



# City of Rowlett

## Action Minutes

### City Council

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

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Tuesday, February 19, 2013

5:30 P.M.

Municipal Building – 4000 Main Street

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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 Gallops, Councilmember Pankratz, Councilmember Miller and Councilmember Kilgore**

**1. CALL TO ORDER**

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

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

**CONVENE INTO EXECUTIVE SESSION**

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

**2A.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.087 (Economic Development) to seek legal advice and discussion pertaining to a potential Economic Development Incentive Agreement with Pat Gerald/Rick Bosworth Partnership located at 7000 Chiesa Road. (20 minutes)

**2B.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) to seek legal advice and discussion pertaining to a facilities agreement for the Trails of Cottonwood Creek as it relates to sewer improvements. (20 minutes)

The Work Session followed this item.

- 2C.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.087 (Economic Development) to seek legal advice and discussion pertaining to a potential Economic Development Incentive Agreement with Arcadia Realty located at The Homestead at Liberty Grove. (60 minutes) (NOTE: THIS EXECUTIVE SESSION WILL NOT OCCUR UNTIL AFTER THE REGULAR SESSION.)

This item followed the Individual Consideration portion of the meeting. Reconvened into Executive Session at 8:16 p.m.

### **RECONVENE INTO OPEN SESSION**

Reconvened into open session at 6:07 p.m.

Councilmember Kilgore arrived at 7:00 p.m.

### **3. WORK SESSION ITEMS**

- 3A.** Discussion of the proposed City Charter revisions as presented by the Charter Review Commission. (30 minutes)
- 3B.** Update on July 4<sup>th</sup> Fireworks on Main event. (25 minutes)
- 3C.** Discuss a resolution authorizing the City Manager to enter into an agreement with Townscape, Inc. for Urban Design Officer (UDO) review fees associated with the implementation of the City of Rowlett Form Based Code in an amount not to exceed \$100,000.00. (15 minutes)
- 3D.** Discuss a resolution authorizing the City Manager to enter into an agreement with Kimley- Horn and Associates to update the City's Impact Fee study as required by State Law. (30 minutes)
- 3E.** Consider a funding commitment resolution for a proposed senior community to be constructed in the 5500 block of Old Rowlett Road, City of Rowlett, Dallas County, Texas and authorizing Rowlett 2013 Senior Community, L.P. to apply to the Texas Department of Housing and Community Affairs (TDHCA) Tax Credit Program for funding of such senior community. (20 minutes)
- 3F.** Discuss a resolution of the City of Rowlett, Texas amending the City's Policy Statement for Economic Development Incentives. (10 minutes)

**4. DISCUSS CONSENT AGENDA ITEMS**

Item 7G was 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 Mayor Gottel.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the City Council.

**TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by City Council.

**5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Proclamations recognizing the 2013 Rowlett Arts and Humanities Commission Young Artists Exhibit winners.

Councilmember Pankratz along with Arts and Humanities Commissioners Jerry Hickman and Jerry Barshop, presented proclamations and award checks to the winners of the Youth Artists Exhibit.

- 5B.** Proclamation recognizing February 17 through February 23, 2013 as Engineers Week.

Mayor Pro Tem Phillips presented a proclamation recognizing Engineers Week to Tom Harris, Interim City Engineer.

- 5C.** Presentation/Recognition of two Police Sergeants promoted on February 14, 2013.

Chief Brodnax recognized Sergeants Greg Baldwin and Kevin Harrelson on their promotions.

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

Mayor Gottel gave a brief update to the Council on the various activities in the City including the next Planning and Zoning Commission meeting will be held on Tuesday, February 26<sup>th</sup>; the next City Council meetings will be held on Tuesday, March 5<sup>th</sup> and 19<sup>th</sup>; the deadline to apply for a place on the 2013 ballot will be Friday, March 1<sup>st</sup>; the last day to register to vote in the May Election is Thursday, April 11<sup>th</sup>; the Animal Shelter will host a Pet Adoptathon on Saturday, February 23<sup>rd</sup> from 10:00 a.m. to 5:00 p.m.; a Low Cost Animal Vaccination Clinic will be held at the Animal Shelter on Saturday, February 23<sup>rd</sup> beginning at 2:00 p.m.; Warrant Recall Day is Friday, March 1<sup>st</sup> from 9:00 a.m. to 1:00 p.m.; the Great Texas Warrant Roundup will take place the week March 2<sup>nd</sup> – 9<sup>th</sup>; the Rowlett Library will host Tech Ed will present Online Picture Sharing on Wednesday, February 20<sup>th</sup> beginning at 6:30 p.m., a Celebrating Black History Month event will be held Saturday, February 23<sup>rd</sup> and March 2<sup>nd</sup> beginning at 2 p.m.; and the Spring Lakeside Leisure is now available.

**6. CITIZENS' INPUT**

1. Jennifer Glick, 3010 Weems Way, Rowlett – Spoke concerning the Rowlett Animal Shelter billboard located on the President George Bush Turnpike.

**7. CONSENT AGENDA**

Item 7G was removed from the Consent Agenda to be considered individually.

The City Secretary read the items into the record.

- 7A.** Consider approving minutes from the February 5, 2013, City Council Regular Meeting.

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

- 7B.** Consider action to approve a resolution authorizing the termination of ambulance billing and collection services with Advanced Data Processing, Incorporated (D/B/A ADPI-Intermedix) and authorizing the agreement with Emergicon for EMS billing/collection services and electronic patient care reporting for the City of Rowlett through the Interlocal agreement with the City of Coppell.

**This item was approved as RES-015-13 on the Consent Agenda.**

- 7C. Consider action to approve a resolution to approve the application for a Texas Criminal Justice Division (CJD) Grant to purchase 20 P25 mobile radios.

**This item was approved as RES-016-13 on the Consent Agenda.**

- 7D. Consider action to approve a resolution to approve the application for a Texas Criminal Justice Division (CJD) Grant to purchase a Crash Data Retrieval System.

**This item was approved as RES-017-13 on the Consent Agenda.**

- 7E. 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 \$369,309.91 through the Interlocal Cooperative Purchasing Agreement with Dallas County.

**This item was approved as RES-018-13 on the Consent Agenda.**

- 7F. Consider a resolution authorizing the City Manager to enter into an agreement with Townscape, Inc. for Urban Design Officer review fees associated with the implementation of the City of Rowlett Form Based Code in an amount not to exceed \$100,000.00.

**This item was approved as RES-019-13 on the Consent Agenda.**

- 7G. Consider a resolution approving a facilities agreement for the Trails of Cottonwood Creek as it relates to sewer improvements for property generally located at the northeast Corner of Vinson Road and Stonewall Road, being 227.9± acres situated in the Williams Blevins Survey (Dallas County Abstract Number 8), a part of the M. L. Price Survey (Dallas County Abstract 1115 and Rockwall County Abstract Number 257), a part of the Elisha Price Survey (Dallas County Abstract Number 1114 and Rockwall County Abstract Number 256), a part of the Atkinson Clements Survey (Dallas County Abstract Number 255), City of Rowlett, Dallas and Rockwall County, Texas.

This item was removed from the Consent Agenda to be considered individually.

Mayor Gottel read the item into the record.

**A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to deny the item as read. The motion carried by the following vote:**

**Ayes: 5 – Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Gallops, Councilmember Pankratz and Councilmember Miller**

**Abstain: 1 – Councilmember Kilgore**

- 7H.** Consider a resolution authorizing the City Manager to enter into an agreement with Kimley-Horn and Associates to update the City's Impact Fee study as required by State Law.

**This item was approved as RES-020-13 on the Consent Agenda.**

- 7I.** Consider a funding commitment resolution for a proposed senior community to be constructed in the 5500 block of Old Rowlett Road, City of Rowlett, Dallas County, Texas and authorizing Rowlett ~~2013~~ **2012** Senior Community, L.P. to apply to the Texas Department of Housing and Community Affairs (TDHCA) Tax Credit Program for funding of such senior community.

**This item was approved as RES-021-13 on the Consent Agenda.**

- 7J.** Consider a resolution of the City of Rowlett, Texas amending the City's Policy Statement for Economic Development Incentives.

**This item was approved as RES-022-13 on the Consent Agenda.**

- 7K.** Consider approving an Order calling the General Election for Saturday, May 11, 2013, to elect the Mayor and Councilmembers for Place Two, Place Four and Place Six and any possible resulting run-off election to be held on Saturday, June 8, 2013.

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

**Passed The Consent Agenda**

**A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, including all the preceding items marked as having been approved on the Consent Agenda. A correction was noted in Item 7I, correcting the entity name change to Rowlett 2012 Senior Community, L.P. The motion carried by a unanimous vote of those members present.**

**8. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 8A.** Consider an ordinance calling a Special Election to consider propositions amending the Rowlett City Charter to be held on Saturday, May 11, 2013.

Mayor Gottel read the item into the record.

**A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Pankratz, to withdraw the item from consideration. The motion carried by the following vote:**

**Ayes: 4 – Mayor Gottel, Mayor Pro Tem Phillips, Councilmember Pankratz and Councilmember Miller**

**Noes: 2 – Deputy Mayor Pro Tem Gallops and Councilmember Kilgore**

At this time (8:09 p.m.), the Council resumed the Executive Session portion of the meeting with Item 2C.

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

No actions were taken following the Executive Session items.

**9. ADJOURNMENT**

Mayor Gottel adjourned the meeting at 9:48 p.m.