

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 21, 2020 - 4:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Councilmember Trace Johannesen was absent from the first part of Ex. Session but joined (in person) at 5:25 p.m. Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go back in Executive Session at 4:01 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 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 possible legal issues related to Airport 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).
4. **Pulled from Public Mtg. Agenda (pursuant to Section 551.071 (Consultation with Attorney))- Z2020-051** - Hold a public hearing to 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 (**1st Reading**).

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:58 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK

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

VI. PROCLAMATIONS / AWARDS & OPEN FORUM

Mayor Pruitt called forth Fire Chief, Kenneth Cullins and City of Rockwall Streets Crew Leader, Ricky Castillo. Mr. Castillo was then presented with a "Life Saving Award."

Mayor Pruitt then 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

No action was taken as a result of Ex. Session.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 7, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-047** - Consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Preliminary Plat for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Councilmember Hohenshelt moved to approve the Consent Agenda as presented (#s 1 and 2). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. PUBLIC HEARING ITEMS

1. **Z2020-041** - Hold a public hearing to 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 (**1st Reading**).

Mayor Pruitt began discussion of this item. He requested that the item be broken up into two, separate matters – the text amendment to the Code and the fees. He indicated that he would like to do this because both he and Mayor Pro Tem Fowler (live along the takeline and therefore) have a conflict of interest when considering the lowering of fees paid by homeowners associated with takeline. So, the two of them will be recusing themselves.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The purpose of this item is to provide clear requirements regarding land uses, building materials and construction standards in the takeline. This item changes the way that view corridors are measured / calculated. Also, it has been determined that the lease fees can be reduced. Lastly, the requirements associated with sea walls are being proposed for modification. The Planning & Zoning Commission has recommended approval of this item by a vote of 7 to 0. Proper public notice was also published in the Herald Banner newspaper and online.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Johannesen moved to approve Z2020-041 (the ordinance re: the text amendments, less the fee schedule). Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 21-XX

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 7 ayes to 0 nays.

Mayor Pruitt and Mayor Pro Tem Fowler recused themselves from the "fee schedule" portion of this agenda item. Councilmember Daniels asked if anyone has any objection to the proposed fees, either in the audience or on the City Council. There being no one indicating such, Councilmember Macalik moved to accept the fee schedule, as proposed. Councilmember Campbell seconded the motion. The motion passed by a vote of 5 ayes with 2 recusals (Pruitt and Fowler).

2. Z2020-048 - Hold a public hearing to discuss and 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 (1st Reading).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He shared that 47 notice were sent out to adjacent property owners and residents located within 500'. Staff received four emails and 3 notices in opposition of the request. The P&Z Commission has recommended approval of this request by a vote of 6 ayes to 1 nay (Conway dissenting).

Brenda Kennedy
1630 Shores Boulevard
Rockwall, TX

Mrs. Kennedy came forth and shared that this is going to be her retirement home. She has lived in Rockwall for more than 30 years. She respectfully asked that the Council approve her request.

Mayor Pruitt opened the public hearing. There being no one indicating a desire to speak during the public hearing, Mayor Pruitt closed the public hearing.

Following brief discussion, Councilmember Macalik moved to approve Z2020-048. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. ~~21-XX~~
SPECIFIC USE PERMIT NO. S-2XX**

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.

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

3. **Z2020-049** - Hold a public hearing to discuss and 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 (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out (108 notices) to adjacent land and property owners; however, none were received back by staff. The Planning & Zoning Commission has recommended approval of this agenda item.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt moved to approve Z2020-049. Councilmember Daniels seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-2XX**

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.

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

4. Z2020-050 - Hold a public hearing to discuss and 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 (1st Reading).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing to construct a single family home. It meets all the requirements except that the garage is on the front façade of the home, and it does not meet setback requirements. Notices were sent out to 87 adjacent property owners and residents, and one notice was received back in favor of the request. The Park Place Homeowners Association was also notified. The Planning & Zoning Commission has recommended approval of this request by a vote of 7 to 0.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Hohenshelt moved to approve Z2020-050. Councilmember Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-2XX**

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.

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

5. **Z2020-051** - Hold a public hearing to 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 (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. Council is being asked to consider if this proposed home is architecturally and visually similar to the existing homes within this established subdivision. Notices were sent out (81 of them) to property owners and residents located within 500' of the property. One notice was received back in favor, and 16 notices were received back in opposition. Also, nearby homeowner's associations were also notified. The Planning and Zoning Commission did recommend approval of this item by a vote of 6 ayes to 1 nay with Commissioner Conway dissenting.

Mayor Pruitt pointed out that recently, the Texas State Legislature removed certain powers from cities, so the city can no longer regulate building materials. The City can consider style and design in the context of 'if it fits in' with the surrounding area; however, the city cannot regulate the building materials (i.e. the proposed use of 'hardy board').

Chelsea and Travis Redden
1115 Concan Drive
Forney, TX

Mrs. and Mr. Redden went on to provide a lengthy PowerPoint presentation regarding her and her husband's proposed custom home.

Following the Redden's presentation and comments, Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak regarding this public hearing item. There being no one indicating such, he then closed the Public Hearing.

Councilmember Johannesen expressed concerns specifically related to the style and design.

Councilmember Hohenshelt moved to approve Z2020-051. Councilmember Campbell seconded the motion. Following brief comments, the ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-2XX**

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 with 2 nays (Johannesen and Pruitt).

6. **Z2020-052** - Hold a public hearing to discuss and 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 (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. A metal building that is operating as a 'house of worship' currently exists on this property. The applicant would like to expand the facility and add a parking lot. All areas adjacent to this property are zoned for "Commercial-Retail" land uses. Thirteen notices were sent out to adjacent land / property owners within 500' of the subject property; however, staff did not receive any notices in return.

Mayor Pruitt opened the public hearing. There being no one wishing to come forth and speak, the then closed the public hearing.

Councilmember Hohenshelt moved to approve Z2020-052. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

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

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.

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

7. **Z2020-053** - Hold a public hearing to discuss and 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 (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. On November 18, 2020, staff mailed 13 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOA's) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Staff has not received any notices back (neither in opposition nor in favor) pertaining to this case. The P&Z Commission has recommended approval of this case by a vote of 7 ayes to 0 nays.

Mayor Pruitt opened the public hearing. The applicant came forth briefly:

Mr. Meinhardt
14643 Dallas Parkway
Dallas, TX

Mr. Meinhardt came forth and shared that he is happy to answer any questions the Council may have. However, none were asked.

There being no one else wishing to come forth and speak, he then closed the public hearing.

Mayor Pruitt moved to approve Z2020-053. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

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 XX (PD-XX) 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 by a vote of 7 ayes to 0 nays.

Mayor Pruitt called for a break at 7:31 p.m.

Mayor Pruitt reconvened the meeting at 7:43 p.m.

- 8. Z2020-054 - Hold a public hearing to discuss and consider a request by Corky Belanger for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing an accessory structure on a 0.161-acre parcel of land identified as Lot 9, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 707 Parks Avenue, and take any action necessary (1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. 115 notices were sent out to property owners and residents located within 500' of the property. One notice was received back in favor and none were received in opposition. The Planning & Zoning Commission has recommended denial of this request by a vote of 7 to 0. Therefore, if it is to be approved by Council this evening, it will require a super majority vote for approval.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the Public Hearing.

Councilmember Hohenshelt moved to deny Z2020-054. Councilmember Johannesen seconded the motion. Following brief comments, the motion to deny passed by a vote of 7 ayes to 0 nays.

X. ACTION ITEMS

- 1. Discuss and consider a request related to the naming of the swimming pool located at Gloria Williams Park, and take any action necessary.**

Mayor Pruitt moved this item up on the agenda, asking if anyone in the audience would like to come forth and speak regarding this topic.

Shirley Williams
706 Davey Crockett
Rockwall, TX 75087

Mrs. Williams came forth and shared that she is Gloria Williams' sister. She shared that the Williams family previously submitted a letter expressing the family's opinion about the request to name the swimming pool after Ruby Dabney. She went on to generally state that she and her family are in opposition of the swimming pool being named after Ms. Dabney. She expressed that sister Dabney did nothing towards the park or the swimming pool, and she stated that she knows this to be true because she personally was there / was present. She respectfully requested that the pool be kept 'as is' and that it not be named after Dabney.

Cheryl Gray
549 Frontier Boulevard
Mesquite, TX

Ms. Gray came forth and shared that she is the daughter of Ms. Shirley Williams who just spoke, and she is the niece of the late Mrs. Gloria Williams. She expressed that she and her family did write the "anonymous" letter of opposition regarding the request to name the swimming pool after Mrs. Dabney. She generally expressed opposition to the swimming pool being named. She respectfully requested that the Council leave the swimming pool 'as is' and NOT name it after Mrs. Dabney.

There being no one else wishing to come forth and speak regarding this agenda item, Mayor Pruitt opened the floor for discussion by council members.

Mayor Pro Tem Fowler made a motion to accept the Park Board's recommendation for erecting a plaque in honor of Ruby Dabney to be placed at the swimming pool. Councilmember Johannesen seconded the motion.

Councilmember Daniels provided brief, high compliments about the late Mrs. Gloria Williams and her character as a respected, honorable activist within the Rockwall Community. He went on to express his belief that the Park Board got it right, and he will support the motion.

The motion passed unanimously of those present (7 ayes to 0 nays).

2. **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 IH30 Overlay (IH-30 OV) District, addressed as 1541 E. IH-30, and take any action necessary.

Planning Director, Ryan Miller provided brief background pertaining to this agenda item. This item came before Council at a previous meeting. At that time, the applicant was asked to seek a letter from the church that currently occupies part of the space at this location to give indication that the church has no opposition to the request. The applicant has obtained said letter. Following brief discussion, Councilmember Johannesen moved to approve MIS 2020-016. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider the Rockwall Police Department's strategic plan, and take any action necessary.

Rockwall Police Chief, Max Geron came forth and addressed Council concerning this agenda item. He generally shared that input from various levels within the police department was sought and taken into consideration when drafting this strategic plan. He went on to share a broad overview of the six goals contained within the proposed plan. He thanked Councilmember Hohenshelt for his input pertaining to development of this plan.

Mayor Pruitt thanked Chief Geron for this presentation. He went on to read a recent letter that a past "Police Explorers" program participant wrote to Sgt. Brassil concerning him being accepted into several, noteworthy universities and associated scholarships that he has been offered.

Council took no formal action pertaining to this agenda item.

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

City Manager, Rick Crowley provided information to Council pertaining to this agenda item. Council generally indicated agreement with the projects that staff included in the council meeting packet for submission to the countywide roadway consortium. However, no formal action was taken as a result of this discussion item.

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

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 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 possible legal issues related to Airport 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 convene in Ex. Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

City Manager Rick Crowley indicated that he is retiring on January 31, and he is retiring 'happy.' He is grateful for his years of service to the City, and he thanked the mayor, council and staff for the opportunity to serve the City over the years.

Regarding Reese Manor, Mr. Crowley indicated that the city's Mayor appoints members of the Rockwall Housing Authority (RHA) Board of Directors, and that board oversees this facility. The facility has received its first positive COVID-19 test. The city will be extending an opportunity to each of the approximately 150 residents to be tested. Each test costs approximately \$150.

Mayor Pruitt adjourned the meeting at 8:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF JANUARY, 2021.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

