



# City of Rowlett

## Meeting Minutes

### City Council

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

*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.*

Tuesday, June 19, 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, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz (arrived at 6:51 p.m.), Councilmember Miller and Councilmember Gallops**

#### 1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:31 p.m.

#### CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:31 p.m.

#### 2. EXECUTIVE SESSION (5:30 P.M.)

- 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 settlement of the Landis vs. City of Rowlett case. (30 minutes)

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Gallops, to approve the Settlement Agreement as presented in the Executive Session and authorize the City Manager to sign the agreement on the City's behalf. The motion carried by the following vote:

**Ayes: 6 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Miller and Councilmember Gallops**

**Abstain: 1 Councilmember Pankratz**

## **RECONVENE INTO OPEN SESSION**

Reconvened into open session at 5:54 p.m.

### **3. WORK SESSION ITEMS (6:00 P.M.)**

#### **3A. Discuss water meter purchase strategies. (30 minutes)**

Staff stated the City currently has 19,805 meters installed throughout the City of various sizes and ages. Guidelines state meters should be tested and/or replaced at least every 10 to 12 years. Stated annual water loss is a big issue for every water system. Spoke regarding causes of unmetered water other than meter failure. Spoke regarding meter non-reads. Some of the reasons that "non-reads" occur are as follows:

- Meter malfunctions
- Electronic reading device (MXU) malfunctions
- Antennae and MXU are disconnected or otherwise damaged

Staff spoke concerning the age of the meters.

A member of Council asked if during the reconstruction of neighborhoods, if all of the meters would be replaced.

Staff stated it would depend on the reconstruction and if that reconstruction reaches a meter.

Staff spoke regarding the meter purchase strategy. Stated the goal for FY13 is to have no meters over 10 years of age. Staff stated a multi-year schedule has been built into future budgets in order to have a smoothing schedule so all meters will not have to be replaced at one time.

#### **3B. Discuss the 5-Year Employee Benefit Strategy: Mid-Year Review. (30 minutes)**

Staff spoke regarding the challenge to build a multi-year strategy to begin to address the increase in cost of health benefits. Stated the past managing strategies were reactive as opposed to being proactive.

A member of Council stated the concept of partial self-funding has been a good decision for the City.

Staff spoke regarding the Mid-Year Review and the Mid-Year Performance Plan. Stated the third year of the 5-Year Benefit Strategy will include:

- Wellness Accountability Program
  - Employees earn a wellness discount up to 20% that will be applied to medical premium contributions by participating in various health related screenings & activities
- Tobacco Free Workplace
  - All City grounds, vehicles and equipment are tobacco-free areas. Employees aren't allowed to use tobacco on City property, in City vehicles or equipment at any time
- Additional Benefit Offerings
  - Tobacco Cessation Prescriptions (over the counter is excluded)
  - Bariatric Surgery
- Compass
  - Provides you and your family with a resource to assist you in understanding your health plan and assists you in becoming educated consumers of healthcare

A member of Council asked how staff would encourage the use of Compass.

Staff replied the encouragement to use Compass will be by word of mouth and by seeing a cost saving.

Staff continued with the presentation.

- Employee Clinic
  - Provides employees a low cost option to health care
  - Employee Clinic Focus Group will make recommendation to Executive Team on program specifics

Staff spoke regarding the Wellness Accountability Program. Stated the Program does not impose a one-size-fits-all approach. It allows employees to select the programs and activities that are best suited for their needs, while earning medical premium contribution incentives along the way. By linking employee health insurance contributions to wellness program participation, we are integrating our employee wellness efforts into our health care cost containment efforts. Under the Program, the City will artificially inflate insurance premiums by 20%. However, participation in predetermined wellness initiatives and screenings allow eligible employees to 'buy down' this increase. Participation in the wellness program activities may be scheduled before, during, between or after normal working hours as deemed appropriate.

The Wellness Accountability Program Activities focus on four major categories:

- Wellness;
- Health Assessments;
- Education; and
- Fitness

Stated it is no longer an option to participate; as a stakeholder we are not only accountable to ourselves but to the organization.

A member of Council asked when the City would require premium back-pay from employees who do not participate in the Program.

Staff stated when the employee signs up during open enrollment that is a waiver. The employee acknowledges that if they do not complete what they have elected to do, they will be responsible for paying the City back the premium for the amount of time they did receive the credit. Stated the employee would be notified at the time they failed to complete an activity. Stated the employees will be allowed to substitute activities in the Program.

Stated the City will become a tobacco-free workplace; spoke regarding the Tobacco-Free Workplace Policy.

- 3C.** Staff from the Economic Development Division will provide the City Council with an update on North Central Texas Council of Government (NCTCOG) Downtown Sustainability Grant, specifically related to the proposed pedestrian plaza. (20 minutes)

Staff stated the primary reason to revisit this item is to continue discussion relative to the pedestrian plaza.

Dennis Wilson, representative from Townscape, stated the downtown area is different than the other areas. Stated this is important for the richness and the image of the City. It is important in a downtown situation that open space be tight, defined and well improved. The plaza needs to take advantage of the value of facing retail and restaurants onto the plaza; this creates a tight public gathering space.

Staff stated in an urban situation, less is more.

Mr. Wilson stated this preserves the ability to expand the plaza, but with utilizing the NCTCOG funds, we cannot build a large park and then contract it. The City would then have to reimburse NCTCOG a portion of the grant.

Staff stated this item was brought back to Council to look for future development for long-term uses. Stated small parks create value in downtown areas.

A member of Council stated the Council can always designate a smaller plaza and can expand later.

Mr. Wilson stated there needs to be enough development in the downtown area to warrant use of the parks.

A member of Council questioned staff regarding parking.

Mr. Wilson stated there is a strategy to create a parking district to consolidate and share parking in central locations and within easy walking distance of most of the development.

Spoke regarding on-street parking.

A member of Council spoke concerning urban density and the retail opportunities being extremely limited. Stated Coyle Street will have full access to having the park across the street if it is expanded towards the circle. Stated the diagrams are misrepresented.

Mr. Wilson stated the diagrams try to provide the most flexible and visionary plan looking 50 years down the road.

Staff stated by shrinking the plaza, there will be more potential pad sites. Stated there needs to be a synergy to draw people to the downtown area.

A member of Council stated the area is being set up as a development and not a plaza or green space.

Staff stated consensus must be reached as to how to use the \$2.5M or to give the grant back.

Consensus was reached by a majority to not extend the pedestrian plaza as agreed to on June 5, 2012.

**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 Councilmember Gallops.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Gottel.

**TEXAS PLEDGE OF ALLEGIANCE**

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

## **5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Presenting a Certificate of Recognition to Aileen Donahue for her being acknowledged as a National Merit Scholar at the request of Councilmember Pankratz.

Councilmember Pankratz presented Aileen Donahue with a Certificate of Recognition commemorating her achievement.

- 5B.** Presenting a Certificate of Recognition to Meghan Bailey for her being acknowledged as a National Merit Scholar at the request of Councilmember Carl Pankratz.

Councilmember Pankratz presented Meghan Bailey with a Certificate of Recognition commemorating her achievement.

- 5C.** Proclamation recognizing Eagle Scout Casey Cooley.

Mayor Pro Tem Phillips presented Casey Cooley with a proclamation recognizing his achievement.

- 5D.** Hear presentation of the Monthly Financial report for the period ending April 30, 2012.

Staff gave a presentation regarding the Monthly Financial report for the period ending April 30, 2012. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

- 5E.** 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 twice a week watering restrictions; the Animal Shelter will host a low-cost vaccination clinic on June 30<sup>th</sup> beginning at 12:30 p.m.; the Fireworks on Main! Event will occur on July 4<sup>th</sup> in Downtown Rowlett beginning at 5:00 p.m.; the Wet Zone is now open through August 19<sup>th</sup>; the Wet Zone will host Flick and Float Fridays on July 6<sup>th</sup> and August 3<sup>rd</sup> beginning at 8:30 p.m.; the Summer Reading Club is in progress at the Rowlett Library; Movie and Popcorn Days returns to the Library every Thursday in the month of June; and the Library will host Celebrate Star Wars Books on June 30<sup>th</sup> beginning at 2 p.m.; and City offices will be closed on July 4<sup>th</sup> to observe Independence Day.

## **6. CITIZENS' INPUT**

1. Laurieann Dygowski – 7242 Liberty Grove Road, Rowlett – Spoke concerning the noise produced by the President George Bush Turnpike.

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 May 29, 2012 City Council Special Work Session Meeting, the May 31, 2012 City Council Joint Work Session Meeting and the June 5, 2012 City Council Regular Meeting.

**This item was approved on the Consent Agenda.**

- 7B. Consider action to adopt an ordinance adopting and enacting Supplement Number 12, Volume I and Volume II, dated February 2012, to the Code of Ordinances.

**This item was approved as ORD-015-12 on the Consent Agenda.**

- 7C. Consider action to approve a resolution appointing a representative to the Dallas Area Rapid Transit (DART) Board of Directors.

**This item was approved as RES-062-12 on the Consent Agenda.**

- 7D. Consider action to amend Chapter 50 of the Code of Ordinances by amending Section 50-3 and repealing Sections 50-4 and 50-5 to make solid waste collection services exclusive and to require collection services to be by contract or permit with the City.

**This item was approved as ORD-016-12 on the Consent Agenda.**

- 7E. Consider action to approve a resolution for the purchase of 2,735 Sensus water meters to Aqua Metric Sales Company in the amount of three hundred ninety-nine thousand, six hundred eighty dollars and thirty-seven cents (\$399,680.37) for Meter Services for the City of Rowlett.

**This item was approved as RES-063-12 on the Consent Agenda.**

- 7F. Consider action to approve a resolution awarding the bid for the three year lease purchase financing of water meters for the City's replacement program to SunTrust Equipment and

Leasing Corporation in the amount of four hundred six thousand one hundred seventy-four dollars and four cents (\$406,174.04) utilizing an interest rate of 1.39% and authorizing the City Manager, after City Attorney approval, to execute an agreement.

**This item was approved as RES-064-12 on the Consent Agenda.**

- 7G.** Consider action to approve a resolution awarding the bid for the three year lease purchase financing of forty-one computers to SunTrust Equipment Finance & Leasing Corporation in the amount of sixty-one thousand nine hundred ninety-six dollars and thirty cents (\$61,996.30) utilizing an interest rate of 1.52% and authorizing the City Manager, after City Attorney approval, to execute an agreement.

**This item was approved as RES-065-12 on the Consent Agenda.**

- 7H.** Consider action to approve a resolution awarding a bid to APAC-Texas, Incorporated for installation of asphalt level up and overlay street improvements in an annual amount of seven hundred forty-six thousand seven hundred twenty-two dollars and eighty cents (\$746,722.80) through the Interlocal Cooperative Purchasing Agreement with Dallas County and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved as RES-066-12 on the Consent Agenda.**

#### **Passed The Consent Agenda**

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

**Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

#### **8. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 8A.** Consider action to approve an ordinance approving an amendment to the project and financing plans of the Rowlett Tax Increment Reinvestment Zone Number One to suspend the City's contribution of incremental taxes to the Tax Increment Financing Fund.

Mayor Gottel read the item into the record.

Staff gave a brief history of this item.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Pankratz, to approve the item as read and the suspension of contributions provided for herein, shall take effect of and from October 1, 2012. This item was adopted as ORD-017-12. The motion carried by the following vote:

**Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

- 8B. Continuation of public hearing regarding the impact on Rowlett Nature Trail Park due to the construction of Miller Road between Rowlett and Garland.

Mayor Gottel read the item into the record.

Staff gave a brief history of this item.

The public hearing was opened at 8:11 p.m. and closed at 8:12 p.m. with one person speaking.

1. Stanley Pollard, 3110 Sycamore Street, Rowlett – Spoke in favor of this project.

- 8C. Consider action to approve a resolution appointing a Mayor Pro Tem as prescribed in the City Charter.

Mayor Gottel read the item into the record.

A motion was made by Councilmember Davis, seconded by Deputy Mayor Pro Tem Kilgore, to appoint Councilmember Doug Phillips as Mayor Pro Tem. This item was adopted as RES-067-12. The motion carried by the following vote:

**Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

- 8D. Consider action to approve a resolution appointing a Deputy Mayor Pro Tem as prescribed in the City Charter.

Mayor Gottel read the item into the record.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to appoint Councilmember Michael Gallops as Deputy Mayor Pro Tem. This item was adopted as RES-068-12. The motion carried by the following vote:

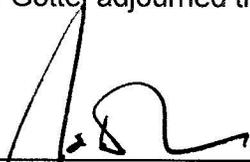
**Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

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

Action was taken following Item 2A.

**9. ADJOURNMENT**

Mayor Gottel adjourned the meeting at 8:17 p.m.

  
\_\_\_\_\_  
Todd W. Gottel, Mayor

  
\_\_\_\_\_  
Stacey Chadwick, Interim City Secretary

Date Approved: July 3, 2012