



City of Rowlett

Meeting Minutes

City Council

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

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Tuesday, July 7, 2015

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 Gallops, Deputy Mayor Pro Tem Dana-Bashian, Councilmember Bobbitt, Councilmember Pankratz, Councilmember van Bloemendaal and Councilmember Sheffield

1. CALL TO ORDER

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

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.074 (Personnel) to discuss and deliberate on the evaluation and duties of the City's Municipal Court Judges: Owen Lokken, Pam Liston and Rick Schimmel. (45 minutes)

In at 5:32 p.m. Out at 6:38 p.m.

3. WORK SESSION (6:15 P.M.) * Times listed are approximate.

After a short break, Council reconvened in the Work Session at 6:42 p.m.

3A. Discuss appointments to the Library Visioning Task Force. (30 minutes)

Kathy Freiheit, Director of Library Services, provided Council with a list of names from which to select members of the Task Force. Council discussion regarding developer presence on the Task Force. Brian Funderburk, City Manager, explained there would be engagement with the developer throughout the process in terms of footprint and logistics, but did not need to be full-time.

- 3B.** Discuss approving a resolution amending the Master Fee Schedule for rate and fee changes to the Development Code Section for Plan Types associated with Form-Based Code Plan Review Fees. (15 minutes)

Marc Kurbansade, Director of Developmental Services, explained the reasoning behind the change. Council discussion regarding the necessity to use consultants when staff is not available. Mr. Kurbansade stated that verbiage could be added.

- 3C.** Discuss amending the Fiscal Year 2014-15 Adopted Operating and Capital Improvements Program Budget. (20 minutes) (This item to be discussed at the conclusion of the Regular Session.)

Due to the time, this item will be placed on the agenda for the July 14th Work Session.

- 3D.** Discuss the scope of review for the Charter Review Commission. (20 minutes) (This item to be discussed at the conclusion of the Regular Session.)

Due to the time, this item will be placed on an emended agenda for the Council Strategic Planning Meeting.

- 3E.** Discuss the purchase of playground construction materials and components from Play by Design in the amount of \$447,313.52 for the Kids Kingdom rebuild project. (20 minutes)

Jermel Stevenson, Director of Parks and Recreation explained the reasons for the need of increased fundraising to cover the costs of shipping and handling charges. Council discussion regarding sole source and seeking competitive pricing for best quality and best price.

4. DISCUSS CONSENT AGENDA ITEMS

Council requested that items 7D, 7F, 7G, and 7I be considered individually.

Council took a short break at 7:40 p.m.

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

Council reconvened at 7:47 p.m.

INVOCATION – Jan Davis, First Rowlett United Methodist Church

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing July as National Parks and Recreation Month.

Mayor Pro Tem Gallops presented the proclamation to Jermel Stevenson, Director of Parks and Recreation, and several members of the Parks and Recreation staff.

5B. Hear presentation of the Monthly Financial report for the period ending May 31, 2015.

Wendy Badgett, Interim Finance Director, presented the report.

5C. 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: Council Meetings - next regular Council meetings will be held on Tuesday, July 21st. The annual Council retreat will be held on Friday & Saturday, July 10th & 11th in the Annex Conference Room. Start time is 8am. Special Work Session will be held Tuesday, July 14th in the Annex Conference Room. P & Z meetings - Tuesday, July 14th and 21st – held in the City Hall Conference Room at 6:30pm. New start time is 6:30pm unless a work session is needed then the meeting will start at 6pm. Town Hall Meeting with State Representative Cindy Burkett. Wednesday, July 8 beginning at 6pm. City Hall Council Chambers – 4000 Main Street. All are welcome! Boards & Commissions Volunteer Fair - Thursday, July 30 from 6:30 – 8 pm @ Rowlett Community Centre. 6th annual Volunteer Fair – learn about various City Boards and Commissions. Volunteer opportunities at the animal shelter, library, police department and other City departments as well as Keep Rowlett Beautiful and the Rowlett Citizen Corps Council. Mosquito season - the City contracts with Dallas County for testing, abatement and spraying for all of Rowlett (portion in Rockwall County too). Be proactive to help in the fight – practice the four D's: Dress, Deet, Drain, Dusk & Dawn. Still available! – City of Rowlett providing “dunks” for free at the Development Services building located at 3901 Main St, 8am to 5pm Monday thru Friday (first come, first serve basis). Rowlett Library - Reminder!! The library is now open and ready for you to visit them at their new location: 5702 Rowlett Road. Upcoming events: Summer Reading Program – runs through July 31st. There are many activities throughout the program, check with the Library for a complete listing. For more information on any of the reading programs, stop by the reference desk or call 972-412-6161. Arts & Humanities photography contest - 2015 theme – Whatever Floats Your Boat. Entries accepted @ the RCC on Saturday, September 5th from 10am to noon. Visit Arts & Humanities page at rowlett.com. Parks and Recreation - Rowlett designated as “Playful City USA” for 5th year in a row! 241 cities earned the recognition from the national non-profit Kaboom! Playful City USA is a national program advocating for local policies that increase play opportunities for children. Cities like Rowlett are key allies in the fight to combat the play “deficit”. We serve as outstanding role models for government and community leaders across the country. Kids Kingdom update: Kids Kingdom playground committee has been meeting weekly since mid-May. Meetings open to public, held on Tuesday evenings at RCC; for more information check on the City’s website on the home page, Rebuild Kids Kingdom! Selling fence pickets now. Need volunteers to sign up for “build week” – Nov. 30 – Dec. 6. Upcoming events: Wet Zone is open and offers hours of fun for your family! Visit wetzonewaterpark.com for more information about prices and hours of operation. Utility billing - reminder – Mint Bills – a new and convenient way to pay your Rowlett utility bill – start using it today! Download the app for free. Pay utility bill

with all major credit cards, including American Express. Activities for seniors: senior potluck lunch social, second Thursday of the month; 11:30am at RCC. July 9th and August 13th – next lunches. Lunch around town - fourth Tuesday of the month; 11:30 am. July 28th – McAlister's. Community Emergency Response Team (CERT). CERT class – Saturday, August 1st and August 8th, 8am – 5pm. Course fee of \$20 covers disposable materials used in the class. Is an essential component of large city events along with being well established and integrated into the city's emergency plan. Animal Shelter - next low cost vaccine clinic at Animal Shelter – Saturday, July 18th, 1 – 3pm. Shelter is open Monday – Saturday, 10am – 5pm.

Animal Shelter attendants Victoria and Jenna brought puppies Mia and Marley to introduce to the Mayor. These are two of the many cats and dogs that are available for adoption at the Animal Shelter.

6. CITIZENS' INPUT

There were no speakers.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the June 9, 2015, City Council Work Session and June 16, 2015, City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider a resolution rejecting bids for roadway improvements for the Right Turn Lane Project at State Highway 66 (Lakeview Parkway) and President George Bush Turnpike (PGBT) Northbound Frontage Road and authorizing staff to re-bid the project.

This item was approved as RES-083-15 on the Consent Agenda.

- 7C.** Consider action to approve a resolution to authorize the Mayor to execute Contract Amendment 1A-WA to the approved professional services agreement with The Wallace Group in an amount not to exceed \$40,040.00 for the engineering design of a 16-inch waterline along Miller Road from Rowlett Road to the President George Bush Turnpike (PGBT).

This item was approved as RES-084-15 on the Consent Agenda.

- 7D.** Consider action to approve a resolution for the purchase of playground construction materials and components from Play by Design in the amount of \$447,313.52 for the Kids Kingdom rebuild project.

This item was considered individually.

Deputy Mayor Pro Tem Dana-Bashian commented on this item.

A motion was made by Councilmember Pankratz, seconded by Councilmember Sheffield, to approve the item as presented. The motion carried with a vote of five in favor and two opposed (Dana-Bashian, Bobbitt). This item was adopted as RES-085-15.

- 7E. Consider action to adopt an ordinance on the dissolution and termination of the Tax Increment Financing Reinvestment Zone Number One, City of Rowlett, Texas.

This item was approved as ORD-024-15 on the Consent Agenda.

- 7F. Consider action approving a resolution amending the Master Fee Schedule for rate and fee changes to the Development Code Section for Plan Types associated with Form-Based Code Plan Review Fees.

A motion was made by Deputy Mayor Pro Tem Dana-Bashian, seconded by Mayor Pro Tem Gallops, to approve the item as presented with one amendment to Section 1 of the resolution as follows: Add a new row to the form-based code review fee table, to say "use of Outside Consultant for FBC Review", in the "description" column, and to say "Actual Costs" in the "fee" column. The motion carried with a unanimous vote of those members present. This item was adopted as RES-086-15.

- 7G. Consider action to approve an ordinance amending Section 70-241 of Chapter 70, Utilities, requiring mandatory connection to the City's sanitary sewer system for properties located within 300 feet of a sewer line.

A motion was made by Councilmember Pankratz, seconded by Deputy Mayor Pro Tem Dana-Bashian, to table the item. The motion carried with a unanimous vote of those members present.

- 7H. Consider a resolution approving a tree mitigation plan and related tree removal permit application for more than three trees associated with Platinum Storage located at 7301 Lakeview Parkway. (Case Number DP15-776).

This item was approved as RES-087-15 on the Consent Agenda.

- 7I. Consider action to approve a resolution for the purchase of software maintenance in the amount of \$157,581 for the Enterprise Resource Planning System to Tyler Technologies, Incorporated and authorizing the City Manager to execute the necessary documents to continue said services.

Joe Beauchamp, Director of Information Technology, clarified that this fee was anticipated when the system was initially purchased.

A motion was made by Deputy Mayor Pro Tem Dana-Bashian, seconded by Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as RES-088-15.

Passed the Consent Agenda

A motion was made by Councilmember Sheffield, seconded by Mayor Pro Tem Gallops, 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. Consider action to approve a resolution creating the Library Visioning Task Force, appointing members to the Library Visioning Task Force, and recognizing Council's choice for liaisons.

Ms. Freiheit asked Councilmembers to clarify their selections.

A motion was made by Councilmember Pankratz, seconded by Councilmember van Bloemendaal, to approve the following members: Kathie Truitt, Regular, Laura Keasling, Regular, Pat Harris, Regular, Stanley Pollard, Regular, Banna Marshburn, Regular, Cassie Wilson, Alternate, Jerry Hickman, Alternate, Brian Funderburk, Ex-Officio, Kathy Freiheit, Ex-Officio, Laura Tschoerner, Ex-Officio, Philip Barott, Ex-Officio, Councilmember van Bloemendaal and Mayor Pro Tem Gallops as Council Liaisons. The motion carried with a unanimous vote of those members present. This item was adopted as RES-089-15.

- 8B. Conduct a public hearing and take action on an ordinance adopting proposed text amendments to the Rowlett Development Code as it pertains to Landscaping in Section 77-504.

Garrett Langford, Principal Planner, provided the background information on this item. The public hearing opened and closed without any speakers.

A motion was made by 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-025-15.

- 8C. Conduct a public hearing and take action on an ordinance to rezone from Single Family-40 Zoning District to the New Neighborhood Form-Based Zoning District, with Major Warrants to allow modification to the lighting and open space standards for buildings fronting on open space, for properties located at 4401, 4413, 4501, 4509, 4513, 4601, 4609, 4613 and 4701 Dexham Road. (Case FW14-740)

This item was discussed first.

Marc Kurbansade, Director of Development Services, provided background information on this item. Council discussion regarding traffic counts, the size of homes, and FEMA floodplain assessments.

The public hearing opened and closed with 12 speakers:

1. Shelby Griffin, 5225 Village Creek Drive, Plano; spoke on behalf of the applicant.
2. Jerry Carter, 2725 Country Valley Road, Garland; spoke on behalf of the applicant.
3. Bob Cresswell, 17409 Club Hill Court, Dallas; applicant.
4. John Rogers, 3883 Turtle Creek Blvd. #2114, Dallas; spoke on behalf of the Dexham Estates HOA.
5. Betty Littlejohn, 4418 Dexham Road, Rowlett; spoke in opposition of this item.
6. Diane Perkins, 4414 Dexham Road, Rowlett; spoke regarding the flood plain.
7. David Koca, 1901 Palomino Drive, Rowlett; spoke in opposition of this item.
8. Larry Perkins, 4414 Dexham Road, Rowlett; spoke in opposition of this item.
9. Gayland Avance, 1821 Palomino Drive, Rowlett; spoke in opposition of this item.
10. Greg Craig, 1914 Stallion Circle, Rowlett; spoke in opposition of this item.
11. Sam Seidel, 1901 Palomino Drive, Rowlett; spoke in opposition of this item.
12. Stanley Pollard, 3110 Sycamore Street, Rowlett; spoke in opposition of this item.

Bill Anderson, Civil Engineer, and Diane Perkins provided clarification of what a flood plain is and its importance. Further Council discussion regarding form-based codes versus traditional development in other cities and density of the property.

A motion was made by Councilmember Sheffield to approve the zoning change with a maximum of 40% of type two homes and maximum of 10% of type three homes, to approve the major warrant for lighting and to deny the homes fronting the open space. A friendly amendment by Councilmember Pankratz to impose a minimum of 2200 sq ft homes was denied. This motion died for lack of a second.

A motion was made by Councilmember Pankratz, seconded by Councilmember Bobbitt, to table the item. The motion carried with a vote of four in favor and three opposed (Gottel, Dana-Bashian, Sheffield).

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

There was no action taken.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 12:01 a.m.



Todd W. Gottel, Mayor



Laura Hallmark, City Secretary

Date Approved: July 21, 2015