



City of Rowlett

Special Meeting Minutes

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

City Council

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, April 8, 2014

6:00 P.M.

Annex Building – 4004 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, Deputy Mayor Pro Tem Gallops, Councilmember Phillips, Councilmember Bobbitt, Councilmember Dana-Bashian, and Councilmember Pankratz

Absent: Mayor Pro Tem Kilgore

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 6:01 p.m.

2. EXECUTIVE SESSION (6:00 P.M.)* Times listed are approximate

Convened into Executive Session at 6:01 p.m.

- 2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney, to discuss and deliberate commercial or financial information received from business prospects and the offer of financial or other incentives to business prospects that the governmental body seeks to have locate, stay, or expand in the Downtown District, and to discuss economic development incentives and a Development Agreement with Integral Development LLC and Catalyst Urban Development LLC on City owned property located in Downtown. (120 minutes)

Reconvened into open session at 8:27 p.m.

3. WORK SESSION (8:00 P.M.)*

- 3A.** Discuss amending Article VI ("Smoking") of Chapter 22 ("Environment") of the Code of Ordinances that would include a provision that prohibits the sale, use, and possession of electronic cigarettes, liquid nicotine and associated paraphernalia to minors. (45 minutes)

Chief Brodnax presented this item to the City Council. Stated several Metroplex cities have passed laws regulating the sale of electronic cigarettes to minors. Stated teens are attracted to electronic cigarette because of the various vapor flavors. Currently there are no federal or state standards to restrict the sale of these items.

Members of Council spoke regarding their conversations with area restaurant owners and school principals.

Consensus was reached by the Council to move forward with the proposed ordinance but with additional restrictive language regarding giving electronic cigarettes or associated paraphernalia to minors.

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

No action was taken following the Executive Session item.

4. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:37 p.m.

Todd W. Gottel, Mayor

Laura Hallmark, City Secretary

Date Approved: April 15, 2014



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Tuesday, April 15, 2014

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 Kilgore, Deputy Mayor Pro Tem Gallops, Councilmember Bobbitt, Councilmember Dana-Bashian, Councilmember Phillips and Councilmember Pankratz

1. CALL TO ORDER

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

2. EXECUTIVE SESSION (5:30 P.M.)* Times listed are approximate

- 2A. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes)

Council convened in Executive Session at 5:30 p.m. Out at 5:50 p.m.

- 2B The City Council shall convene into Executive Session pursuant to the Texas Government Code §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the kayak services located at Paddle Point Park. (20 minutes)

Council convened in Executive Session at 5:50 p.m. Out at 6:24 p.m.

3. WORK SESSION (6:10 P.M.)* Times listed are approximate

- 3A. Discuss Mid-Year Update of the FY2014 Workplan. (60 minutes)

City Manager, Brian Funderburk, provided an update focusing on community engagement, improved efficiencies, the City's wonderful volunteers, financial stewardship at all levels, process of accreditation/recognition for several City departments, "Icemaggedon", the various ways in which the City communicates with its citizens, economic development, the outstanding City employees and community sustainability. Members of Council thanked Mr. Funderburk and City staff, stating they did a fantastic job.

- 3B.** Discuss the acceptance of updating our current Water Management Plan issued in February, 2012, as required by the Texas Commission on Environmental Quality (TCEQ) by May 1, 2014, to the proposed Water Conservation & Water Resource Management Plans. (15 minutes)

Tim Rogers, Director of Infrastructure Services, reviewed the history of the Water Management Plan and its improvements over the years, including North Texas Municipal Water District (NTMWD) and Texas Commission on Environmental Quality (TCEQ) requirements. He further explained there are two proposed plans: 1) Water Conservation Plan, which is always in effect; and 2) Water Resource and Emergency Management Plan, which is in effect up on notice and consists of three stages: Stage 1 – water two times a week and a 5% reduction, Stage 2 – water one time a week and 10% reduction, and Stage 3 – no outside watering and 33% reduction. Potential budget revenue impacts with the adoption of this plan were also outlined.

4. DISCUSS CONSENT AGENDA ITEMS

Council took a short break at 7:31 p.m.

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

Reconvened at 7:37 p.m.

INVOCATION – Shane Pruitt – Connection Community Church

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Presentation of Proclamation to Jordan Phillips in recognition of obtaining the Girl Scout Gold Award.

Mayor Gottel presented the proclamation to Miss Phillips and her family.

- 5B.** Proclamation recognizing National Library Week, April 13 -19, 2014.

Deputy Mayor Pro Tem Gallops presented the proclamation to Library staff and members of the Library Advisory Board and Friends of the Rowlett Library.

- 5C. Presentation of 2013 Achievement of Excellence in Libraries Award from the Texas Municipal Library Directors Association.

Mayor Pro Tem Kilgore presented the award to Library staff and members of the Library Advisory Board and Friends of the Rowlett Library.

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

Mayor Gottel announced the following: Upcoming City Council meetings will be held Tuesday, May 6th & 20th; Regular Meeting - City Hall Conference Room; Tuesday, May 13th; Work Session starts at 6:00pm in Annex Conference Room. Upcoming Planning & Zoning Commissions meetings will be Tuesday, April 22nd and May 13th; 6pm in City Hall Conference Room. ROWLETT. MY COMMUNITY. MY MONEY. MY CHOICE. CAMPAIGN – give us your .2¢

Seeking citizen input about future City services

No longer sustainable at the current tax rate

Opportunity to have an honest conversation about what our future looks like

Much more information in the March Newsletter

6 meetings around the City in the month of April. Three remaining meetings:

Thursday, April 17th; 7-8pm @ Fire Station #3

Monday, April 21st; 7-8pm @ Fire Station #4

Thursday, April 24th; 7-8pm @ City Hall

STAGE 3 WATER RESTRICTIONS – residents can water Once Every TWO Weeks. A Low-cost vaccine clinic will be held at the Animal Shelter on Saturday, April 26th from 2-4pm at 4402 Industrial Street. Pet Adoptathon – Saturday, May 3rd from 10am-5pm – All available pets only \$25, which includes vaccinations, sterilization and a microchip. Normal Business hours are Monday-Friday, 10am – 5pm and Saturday, 10:30am – 5pm. Spring Citizens Fire Academy – Participate in this free, 8-week class for an in depth, insider's view of the services provided by Rowlett Fire Rescue. Get fire safety training, hands-on experience in emergency operations and put out a real, raging fire at the end of the course! The academy will meet on Thursday nights, 7:00pm until 10:00pm, for 8 weeks beginning May 1, 2014. Contact Rowlett Fire Rescue at 972-412-6230 for more information or to register. CONNECT ROWLETT - New City to Citizen Notification Service puts residents in control of the information received and – how it's received! More information and how to sign up is on the website in the upper left hand corner of the home page. Upcoming events for Parks and Recreation: Lakeside Kid Fish– Saturday, April 26th – 9:00am – 12:00pm at Community Park. Rowlett Cardboard Boat Regatta – Saturday, April 26th – 1:30-3:30pm at Community Park. Memorial Day Celebration featuring Touch A Truck– Saturday, May 24th- 10:00am - 1:00pm. Lakeside Leisure – outlines all the programs offered by the Parks and Recreation Department this spring and summer. Available online at www.rowlett.com. Upcoming events at the Rowlett Public Library: Food for Fines, Monday, April 14th – Saturday, April 19th. Outstanding fines for overdue items erased with canned food donation. All food is donated to local food pantries. Gardening with Gary - Saturday, April 26th; 2pm – for all levels of gardeners. Arts & Humanities Commission Annual Writing Contest - Open to all youth and adults. Deadline: Monday, April 28th; submit all entries to the Library. For more information: visit Arts & Humanities Commission webpage at rowlett.com.

6. CITIZENS' INPUT

Stanley Pollard, 3110 Sycamore Street, Rowlett; spoke in opposition to items 8D, 8E, and 8F.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the March 11, 2014, City Council Special Meeting, the March 13, 2014, City Council Special Meeting, the April 1, 2014, City Council Meeting, and the April 8, 2014, City Council Special Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution accepting the bid of and awarding a contract to SunTrust Leasing Corporation in the amount of \$884,983.99 utilizing an interest rate of 1.82 percent for the seven year lease-purchase financing of the Enterprise Resource Planning System and authorizing the City Manager, after City Attorney approval, to execute the necessary documents for said purchase.

This item was approved as RES-030-14 on the Consent Agenda.

- 7C.** Consider action to approve a resolution awarding the contract for municipal court software to Tyler Technologies, Incorporated for the InCode software system including a five year subscription agreement for Software as a Service (SaaS) in the amount of \$320,278 and authorizing the City Manager, after City Attorney approval, to execute the necessary documents for said contract.

This item was approved as RES-031-14 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Phillips, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and consider an ordinance approving amendments to the Comprehensive Plan specifically as it relates to the addition of subarea plans, supplemental information, and textual changes to the North Shore (Area A) and to the Center for Commercial + Industry (Area B-1) areas.

Erin Jones, Director of Development Services, provided an overall history of the North Shore process and introduced the team of consultants: Bill Cunningham, Arti Harcheker, and Mark Bowers. Ms. Jones outlined the wide array of uses allowed and stated there is a cap to ensure that residential-only projects are not allowed. Mayor Gottel thanked Ms. Jones, her staff, and the consultants for the extraordinary amount of time spent on this process.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a vote of four in favor (Phillips, Bobbitt, Gottel, Gallops) and two opposed (Pankratz, Kilgore). This item was adopted as ORD-010-14.

- 8B.** Conduct a public hearing and consider an ordinance amending the Rowlett Code of Ordinances and the Form Based Code to establish three new zone classifications to be known as the Rural Neighborhood District, Urban Neighborhood District, and Commercial Center District, which shall be governed by the Form Based Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, street design, setback, parking, signage, landscaping and permitted uses.

Ms. Jones and Ms. Harcheker discussed the standards for the three proposed zone classifications including their types, open spaces, and pedestrian amenities. They provided clarification for the maintenance of the open spaces and the vehicles available for that, including Homeowners Associations and Property Owners Associations.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a vote of four in favor (Phillips, Bobbitt, Gottel, Gallops) and two opposed (Pankratz, Kilgore). This item was adopted as ORD-011-14.

- 8C.** Conduct a public hearing and consider an ordinance rezoning the area identified in the Realize Rowlett 2020 Comprehensive Plan as The Center of Commerce and Industry to the Commercial Center and Urban Village Districts. The property is generally located west of Muddy Creek, east of the President George Bush Turnpike, is bounded to the north by the City Limit Line and south by Lake Ray Hubbard, and is approximately 415.63 ± acres.

Ms. Jones and Ms. Harcheker reviewed the standards for the proposed Commercial Center and Urban Village districts, including building types and street types.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a vote of four in favor (Phillips, Gottel, Kilgore, Gallops) and two opposed (Pankratz, Bobbitt). This item was adopted as ORD-012-14.

- 8D.** Conduct a public hearing and consider an ordinance approving a rezoning request for a portion of the area identified in the Realize Rowlett 2020 Comprehensive Plan as Northshore (further described as North Shore North) to the New Neighborhood, Urban Neighborhood, Urban Village, and Rural Neighborhood Districts. The property is generally located west of the

President George Bush Turnpike, west of Hickox Road, east of the Castle Hills Estate and Ravens Nest subdivisions, and bounded by the City Limits Line, and is approximately 552.19 ± acres.

Ms. Jones and Ms. Harcheker reviewed the standards for the proposed area.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a vote of five in favor (Pankratz, Phillips, Gottel, Kilgore, Gallops) and one opposed (Bobbitt). This item was adopted as ORD-013-14.

- 8E.** Conduct a public hearing and consider an ordinance rezoning a portion of the area identified in the Realize Rowlett 2020 Comprehensive Plan as Northshore (further described as North Shore South) to the Urban Neighborhood, Urban Village, Rural Neighborhood, and Commercial Center Districts. The property is generally located west of the President George Bush Turnpike, east of Hickox Road, northeast of the Chandler Park 4, Rowlett Ranch Estate, and Rowlett Ranch Estates 2 subdivisions, and is approximately 533.56 ± acres.

Ms. Jones and Ms. Harcheker reviewed the standards for the proposed area.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a vote of four in favor (Phillips, Gottel, Kilgore, Gallops) and two opposed (Pankratz, Bobbitt). This item was adopted as ORD-014-14.

- 8F.** Conduct a public hearing and consider a request for a rezoning from Mixed Use North Shore Zoning District to a Planned Development to allow a single family residential subdivision and two office sites. The subject property is located at 7400 and 7600 Liberty Grove Road further described as 58.83 ± acre tract of land situated in the Jessie S. Starkey Survey, Abstract No. 1333, in the City of Rowlett, Dallas County, Texas. (PD13-687)

This item was taken out of order and considered second (after item 8H).

Mayor Gottel opened and closed the public hearing with no speakers. Mayor Gottel then re-opened the public hearing and recessed it until May 6th at 7:30 p.m.

- 8G.** Consider amending Article VI ("Smoking") of Chapter 22 ("Environment") of the Code of Ordinances that would include a provision that prohibits the sale, use, and possession of, and making available, electronic cigarettes, liquid nicotine and associated paraphernalia to minors.

Police Chief Mike Brodnax presented the staff report.

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Bobbitt, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-015-14.

- 8H.** Consider action to approve an ordinance to amend Division 6 ("hand-held communications devices in school zones") of Article II ("specific street regulations") of Chapter 66 ("traffic and vehicles") to repeal Section 66-140 and replace Section 66-140 with a new section to prohibit the use of hand-held wireless communication devices to transmit and receive text messages while operating a motor vehicle.

This item was taken out of order and considered first.

Police Chief Mike Brodnax presented the staff report along with a video depicting the results of texting while driving. Mayor Pro Tem Kilgore read a prepared statement in favor of the item. Deputy Mayor Pro Tem Gallops read a prepared statement opposing the item. Councilmember Pankratz read excerpts from an email sent to Council by Whitney Laning opposing the item.

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Pankratz, to deny the item as presented. The motion failed with a vote of four in opposition (Phillips, Gottel, Kilgore, Dana-Bashian) and three in favor (Pankratz, Bobbitt, Gallops).

A motion was made by Mayor Pro Tem Kilgore to approve the item as presented.

Deputy Mayor Pro Tem Gallops offered three friendly amendments and withdrew the third: 1. Strike the words "attached to or installed in the vehicle". 2. amend the section that excludes emergency personnel while operating an emergency vehicle to include two additional exceptions: a) for individuals in the City acting as volunteers in response to emergency situations or monitoring extreme weather conditions such as CERT, Fire Corps, VIPS, other groups affiliated with the Rowlett Citizen Corps Council and RACES, a) for persons during hazardous weather conditions who are monitoring the wireless devices for emergency alerts." 3. add the following things to the ordinance and also make them illegal: eating, drinking, applying makeup, reading, smoking, listening to the radio, shaving, transporting children, teenagers or other passengers, talking, checking your "in-car" GPS, looking at a map, glancing out the side window, checking your rearview mirror, brushing or combing your hair, brushing your teeth, yawning and sneezing. They were declined by Mr. Kilgore.

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Pankratz, to accept his amendments to the motion. The motion carried with a vote of four in favor (Pankratz, Bobbitt, Gallops, Dana-Bashian) and three opposed (Phillips, Gottel, Kilgore).

Councilmember Bobbitt seconded the motion to approve the item with the approved amendments. The motion passed with a vote of five in favor (Phillips, Bobbitt, Gottel, Gallops, Dana-Bashian) and two opposed (Pankratz, Kilgore). This item was adopted as ORD-016-14.

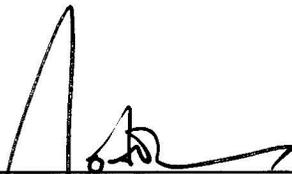
Councilmember Dana-Bashian left the meeting at the conclusion of this item.

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

No action taken.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 10:32 p.m.



Todd W. Gottel, Mayor



Laura Hallmark, City Secretary

Date Approved: May 6, 2014