



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, May 1, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Phillips, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Absent: Deputy Mayor Pro Tem Kilgore

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) to consult with the City Attorney regarding the Landis vs. City of Rowlett case. (15 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:51 p.m.

3. WORK SESSION ITEMS (5:45 P.M.)

3A. Update on the "While You Wait" Afterschool Program. (30 minutes)

Staff gave a PowerPoint presentation regarding the history of the Program. Stated for the past four years, students have converged in the Downtown Area to be picked up by their parents after school. Staff stated the City embraced the students as customers and saw the problem as an opportunity.

A member of Council asked if there was any thought in having a citizens task committee.

Staff stated it is a challenge when 60 of the 100 students will not participate in the program.

Staff stated parents have the wrong perception that the Downtown Area is a safe place to leave their children until they can pick them up. Stated the students are coming from Dorsey and Stephens Elementary Schools, Coyle Middle School and Rowlett High School.

Staff stated some of the issues that are occurring include: screaming, profanity, fighting and aggressive behavior, littering, graffiti, property damage, parking lot traffic congestion and safety concerns, and insufficient staffing to manage more than 100 students indoors and outdoors of the Library.

Staff held a meeting on April 10th and engaged the Garland Independent School District (GISD) regarding this matter. The meeting identified the following issues: behavioral issues, lack of available transportation, the need for identification of students and a parent communication strategy, GISD Code of Conduct, moving the program to Coyle Middle School and the need to change the City's ordinance.

Staff stated the current option in dealing with a violation of the law is to issue a criminal trespass warning to the student. Stated this is an extreme solution and the City does not want to pursue that avenue. Staff would rather engage the parents and the children to obtain compliance.

A member of Council asked if this program has helped with the downtown businesses.

Staff answered in the affirmative.

Stated a plan of action was created following the meeting with GISD. The plan includes moving the While You Wait Program to Coyle Middle School, having GISD mail a letter to the parents of students, restricting the use of the Library from 3:00 – 6:00 pm, establishing a No Play No Pick Up Policy, erecting signage at the Library, proposing a change to the City ordinance and relying on the Police Department to enforce the ordinance.

A member of Council stated she is glad the school district has agreed to cooperate in the endeavor. Stated this is a good answer for the problem.

Staff stated students are welcome to come to the Library to study, if they engage as Library patrons. However, the Library will be a 'No Play No Pick Up' zone. Stated if there continued to be a lack of cooperation, an alternative would be to establish a policy where between the hours of 3:00 pm – 6:00 pm, library cards would be required for students under the age 17 to enter the Library, unless they were accompanied by a parent.

Staff spoke regarding the ordinance to address disruptive behaviors. Stated if the ordinance is approved, a grace period of two weeks will be given to the students.

A member of Council asked if the school would send out the letter to the parents.

Staff answered in the affirmative, stated Dr. Culwell, GISD Superintendent and Mr. Ray Merrill, Coyle Middle School Principal, ensured the City they would use every means possible to notify the parents.

A member of Council asked if there would be escalating offenses for repeat offenders.

Staff stated the offense records would be held in City Court; further stated the Court has a Teen Court Program that will help offenders.

Adjourned the Work Session at 7:30 p.m. to begin the Regular meeting. Continued discussion following the Consent Agenda (8:13 p.m.).

3B. Discuss solid waste contract request for proposal progress. (20 minutes)

Staff spoke regarding this being a critical service to our citizens and the citizens were in the forefront of this process. Spoke concerning results of the citizen survey which was conducted in the Fall of 2011. Stated the overall message from the survey strongly suggested that our customers are satisfied with the current service but are less enthused about the price or receiving additional options, if it costs extra. Spoke regarding recycling and price sensitivity. Customer service and education were found to be two other "themes" that needed to be addressed in the new contract. As a result of the survey, staff focused on specific goals or objectives, which were used to develop and evaluate the proposals. However, two non negotiable items that were noted as such in the Request for Proposal included a high standard of customer service and the requirement of equipment that will reduce the number of trips in our alleys, thus reducing the amount of damage caused for these vehicles.

The specific goals used in developing the request for proposals and scoring criteria are as follows:

1. Keeping the core services in terms of both trash and recycling the same with once a week pickup.
2. Keeping the core services with as low a fee as possible.

3. Include curbside household hazardous materials and bulky item pickup as "options" to evaluate whether or not the additional cost adds value and benefit to our customers keeping in mind overall cost.
4. High level of customer service satisfaction.
5. Overall evaluation of bids based on price

Staff utilized the specific goals and objectives, as noted above, to develop and evaluate the proposals. Staff made one important service enhancement in the RFP regarding our current service delivery. The RFP required all solid waste providers to bid their cost inclusive of once a week collection of brush and bulky waste, without limitation, without any bundling requirements, or any call-in provisions by our citizens. This enhancement will significantly improve customer service to our citizens and aid in reducing the amount of time Code Enforcement Officers must engage to manage piles of junk and debris throughout our community.

Each proposal submitted by solid waste providers were evaluated by the Team based on three criteria, as noted below.

Written Proposal....	150 points
Oral Proposal	150 points
Cost of Services ...	<u>150 points</u>
Total Points	<u>450 points</u>

Each member of the team evaluated each submitted proposal based on the provider's ability to answer each question as it was asked along with the completeness of their responses. In order to ensure fairness in the process, only information provided in the written submittal was considered when awarding points in this category.

A member of Council stated this was a clean process which was based on facts.

Staff spoke regarding disaster debris collection and real-time GPS capabilities to enhance the level of customer service. Staff stated the importance of meeting the actual team that would be handling the Rowlett account regardless of title, if awarded, not just upper management used to win the award.

Staff spoke regarding the required performance bond and the "per lift" costs.

Staff is not recommending that Household Hazardous Waste be awarded as an alternate service in order to meet the desire of our citizens, who participated in the citizen survey, who expressed a strong interest in having no cost increase associated with a new contract.

A member of Council asked the cost for using the Dallas County Household Hazard Waste contract.

Staff stated approximately \$26,000.

Staff spoke regarding the reasons that Waste Management received the overall highest score. First, Waste Management demonstrated in writing that they listened and understood our requirements by the completeness of their responses to our proposal. Next, Waste Management demonstrated their understanding of the City's commitment to a high standard of customer service during their oral interview because there were more than 20 employees represented from all levels of the organization including the actual dispatcher, customer service representative, and route supervisor that will be assigned to Rowlett. They clearly demonstrated in the answers to our questions and the examples provided that they understood the City's passion for and expectation of a high level of customer service, the need for quality communication with our customers, and the ability to provide a high level of debris management in the event of a significant weather event. These answers were provided by employees at all levels of their organization including at the "boots on the ground" level, which is where service is actually provided on a daily basis to our citizens and a significant amount interaction with our staff occurs. References were contacted and found to be favorable.

Staff stated Waste Management has a "National Green Team" that would assist in emergency events and FEMA paperwork.

A question was asked as to the term of the waste contract.

Staff stated the initial contract will be for five years with a 180 day provision and will have two five-year renewal options.

Staff stated Waste Management has offered an option regarding the trash and recycling containers for the City. Stated in the RFP it was required that the trash provider stamp each polycart with the City's name or provide the City's logo on each polycart. Waste Management proposed that they would provide two 96-gallon containers (one for trash and the other for recycling) if they do not have to stamp the City's name or logo on each polycart.

A consensus was reached by the Council to not add the City's name or logo to the polycarts.

A member of Council spoke regarding grass clipping in the polycarts.

Staff stated grass clippings pose an issue with stormwater drainage.

3C. Update on Water Supply Restrictions. (5 minutes)

Staff stated the North Texas Municipal Water District (NTMWD) has relaxed its restrictions to allow for once a week watering with a goal of 10% reduction in water usage. Stated the NTMWD Board will meet on May 24th to discuss relaxing restrictions and propose Stage 2 for the months of June through September. Stated if the Board approves relaxing the restrictions, changes will be effective June 1st.

- 3D. Staff from the Planning Division will provide an update regarding the Realize Rowlett 2020 Phase II process. (10 minutes)

Staff gave a brief update on the process. Stated staff is currently in the process of organizing a tour in July of mixed-use developments. Stated the second set of property owners meetings are scheduled for June. Spoke regarding the revised interim standards and staffs focus on street layouts for the Downtown area.

- 3E. Discuss potential updates to Chapter 77 Section 512 of the Rowlett Development Code as it relates to signage. (30 minutes)

Staff gave a brief history of this item. Spoke regarding the feedback received from the business owners meetings held in March.

Spoke regarding Off-Site Directional Signage. Stated there were concerns over clutter and the need to be open to all businesses; and homebuilders need to direct people from the highway and major thoroughfares.

Staff approached this as an opportunity for a kiosk sign type. Typically, these types of signs are for directional purposes for home developers.

The City Attorney stated we do not want the signs in the City's rights-of-way.

Consensus was reached by Council to make no changes to directional signs.

Staff introduced a District Sign Concept; stated this would allow creative use of permanent and temporary signs in districts. Examples include neighborhoods, the hospital area, downtown, etc. All signs in a district must be the same materials, colors, and typefaces; limited to private property; and a district sign plan can be included in a Planned Development (currently allowed) or may be applied for separately for development over five acres. Staff stated this type of sign would allow for flexibility and creativity and it would replace off-site permanent signs.

Consensus was reached by Council to move forward with this concept.

Staff spoke regarding flag signs. Concerns were raised about flags during special events and pennants with solid colors. Stated exceptions to the three per site limit have been made for federal holidays.

Consensus was reached by Council to move forward.

Spoke regarding temporary signs. Concerns were raised about fees and time limits being to prohibitive. Staff stated the permit will help to appropriately communicate with who is allowed to display the temporary signs. Stated without a permit, the issue is not solved as to whether or

not a flag can be displayed. Staff stated they will work with businesses to implement an annual calendar; stated the issue is not to create bureaucracy but to create value.

Consensus was reached to allow each business to create a yearly sign plan with a fee of \$25. Stated it will be up to the businesses to manage their plan; if the plan is changed another \$25 fee will be necessary.

Spoke regarding signs on undeveloped sites. Concerns were raised about removing the signs after 80 percent occupancy.

Spoke regarding inflatable signs. Concerns were raised about limiting the signs to one grand opening event. The Planning and Zoning Commission felt once per year was acceptable; the Council agreed.

Spoke regarding window signs. Concerns were raised about what area is taken into consideration for measuring and that 25 percent is too little. After comparing with other cities, the amount was increased to allow 40 percent coverage. The Planning and Zoning Commission felt the 40 percent was too high and preferred Dallas' approach of regulating just the first 2/3rds of windows on the ground floor. Stated clear zones were necessary for public safety.

A member of Council asked if window signs need to be changed.

Staff stated a number of cities have the clear zone approach. Stated regulations are needed for aesthetics and safety.

A majority of Council agreed to the clear zone approach and instructed staff to work with the Police Department to see what they would like to see from a safety standpoint.

Spoke regarding electronic displays.

Staff spoke regarding the City may possibly use electronic signs in the future and asked that Council factor the City into their answer as the City will follow what the business community is instructed to do.

Concerns were raised about business with multiple frontages and allowing scrolling. Staff stated there is an eight second display rule for all electronic signs. Stated the only change staff recommends is to allow one electronic display per street frontage.

Spoke regarding sign height along the President George Bush Turnpike (PGBT). Concerns were raised about clutter and the ability to see signs from PGBT. Stated no extra sign height is proposed along PGBT as 30 feet will be allowed for a multi-tenant center over 75,000 square feet. Stated a possibility exists for some City signage indicating the downtown or commercial area or potential district signage.

Spoke concerning design standards. Concerns were raised about poorly designed and constructed signs. Stated all new signs do have to build a monument base that is similar in type and composition to the main building. Stated new language is proposed to required signs to be printed and professional in appearance in order to prohibit spray painted and hand written signs.

At this time the Mayor adjourned the meeting (see Item 9).

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:37 p.m.

INVOCATION

The invocation was led by Pastor Shane Pruitt, Connection Community Church.

POSTING OF COLORS

The Rowlett Police Department Honor Guard posted the colors.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Gottel.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Pro Tem Phillips.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Presentation from Representative Button congratulating the Rowlett Police Department for being a finalist for the 2011 International Association of Chiefs of Police/Cisco Community Policing Award last fall.

Representative Button presented the Rowlett Police Department with a resolution from the State of Texas for their accomplishment.

Chief Brodnax recognized former Chief Walling for this achievement.

5B. Proclamation recognizing the week of May 13 – 19, 2012 as National Police Week.

Mayor Pro Tem Phillips presented the proclamation to the Police Department.

City Manager Humble recognized the Department for doing their job well.

5C. Proclamation recognizing the week of April 30- May 7, 2012 as National Detention Officers Week.

Mayor Pro Tem Phillips presented the proclamation to the Police Department.

John Ellison, Director of Support Services, stated the Detention Officers make a difference for the Department.

5D. Proclamation recognizing the month of May as National Motorcycle Awareness Month.

Councilmember Davis presented the proclamation to Sandy Daniels and her colleagues.

5E. Proclamation recognizing May 3, 2012 as National Day of Prayer.

Councilmember Gallops presented the proclamation to Pastor Shane Pruitt.

5F. Proclamation recognizing the month of May as National Water Safety Month.

Councilmember Pankratz presented the proclamation to Jermel Stevenson, Director of Parks and Recreation.

Mr. Stevenson reminded everyone that the Wet Zone will open on May 19th.

5G. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the Animal Shelter's Spring Pet Adopt-a-Thon on May 5th

beginning at 10:00 a.m. (reduced adoption fees) and the low-cost vaccination clinic beginning at 12:30 p.m.; Walk to London 2012 will be held on May 5th at Pecan Grove Park beginning at 10:00 a.m.; the Rowlett Police Department's 8th Annual Bike Rodeo will be held on May 12th at the Rowlett High School east parking lot beginning at 10:00 a.m.; the City Manager's Book Club will meet at the Library on May 17th; the Library will host Children's Week from May 7 – 12; and the Library's 6th Annual Parent/Child Tea Party will be held on May 12th at the Rowlett Community Centre beginning at 2:00 p.m.

Mayor Gottel recognized the Boy Scouts that were present at the meeting.

6. CITIZENS' INPUT

1. Sandy Daniels, 1902 Prairie Creek Trail, Garland – Thanked the Council for the proclamation and reminded all drivers to be aware of motorcyclists.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The Interim City Secretary read the items into the record.

- 7A. Consider approving minutes from the April 17, 2012 City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider amending the Code of Ordinances by amending Chapter 34, Miscellaneous Offenses – Article 1, to add Sections 34-1, 34-2, 34-3 and 34-4 prohibiting the public consumption of alcoholic beverages; prohibiting loitering, aggressive panhandling and sleeping in certain public places; and prohibiting disruptive behavior in and on city-owned or controlled land and facilities in Downtown Rowlett.

This item was approved as ORD-010-12 on the Consent Agenda.

- 7C. Consider action to approve a resolution approving expenditures and awarding the bid to Pursuit Safety, Incorporated in the unit amounts bid and an estimated annual amount of ninety-two thousand five hundred fifty dollars (\$92,550) for outfitting City vehicles with equipment and accessories through the Interlocal Agreement with the City of Allen.

This item was approved as RES-045-12 on the Consent Agenda.

- 7D. Consider action to approve a resolution awarding the bid for the three year lease purchase financing of one 2004 E-One ladder truck to Branch Banking and Trust (BB&T) Governmental Finance in the amount of one hundred fifty-six thousand nine hundred ten dollars and thirty-eight cents (\$156,910.38) utilizing an interest rate of 1.48% for Fire Rescue and amend the budget to fund the first of three payments in the amount of fifty-two thousand three hundred three dollars and forty-six cents (\$52,303.46).

This item was approved as RES-046-12 on the Consent Agenda.

- 7E. Consider action to approve a resolution awarding the bid for the construction of Katy Railroad Park to Parkscape Construction in an amount not to exceed seven hundred fifty-eight thousand nine hundred sixty-four dollars and ninety-four cents (\$758,964.94).

This item was approved as RES-047-12 on the Consent Agenda.

- 7F. Consider action to approve a resolution awarding a bid to Austin Ribbon + Computer (ARC) for the purchase of 41 computers in the amount of sixty thousand eight hundred fifty-two dollars and twenty cents (\$60,852.20) through the Interlocal Cooperative Purchasing Agreement with the Texas Comptroller of Public Accounts and the Department of Information Resources (DIR).

This item was approved as RES-048-12 on the Consent Agenda.

- 7G. Consider action to approve a resolution rescinding the one-year option to extend the annual bid for concrete repair/replacement of alleys to Ken-Do Contracting, LP in the estimated annual amount of four hundred fifty-three thousand eight hundred two dollars and fifty cents (\$453,802.50).

This item was approved as RES-049-12 on the Consent Agenda.

- 7H. Consider action to approve a resolution authorizing Change Order Number 1 in the amount of three hundred twenty-five thousand dollars (\$325,000) to the annual bid for concrete repair of streets and alleys to Tri-Con Services, Incorporated in the unit amounts bid and a revised estimated annual amount of one million six hundred twenty-five thousand dollars and no cents (\$1,625,000) and authorizing the Mayor to execute Change Order Number 1 for said service.

This item was approved as RES-050-12 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Gallops, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 6 Mayor Gottle, Mayor Pro Tem Phillips, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Absent: 1 Deputy Mayor Pro Tem Kilgore

Continued Item 3B at 8:13 p.m.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

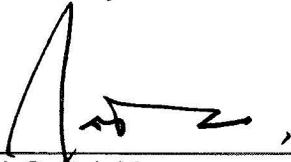
There were no Individual Consideration items.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

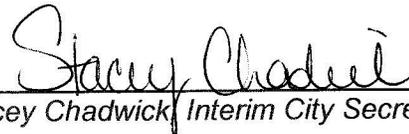
There was no action taken following the Executive Session item.

9. ADJOURNMENT

Mayor Gottle adjourned the meeting at 10:00 p.m.



Todd W. Gottle, Mayor



Stacey Chadwick, Interim City Secretary

Date Approved: May 15, 2012