boat houses/docks, but that**
135 **construction requirements had not yet been finalized. Griggs stated that surveying is**
136 **95% complete and that Dallas is reviewing the sublease agreement. Griggs**
137 **recommended that the Council approve the Ordinance tonight. The Council could**
138 **consider amending the Ordinance in the future to allow boat docks/houses after Dallas**
139 **finalizes the requirements for them. After discussion, Councilmember Cecil made a**
140 **motion to approve the Ordinance and Councilmember Cotti seconded the motion. The**
141 **ordinance was read as follows:**

142
143 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS
144 AMENDING ARTICLE V OF THE ROCKWALL COMPREHENSIVE ZONING ORDINANCE
145 BY ADDING A NEW SECTION 6.15 (TL OV) LAKE RAY HUBBARD TAKELINE
146 OVERLAY DISTRICT, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED
147 HERETO; PROVIDING FOR A PURPOSE STATEMENT; PROVIDING FOR
148 APPLICATION AND BOUNDARIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR
149 PERMITTED USES; PROVIDING FOR CONDITIONAL USES; PROVIDING FOR
150 ADDITIONAL SPECIFICATIONS IN "TABLE A" ATTACHED HERETO; PROVIDING FOR
151 A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR

152 EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A
153 SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

154
155 **The motion passed by a vote of 6 ayes and 1 recusal [Jones].**

156
157 **Mayor Jones returned to the Council Chambers and resumed control of the meeting.**

- 158
159 c. Discuss and consider approval of the Hotel/Motel Funds Subcommittee
160 recommendations and take any action necessary.

161 **Mary Smith, Finance Director, discussed the recommendations. Councilmember Cotti**
162 **made a motion to approve the Subcommittee's recommendation to provide \$3,500 to the**
163 **Parks Department for promotion of the softball tournament and to fund the \$7,000**
164 **needed for the fire works show and Fall jazz series out of reserves. Councilmember**
165 **Cecil seconded the motion and the motion passed unanimously by a vote of 7 ayes and 0**
166 **nays.**

- 167
168 d. Discuss proposed Rockwall County bond election for roadways and take
169 any action necessary.

170 **City Manager Julie Couch discussed the background of this matter and recommended**
171 **that the Council support the request to Rockwall County that they include the SH-205**
172 **Bypass in their bond election. Councilmember Cotti made a motion authorizing the City**
173 **Manager to proceed with the recommendation and Councilmember Raulston seconded**
174 **the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**

175
176 **There being no further action to be taken by the Council in regular session, Mayor Jones**
177 **adjourned the meeting into Executive Session at 6:56 p.m.**

178
179 **7. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.086 OF TEXAS**
180 **GOVERNMENT CODE TO DISCUSS:**

- 181 a. Land Acquisition for City Facilities and Park Land.
182 b. Personnel Issues, including Board, Commission, and Committee
183 Appointments, and Related Matters.
184 c. Commercial or financial information regarding business prospects that the
185 City seeks to have locate, stay, or expand in or near the territory of the
186 City of Rockwall and with which the Board is conducting economic
187 development negotiations.

188 **8. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

189
190 **Councilmember Cotti made a motion to accept the verbal resignation of Mike Caffey from**
191 **the Historic Preservation Advisory Board and Councilmember Cecil seconded the**
192 **motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.**

193
194 **Councilmember Cecil made a motion to appoint Mary Hanrahan to the Historic**
195 **Preservation Advisory Board and Councilmember Raulston seconded the motion. The**
196 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

198 Councilmember Cecil made a motion to appoint the following persons to the CIP Task
199 Force and Mayor Jones seconded the motion. The motion passed unanimously by a vote
200 of 7 ayes and 0 nays.

201
202
203

CIP TASK FORCE

**Philip Herbst
Peg Pannell-Smith
Sam Noel
Barbara Coleson
Kirte Kinser
Darlene Bealmear**

**Jean Allen
Dennis Dayman
Mike Kitkowski
Judy Dickson
Mark Bourne**

204 Councilmember Cecil was appointed to the Finance/Audit Subcommittee and
205 Councilmembers Straughan and McCallum were appointed to the Public Art
206 Subcommittee.
207

208
209 There being no further business to come before the Council, Mayor Jones adjourned the
210 meeting at 8:30 p.m.

211
212

213
214 **ATTEST:**

Ken Jones, Mayor

215
216
217 _____
218 Dorothy Brooks, City Secretary
219