



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 07, 2022 - 6:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 6:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem John Hohenshelt, and Councilmembers Clarence Jorif, Bennie Daniels, and Anna Campbell. City Manager Mary Smith was also present. Councilmembers Dana Macalik and Trace Johannesen as well as City Attorney Frank Garza were absent from the meeting.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK

Councilmember Macalik was absent, so Mayor Fowler delivered the invocation and led the Pledge of Allegiance.

### III. PROCLAMATIONS / AWARDS / RECOGNITIONS

#### 1. "Theatre in Our Schools" Month

Mayor Fowler called forth Paulet Del Castillo, 2022 Texas State Thespian Officer – Elect, briefly introducing her (a student at Rockwall High School). He then read and presented her with this proclamation.

### IV. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

**Kendrick Bryson**  
3400 Craig Dr.  
McKinney, TX

Mr. Bryson came forth on behalf of the 7'ers, a new pro basketball team in Rockwall, indicating that he is the team's head coach. He wanted to introduce himself and encourage the city to support this new team - in person at games, virtually or financially. Each one of the team players present at the meeting then came forth and introduced themselves, one-by-one. Mr. John White, local Rockwall resident, briefly spoke, encouraging everyone to support this new basketball team.

**George Rickley**  
211 Windy Lane  
Rockwall, TX 75087

Mr. Rickley came forth and spoke briefly about his desire for the city to honor the late, Dr. Robert Sparks, a local physician who served the community for many years and who recently passed away. Mr. Rickley indicated that he would like the city to fund, build, sponsor and place a public,

permanent memorial of some sort (i.e. a statue, a plaque) someplace in Rockwall in honor of the late Dr. Sparks.

Steven Curtis  
2130 FM-1141  
Rockwall, TX

Mr. Curtis shared that a vehicular accident occurred Friday night on FM-1141 right across from his home's driveway. He then played a video clip for city council to see the fire that resulted from the automobile accident, and he shared a photo of the car that crashed. He has since been told by the Rockwall Fire Department that everyone involved in the wreck was okay. He generally raised concerns about a single-family home subdivision that Council recently approved to go in on FM-1141 and how that subdivision is going to impact traffic along said roadway. He pointed out that the curvature to the roadway is concerning.

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

#### V. CONSENT AGENDA

1. Consider approval of the minutes from the February 22, 2022 regular City Council meeting, and take any action necessary.
2. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee regarding funding for the Texas K9 Conference, Rockwall 7ers, and The Texas High School Gymnastic Championship, and take any action necessary.
3. Consider approval of a contract extension with Southlake Landscaping and Maintenance (SLM) for parks maintenance in the amount of \$634,452.52 to be funded by the Parks Operations budget, and take any action necessary.
4. Consider approval of a contract extension with SRH Landscapes LLC for grounds maintenance in the amount of \$94,235.58 to be funded by the Parks Operations budget, and take any action necessary.
5. **Z2022-001** - Consider a request by Asher Hamilton of RIV Properties, LLC on behalf of Michael Gibson of Marion E. Wilson, Michael White, Dimensions Real Estates Services, LLC; Mark R. Carson; Allen Anderson; Gary Shultz of Culpepper/Spatex JV; and Robert Fields of In the Estate of Ernest Fields for the approval of an **ordinance** for a *PD Development Plan* for a 176-unit condominium building on a 3.59-acre tract of land identified as Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 2, 3, & 4, Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary (**2nd Reading**).
6. **Z2022-002** - Consider a request by Louis Clark of KinoD LLC on behalf of D. W. Bobst of 101 Hubbard Dr. LLC, Gary Shultz of Culpepper/Spatex JV, and Allen Anderson for the approval of an **ordinance** for a *PD Development Plan* for a 42-unit condominium and retail/office building on a 1.20-acre tract of land identified as Lot 1, Block D, Harbor District Addition and Lots 3 & 4, Block 11 and Lots 1, 2, 3, & 4, Block 12, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* of Planned Development District 32 (PD-32), generally located at the northeast corner of the intersection of Sunset Ridge Drive and Summer Lee Drive, and take any action necessary (**2nd Reading**).
7. **Z2022-003** - Consider a request by Bowen Hendrix of DuWest Realty, LLC on behalf of John Arnold of the Skorburg Company for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant 2,000 SF or More with Drive Through or Drive-In* for the purpose of constructing two (2) restaurants on an 8.684-acre tract of land identified as Tract 3-10 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally

located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary (2nd Reading).

8. **Z2022-004** - Consider a request by Mike and Mary Frasier for the approval of an ordinance for a Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit on a 0.74-acre parcel of land identified as Lot 13, Block E, Wade Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Jackson Street, and take any action necessary (2nd Reading).
9. **Z2022-005** - Consider a request by Perry Bowen of Perry Bowen Homes, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision on a 0.49-acre parcel of land identified as Lot 2, Block A, Haley & Kyle Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 503 S. Clark Street, and take any action necessary (2nd Reading).
10. **A2022-001** - Consider the approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 313.936-acre tract of land identified as Tracts 2 & 2-1 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, generally located adjacent to Edwards Road south of FM-550, and take any action necessary (2nd Reading).
11. Consider approval of an ordinance declaring unopposed candidates for the offices of City Councilmembers Places 2, 4, and 6 and cancelling the May 7, 2022 General Election, and take any action necessary. (1st reading)

Mayor Pro Tem Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Councilmember Jorif seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 22-10**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON A 3.59-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1, 2, 3, & 4, BLOCK 2; LOTS 1, 2, 3, & 4, BLOCK 3; LOTS 1, 2, 3, & 4, BLOCK 5; LOTS 1 & 2 AND A PORTION OF LOTS 3 & 4, BLOCK 6; LOTS 2, 3, & 4, BLOCK 7; LOTS 1 & 2, BLOCK 8; AND LOTS 1, 2, 3, & 4, BLOCK 9, MOTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL  
ORDINANCE NO. 22-11**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON A 1.20-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK D, HARBOR DISTRICT ADDITION AND LOTS 3 & 4, BLOCK 11 AND LOTS 1, 2, 3, & 4, BLOCK 12, MOTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS;

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

CITY OF ROCKWALL  
ORDINANCE NO. 22-12  
SPECIFIC USE PERMIT NO. S-271

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) [ORDINANCE NO. 19-41] 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 TWO (2) RESTAURANTS, 2,000 SF OR MORE, WITH DRIVE-THROUGH OR DRIVE-IN ON A 8.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3-10 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DESCRIBED IN EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-13  
SPECIFIC USE PERMIT NO. S-272

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 GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT TO ALLOW THE CONSTRUCTION OF A GUEST QUARTERS ON A 0.74-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 13, BLOCK E, WADE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-14  
SPECIFIC USE PERMIT NO. S-273

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.49-ACRE PARCEL OF LAND, IDENTIFIED

AS LOT 2, BLOCK A, HALEY & KYLE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 22-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE MAY 7, 2022 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 5 ayes with 2 absences (Johannesen and Macalik).

Mayor Fowler pointed out that one of the ordinances Council just approved was one that will serve to cancel the City of Rockwall's May 7, 2022 municipal election. He generally seemed to express concern and regret that said election did not result in any contested city councilmember races – not even for an outright vacant seat. He feels it is noteworthy that so many residents seem to weigh in on city-related matters on social media; however no one (or not many anyway) wants to actually take notable action like serving on city council. He pointed out that neither Councilmember Johannesen nor Councilmember Campbell drew opponents, and resident Mark Moeller was the only person who filed for elected office in the soon-to-be-vacant seat (Place 2). So, the city will proceed with cancelling its election.

VI. 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 - January 2022
2. Fire Department Monthly Report - January 2022
3. Parks & Rec Department Monthly Report - January 2022

4. Police Department Monthly Report - January 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

City Manager, Mrs. Smith indicated that the Parks Department has begun site work for placement of the city's "Discovery" statue at the county courthouse on the square. Staff is still hoping that the bronze molds will be ready and the statue can be erected in time for the city's Founder's Day Festival.

No questions were asked and no discussion took place regarding departmental reports.

VII. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:22 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 21<sup>st</sup>  
DAY OF MARCH, 2022.



KEVIN FOWLER, MAYOR

ATTEST:

  
KRISTY TEAGUE, CITY SECRETARY