

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, January 04, 2021 - 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 5:02 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt was present by telephone for Executive Session discussions but was absent from the duration of the public meeting.

Mayor Pro Tem Fowler read the following discussion items into the public record before recessing the meeting to go into Executive Session.

II. EXECUTIVE SESSION.

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

1. Discussion regarding the appointment/employment process for the position of City Manager, pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).
2. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:56 p.m.

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

Mayor Pro Tem Fowler reconvened the public meeting at 6:00 p.m. All council members, except for Mayor Pruitt, were present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt 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 at this time. There being no one indicating such, he then closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 21, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-048** - Consider a request by Brenda Kennedy for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.34-acre parcel of land identified as Lot 1, Block A, Richard Harris Subdivision #5, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 T. L. Townsend Drive, and take any action necessary **(2nd Reading)**.
3. **Z2020-049** - Consider a request by Sam Hernandez for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.2342-acre parcel of land identified as Lot 48 of the Canup's Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 304 E. Bourn Street, and take any action necessary **(2nd Reading)**.
4. **Z2020-050** - Consider a request by Perry Bowen on behalf of Kyle Bryan for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.9655-acre parcel of land identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary **(2nd Reading)**.
5. **Z2020-052** - Consider a request by Thomas Jones of Tomden Engineering, LLP on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary **(2nd Reading)**.
6. **Z2020-053** - Consider a request by David Meinhardt of Meinhardt & Associates, PLLC on behalf of Ed Burke of Channell Commercial Corporation for the approval of an **ordinance** for a Zoning Change from a Light Industrial (LI) District to a Planned Development District for Light Industrial (LI) District land uses on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 Justin Road, and take any action necessary **(2nd Reading)**.
7. **P2020-051** - Consider a request by Bryan Connally of CBG Surveying, TX LLC on behalf of SDI S. Rockwall, LLC for the approval of a Final Plat for Lot 1, Block A, SDI Rockwall Addition being a 0.92-acre parcel of land identified as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 2901 Ridge Road, and take any action necessary.
8. **P2020-053** - Consider a request by J. W. Jones on behalf of Lupe Guardiola for the approval of a Replat for Lot 1, Block I, Lake Rockwall Estates East Addition being a 0.22-acre tract of land identified as Lot 1051 and a portion of Lot 1050 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary.
9. Consider authorizing the City Manager to execute a new Administrative Directive to extend the Emergency Paid Sick Leave Act to March 31, 2021 and take any action necessary.

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

**CITY OF ROCKWALL
ORDINANCE NO. 21-02
SPECIFIC USE PERMIT NO. S-238**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL ADJACENT TO ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.34-ACRE TRACT OF LAND, IDENTIFIED AS LOT 1, BLOCK A, RICHARD HARRIS SUBDIVISION #5, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 21-03
SPECIFIC USE PERMIT NO. S-239**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2342-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 48, CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 21-04
SPECIFIC USE PERMIT NO. S-240**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.9655-ACRE PARCEL OF LAND, IDENTIFIED AS LOT A, BLOCK 107, B.F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING

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

CITY OF ROCKWALL
ORDINANCE NO. 21-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT ON A 3.94-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-8 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 21-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A LIGHT INDUSTRIAL (LI) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 89 (PD-89) FOR LIGHT INDUSTRIAL (LI) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 18.762-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, CHANNELL SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (6 ayes with 1 (Pruitt) absent).

IX. ACTION ITEMS

1. **Z2020-041** - Discuss and consider approval of an ordinance for a *Text Amendment* to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of amending the requirements for land use and development within the *Lake Ray Hubbard Takeline*, and take any action necessary (2nd Reading).

Planning Director, Ryan Miller provided brief comments pertaining to this agenda item.

Councilmember Hohenshelt moved to approve the ordinance for Z2020-041, excluding the fees schedule. Councilmember Macalik seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 06.15, *LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT*, AND CREATING SECTION 07.05, *LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT DEVELOPMENT STANDARDS*, OF ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A' AND EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Pruitt).

Mayor Pro Tem Fowler recused himself from the second part of this discussion. Councilmember Hohenshelt moved to approve the fee schedule (only) associated with the ordinance for Z2020-041. Councilmember Johannesen seconded the motion, which passed by a vote of 5 in favor, 1 recusal (Fowler) and 1 absence (Pruitt).

2. **Z2020-051** - Discuss and consider a request by Travis Redden for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8, Block A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary (2nd Reading).

Mr. Miller indicated that this item appears under 'Action' this evening (instead of 'Consent') because it did not receive unanimous approval by Council at the last council meeting.

Mayor Pro Tem Fowler moved to approve Z2020-051. Councilmember Macalik seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-05
SPECIFIC USE PERMIT NO. S-241**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 9 (PD-9) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.30-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 8, BLOCK A, SHADYDALE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS

(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes, 1 nay (Johannesen), and 1 absence (Pruitt).

3. Discuss and consider legislative topics for the 87th Session of the Texas Legislature, and take any action necessary.

Assistant City Manager, Joey Boyd led the brief discussion of this item. The upcoming state legislative session will begin convening on January 12. In the past, the City of Rockwall has followed bills that could either directly or indirectly impact the city's ability to provide services to citizens. Department Directors will be monitoring upcoming bills thru their respective professional organizations (i.e. Police and Fire Associations, Building Officials Association of TX, and TX Recreation and Parks Society). Topics of interest that staff has identified include:

- **Transportation / Roadway Infrastructure**
- **Property Tax**
- **Sales Tax**
- **Local Control & Governance**
- **Development & Construction Regulations**
- **Public Safety**
- **Elections**
- **Texas Parks & Wildlife Grant Funding.**

Mr. Boyd indicated that this list will be added to as the session progresses, as needed. Mayor Pro Tem Fowler generally indicated that the list above is a good starting place. He also encouraged staff to be looking closely at COVID-19 related bills that may be put forth as well. Council took no formal action pertaining to this agenda item.

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

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

Mr. Crowley, City Manager, shared that departmental reports were provided to Council in the meeting packet for review. Council asked no questions, and no discussion/action took place pertaining to the reports.

XI. EXECUTIVE SESSION.

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

1. Discussion regarding the appointment/employment process for the position of City Manager, pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).

2. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)

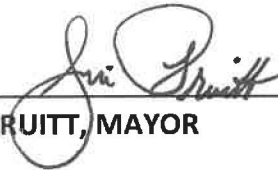
XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

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

XIII. ADJOURNMENT

Mayor Pro Tem Fowler adjourned the meeting at 6:14 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th DAY OF JANUARY, 2021.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

