



City of Rowlett

Meeting Minutes

City Council

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

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Tuesday, May 7, 2013

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 Gallops, Councilmember Pankratz and Councilmember Miller

Absent: Councilmember Kilgore

1. CALL TO ORDER

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

2. EXECUTIVE SESSION

The Executive Session will be discussed following Item 3E.

CONVENE INTO EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.087 (Economic Development) to discuss and deliberate the offer of financial or other incentives to business prospects that the City seeks to have locate, stay, or expand in or near property located at or around SW corner of the President George Bush Turnpike and Lakeview Parkway. (60 minutes) (NOTE: THIS EXECUTIVE SESSION WILL NOT OCCUR UNTIL AFTER THE REGULAR MEETING).

Convened into Executive Session at 9:07 p.m.

3. WORK SESSION ITEMS (5:30 P.M.)

3A. Discuss Mid-Year Update of the FY 2013 Workplan. (60 minutes)

Lynda Humble, City Manager, spoke regarding the five goals of the organization. They are as follows:

- Improve Relations with Citizens to Establish Community Goodwill, Sense of Pride and Ownership
- Create an Organization that Embraces Innovation and Creates Opportunities to Improve Efficiencies and Effectiveness
- Enhance our Customer Centered Organization to Ensure Citizens Receive the Value of their Investment
- Enhance Employee Culture and Morale to Create an Environment Where Employees are Valued and Have a Sense of Pride
- Create a Sustainable Organization Ensuring the Right Resources – to the Right Place – at the Right Time

Spoke concerning tax values; volunteerism; engaging the community; Crime Watch Program; Code Enforcement; Fire Explorer Group; the "While You Wait" Afterschool Program; the Water Meter Replacement Program; Fire Inspector certification of all Fire Captains; electronic surveys; new medical control; continue with four accreditation processes; enhanced newsletters and special publications to communicate value; Court procedure video; Waste Management Driver Appreciation Luncheon; DART; regional funding opportunities; Mid-Year Purchasing statistics; increase ISO rating; Police obstacle course; engagement with State and Federal Representatives; Katy Park Grand Opening; excellent financial stewardship; injunction against the Garland Public Shooting Range; economic development growth; the quality of care provided by the City's Paramedics; the Rowlett Fire Honor Guard; the Rowlett Pipes and Drums; employee recognition; the certification of the City Secretary; promotions in the Fire and Police Departments; CPR and AED certification; process of updating emergency information maps for City buildings; the City's Recycling Program; fire hydrant inspections; Realize Rowlett 2020 Phase II; Capital Improvement Projects; named a Gold Fit-Friendly Worksite; workplace wellness; and the Animal Shelter's live release rate.

Members of Council commented on the many accomplishments.

3B. Discussion of changes to Mosquito Spraying Policy with Dallas County Health. (15 minutes)

Joe Tilger, Environmental Services Manager, and Marvin Gibbs, Division Commander, gave a brief presentation on this item. Stated in an effort to minimize West Nile disease and offer a quicker response once positive mosquitoes have been found in an area, Dallas County Health and Human Services (DCHHS) has revised the mosquito monitoring and testing protocol for 2013. The significant changes involve establishing five permanently monitored test locations within Rowlett that will be monitored on a weekly basis. At each of these five locations, the number and types of mosquitoes will be monitored along with the possible presence of West

Nile Virus. If any of the mosquito traps test positive for West Nile Virus, then Dallas County will ground spray the entire Zone within 72 hours once test results are concluded, when weather permits. The accelerated treatment is an improved response to West Nile monitoring and an attempt to minimize delay to reduce the number of infected mosquitoes.

A member of Council asked the procedure to add an additional test location in Zone RO1 (the northeast section of the City). Another member of Council voiced concern that some of the traps may not be in the correct location.

Staff would notify Rowlett residents of an impending ground spray by use of the City's Blackboard Connect phone system that would call all homes and businesses within a defined zone. Also, the City's website would be posted in the early evening giving information and showing the exact area(s) that would be treated. Metal signs would also be placed along main thoroughfares within the area that evening notifying residents of the planned treatment. The signs state that spraying will occur between 9 p.m. to 5 a.m. the next morning. The signs also have the web address and a phone number to contact for more information. Public Service Announcements have begun airing on Rowlett Channel 16 to notify residents of the new changes and suggested actions to minimize mosquitoes and possible exposure to West Nile.

Stated the Community Services Division has already attended meetings with DCHHS, attended a special seminar about West Nile and Mosquito Control and has begun inspections and actions on properties that could be contributing to mosquito related problems. These actions will involve maintaining a more complete electronic database, serving notices, mailing letters, issuing citations, treatment of applicable waters with larvicides, capping swimming pools and spas and possible removal of items on properties once proper legal protocols are followed.

3C. Discuss possible agreement with Greater Dallas Healthcare Enterprises to provide professional medical services for City employees. (15 minutes)

Brian Funderburk, Assistant City Manager, spoke on this item. Spoke concerning the City's commitment to wellness. Stated over the last few years, the City has developed a multitude of programs related to employee health. The cornerstone to the overall health initiatives is the Wellness Accountability Program, which began in October and focuses on education, wellness and fitness. This comprehensive approach is expected to improve employee health and address the rising cost of healthcare over time. Stated during the quarterly Benefit Stakeholder meeting in December, employees were polled to determine interest in having a City sponsored Employee Acute Care Clinic. Ninety-two percent of the employees indicated they see a value in providing this service and eighty-one percent of the group indicated they would utilize the clinic. A Focus Group found that providing close and convenient access to multiple physicians would be more cost effective for both employees and the City. Providing inexpensive access to minor acute care allows employees to seek care more quickly, during early stages of illness, and ultimately allows employees to keep working, or return to work much sooner. By working in partnership with Tenet, the City is able to provide multiple physicians in four locations for both convenience and scheduling efficiency. Based on Focus Group findings, it was recommended

that all full-time and regular part-time employees, as well as City of Rowlett Retirees should be eligible to use the Employee Clinic. The only group of City employees excluded would be seasonal Wet Zone employees. The clinic will provide minor acute care at a negotiated cost below the prevailing doctor office visit rate in our area. Stated if an employee's illness requires more than minor acute care provided under the scope of work, the physician will discuss with the employee and allow them to make an informed decision on whether to authorize continued treatment, or refuse additional treatment and curtail office visit.

A member of Council stated years ago the Council challenged the City to lower healthcare costs; stated the City has done a magnificent job in reducing the expense.

- 3D.** Discuss the Downtown Request for Qualification (RFQ) process for public-private partnerships for development of City owned property as part of the Economic Development Strategic Plan and appoint members to the Downtown RFQ Advisory Committee. (30 minutes)

Jim Grabenhorst, Director of Economic Development, spoke concerning this item. Stated Downtown Rowlett has been a focus of City development efforts as a way to create a vibrant community core while leveraging the City's commitment nearly 30 years ago to bring public transportation to Rowlett. In 2010, the City embarked on Realize Rowlett 2020. Phase I served to update the comprehensive plan and was adopted by City Council on September 11, 2011. Phase II was about implementing the vision and led to the adoption of new zoning regulations in four key areas on November 6, 2012, to ensure the vision was realized for these areas. Downtown was one of the initial key areas and in addition to the new zoning regulations, a formal Strategic Downtown Plan was also adopted at that time. A key component and action item from the Downtown Strategic Plan and incorporated in the overall Economic Development Strategic Plan is the use of key City owned properties to catalyze development within Downtown.

Since the adoption of the Strategic Downtown Plan and new zoning regulations, the City has actively marketed Downtown Rowlett opportunities and has received interest from several development entities interested in pursuing catalyst projects on City owned properties. To that end, staff believes utilizing a Request for Qualifications (RFQ) process will provide an opportunity to determine the level of market interest from the private sector, allow for development entities to demonstrate their expertise and capabilities, and will enable the City to select a short list of finalists to interview and become the City's partner(s) in implementing the community's vision established in the Downtown Strategic Plan. This RFQ process will outline the opportunity, project vision, submittal requirements, selection process and timelines associated with selecting the City's partner(s). As with Realize Rowlett 2020, a Downtown RFQ Advisory Committee will be formed to engage community stakeholders and provide a recommendation to City Council upon receipt and evaluation of responses received.

Staff offered the following appointees for Council's consideration for the Downtown RFQ Advisory Committee:

- Mick Donnelly, Downtown Business Owner

- David Jenkins, Citizen at Large
- Drew Howard, Economic Development Advisory Board
- Rick Sheffield, Planning and Zoning Commission
- Robbie Ryan, Downtown Rowlett Association
- Diane Lemmons, Chamber of Commerce
- Matt Grubisich, Parks and Recreation Advisory Board member representative
- Chris Kilgore, City Councilmember representative

Staff representatives will include: Lynda Humble, City Manager, Jim Grabenhorst, Economic Development Director, and Erin Jones, Planning Director.

Spoke concerning development partners and the recruitment of Municipal Management District Board members.

A member of Council stated the Advisory Committee should include a banker, broker and an architect to ensure we obtain the correct development partner.

Consensus was reached that staff will provide names of potential additional members to the Council at the May 21, 2013, Council meeting.

Item 4 followed this item.

3E. Update on 83rd Texas Legislative Session. (15 minutes)

Reconvened into the Work Session at 9:01 p.m. following the regular session.

Brian Funderburk, Assistant City Manager spoke regarding this item. Stated staff continues to monitor various bills. Stated staff contacted the members of the House's State Affairs Committee on Wednesday, March 20, to let them know the City was opposed to HB1148. The Atmos Steering Committee, for which the City is a member, is monitoring this particular bill as well. Specifically spoke regarding HB3049, HB3052 and HB14. Staff continues to monitor the Marketplace Fairness Act of 2013, which would give States the authority to compel most online and catalog retailers to collect sales taxes at the time of the sale, regardless of the location of the retailer.

A member of Council questioned staff regarding water infrastructure bills.

Item 2A followed this item.

4. DISCUSS CONSENT AGENDA ITEMS

Item 7F 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 7:41 p.m.

INVOCATION

The invocation was led by Mayor Gottel.

POSTING OF COLORS

The Posting of Colors was led by the Rowlett Police Honor Guard.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Rowlett Police Honor Guard.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Gottel.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing National Day of Prayer.

Mayor Gottel acknowledged National Day of Prayer with a proclamation.

5B. Proclamation recognizing the week of May 12 – 18, 2013 as National Police Week.

Mayor Pro Tem Phillips recognized Chief Brodnax and several Police officers and acknowledged National Police Week with a proclamation.

5C. Proclamation recognizing the week of May 5 – 11, 2013 as National Detention Officers Week.

Mayor Pro Tem Phillips recognized Chief Brodnax and Detention Officer Bryson Burt and acknowledged National Detention Officers Week with a proclamation.

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

Mayor Pro Tem Phillips recognized a group of motorcyclists and acknowledged National Motorcycle Awareness Month with a proclamation.

5E. Proclamation recognizing the month of May as National Foster Care Month.

Deputy Mayor Pro Tem Gallops acknowledged National Foster Care Month with a proclamation.

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

Councilmember Pankratz recognized Jermel Stevenson, Director of Parks and Recreation and acknowledged National Water Safety Month with a proclamation.

5G. Proclamation recognizing the week of May 18 – 24, 2013 as National Safe Boating Week.

Councilmember Pankratz recognized members of the U.S. Coast Guard Auxiliary Flotilla and acknowledged National Safe Boating Week with a proclamation.

5H. Hear presentation of the Monthly Financial report for the period ending March 31, 2013.

Alan Guard, Director of Financial and Information Services, gave a presentation regarding the Monthly Financial report for the period ending March 31, 2013. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

5I. Hear presentation on Stage 3 Water Restrictions as required by North Texas Municipal Water District effective June 1, 2013 and its potential impact on Rowlett Residents.

Brian Funderburk, Assistant City Manager, gave a brief presentation on this item. Stated on April 25, 2013, the City received notice that the Board of Directors of the NTMWD voted to implement Stage 3 of its Drought Plan. The press release cited below average rainfall and low lake levels as the reason to implement more stringent water restrictions effective June 1, 2013. The goal of Stage 3 is a 10% reduction in water use and increased awareness in ongoing water conservation efforts. Stated a new pipeline is being constructed to transport water to the Wylie, Texas water treatment plant but the first phase of that project will not be completed until January 2014. Spoke regarding the differences between Stage 2 and Stage 3 of the Drought Plan. Stated the City would begin notifying the public via its May newsletter, which is published the first week of each month and the City's website. In addition, the City will use other venues such as our email blast and notices on our utility bill.

A member of Council inquired as to how often the NTMWD re-evaluates the stage it is currently in.

Staff replied it is known that until the Lake Texoma pipeline is running, the member and customer cities of NTMWD will remain in restrictions.

5J. 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 City Council meeting will be held on Tuesday, May 21st; the next Planning and Zoning Commission meetings will be held on Tuesday, May 14th and 28th; May 11th is Election Day and the last opportunity to vote in this election; Stage 3 watering restrictions will begin June 1st; the 9th Annual Bike Rodeo & Safety Fair will be held on Saturday, May 11th beginning at 10:00 a.m. in the east parking lot of Rowlett High School; the Animal Shelter will host a Low Cost Animal Vaccination Clinic on Saturday, May 25th beginning at 2:00 p.m., and don't forget to find your new best friend at the Animal Shelter; the Memorial Day and Touch-A-Truck Event will be held on Saturday, May 25th beginning at 10:00 a.m. on Downtown Main Street; if you're looking for a Summer full of fun, look at the Camp Rowlett Newsletter; the Rowlett Library will host Crafts @ the Library: Butterflies on Saturday, May 11th beginning at 10:30 a.m., Literary Tea on Saturday, May 11th beginning at 1:00 p.m., the week of May 13th – 18th is Children's Book Week, teen volunteers are needed for the Summer Reading Program, contact Tonya Hartline at 972-463-3922, Tech Ed will present Facebook on Friday, May 24th beginning at 10:30 a.m., Red, White, and Blue in the Library Too! on Saturday, May 25th beginning at 10:00 a.m., and the Summer Reading Program – Dig Into Reading! runs from June 10th – July 30th; the Parks and Recreation Department will host Fireworks on Main! Rowlett's Annual Summertime Party on Thursday, July 4th beginning at 5:00 p.m. and featuring Mary Wilson of the Supremes, numerous summer camps, and the Wet Zone opens on Saturday, May 18th; the registration deadline for the Rowlett Police Department Youth and Teen Police Academy has been extended to Thursday, May 30th, for further details contact Officer Brandon Herring at 972-463-3980 or bherring@rowlett.com.

A member of Council stated that during the NFL draft two weeks ago, two former Rowlett High School students were chosen during the third round. Marquis Goodwin was drafted by the Buffalo Bills and Damontre' Moore was drafted by the New York Giants.

6. CITIZENS' INPUT

1. Ken Romaine, 3001 Larkin Lane, Rowlett – Spoke concerning clarification concerning the Consent Agenda Policy and the ability for a citizen to request an item to be removed.

7. CONSENT AGENDA

Item 7F 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 April 16, 2013 City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider action to adopt an ordinance adopting and enacting Supplement Number 13, Volume I and Volume II, dated January 2013, to the Code of Ordinances.

This item was approved as ORD-006-13 on the Consent Agenda.

- 7C. Consider a resolution approving the Economic Development Strategic Plan.

This item was approved as RES-045-13 on the Consent Agenda.

- 7D. Consider amending the Code of Ordinances by amending Article I ("General") of Chapter 6 ("Animals") to amend Sections 6-2 to revise the definition of "Vicious Dog".

This item was approved as ORD-007-13 on the Consent Agenda.

- 7E. Consider action to approve a resolution awarding the bid for the purchase of a portable back up power generator for secondary power for sewer lift stations in the amount of \$92,876.39 to Entech Sales and Service through the interlocal purchasing agreement with the Texas Local Government Purchasing Cooperative (BuyBoard).

This item was approved as RES-046-13 on the Consent Agenda.

- 7F. Consider appointments to the Downtown RFQ Advisory Committee.

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 approve the item as read with the stipulation that possibly three additional members will be added at the next Council meeting. The motion carried by a unanimous vote of those members present.

7G. Consider an ordinance amending the Fiscal Year 2012-13 Budget.

This item was approved as ORD-008-13 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. The motion carried by a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

8A. Conduct a public hearing and consider an ordinance approving a major warrant request to update an existing monument sign with electronic display at 4309 Main Street. (MW13-653)

Mayor Gottel read the item into the record

Michele Berry, Planner II, gave a brief history of this item. Stated in November, 2012, the City Council adopted the Form Based Code and applied it to the Downtown area. Prior to adoption and formal drafts of the Form Based Code, the First Baptist Church of Rowlett called to inquire about replacing their monument signage with an electronic display system. At the time that would have been permitted. The Church then raised funds and had an electronic display sign built to replace the existing changeable copy monument sign. However, they did not submit a sign permit application until the end of March 2013. Under the current Urban Village zoning under the Form Based Code (UV-FB), electronic display is permitted. However, this zoning district does not allow for monument type signage as it is intended that buildings are brought to the street and signs are oriented more to pedestrians than to cars. Staff's interpretation that converting the sign from a manual changeable copy to electronic display constitutes an alteration of the sign and is not a maintenance improvement. Based on this interpretation, the sign should be brought into conformity with the current Form Based Codes.

The public hearing opened with one person speaking.

1. Barb Onstott, 5130 Dexham Road, Rowlett – Spoke regarding the electronic display sign.

Mayor Gottel closed the public hearing.

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried by a unanimous vote of those members present. This item was adopted as ORD-009-13.

- 8B. Conduct a public hearing and consider approving an ordinance for a Planned Development Zoning Overlay for 6809 Miller Road to allow for office and storage uses in conjunction with the existing single family home to be used by the applicant, Kayak Instructions, Inc. (PD13-650)

Mayor Gottel read the item into the record.

Erin Jones, Planning Director, gave a brief history of this item. Stated the program has gained region wide popularity and draws people from across the Metroplex; with that, the demand for the program has grown, so has demand for additional kayaks within close proximity to the park. Mr. Holl recently purchased the property both as a primary residence and office, as well as constructing a permanent storage building to house an additional 200-300 kayaks to serve his non-profit kayaking business and the program at Paddlepoint Park. Due to the size of the accessory structure and the fact that it will be used for a non-residential purpose the uses do not qualify for a home occupation permit.

Stated the maximum height of the accessory structure shall not exceed the height of the primary home. The applicant plans to construct an accessory structure that is 20 feet in height at the highest point of the roof pitch. Stated the property will be accessed from the existing access easement off Miller Road instead of cutting through the adjacent subdivision. In addition, the exterior of the building must be Fiber Cement Board in a neutral or earth tone color on 100 percent of all sides to ensure neighborhood compatibility. The applicant has chosen a location to place the accessory building that will not disturb any mature trees, has incorporated additional landscape screening along the rail line as well as along the access easement, and will replace the existing chain link fence around the back yard with a 6-8 foot solid wood fence for further screening.

Members of Council spoke regarding commercial traffic.

The public hearing opened with two people speaking.

1. Debby Bobbitt – 4413 Chaha Road, Rowlett – Voiced concern regarding fencing the property, the seclusion of the adjacent neighbor and that someone must reside on the property.
2. Ken Romaine – 3001 Larkin Lane, Rowlett – Stated the kayak business has been good for the City.

Mayor Gottel closed the public hearing.

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried with a 4 – 0 vote of those members present (Councilmember Pankratz abstained). This item was adopted as ORD-010-13.

Following Item 8B, the Council took a brief break (8:54 p.m.) prior to reconvening into the Work Session.

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

No action followed the Executive Session item.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 11:26 p.m.



Todd W. Gottel, Mayor



Laura Hallmark, City Secretary

Date Approved: May 21, 2013