



City of Rowlett Meeting Minutes City Council

4000 Main Street
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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 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, December 16, 2008

5:30 PM

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.

1. CALL TO ORDER

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

Present: Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

CONVENE INTO EXECUTIVE SESSION

The City Council convened into closed session at 5:30 p.m.

2. EXECUTIVE SESSION

2.-A. The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.072 to discuss with the City Attorney potential litigation, real property deliberations and acquisition of property to wit: Elgin B. Robertson Park. (10 minutes)

2.-B. The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.087 to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (10 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:05 p.m.

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

3.-A. Joint work session with the Library Advisory Board. (10 minutes)

Veda Kull, Chair of the Library Advisory Board, introduced the members of the Board that were present. Spoke regarding the accomplishments of the Board; the on-going book

sale; three Library Board members attended the Texas Library Association meeting; and the Facilities Bond Committee's sub-committee toured the library.

Spoke regarding future goals for the Board; would like to build relationships with Library Boards in other cities; and increase revenue for the Children's programs.

Council asked if the Board wanted to expand the present site or the Library choose a preferred site.

Ms. Kull stated they were happy with the facilities space assessment that was created for the City several years ago.

3.-B. Hear a Legislative Update from Dallas Regional Mobility Coalition (DRMC) concerning a legislative position on Rail North Texas. (10 minutes)

Mayor Harper stated it was important to get more involved in the transportation decision-making because everything that is done in the Metroplex and affects the City of Rowlett.

Spoke concerning Rail North Texas and their past interest in increasing sales taxes by ½ of a cent; stated the business community did not support any increase in sales taxes. A bill will be presented to the State Legislature in January. Presently the proposal is similar but would be funded differently.

3.-C Discuss preliminary direction on potential project submittals should an economic stimulus funding source become available for cities to use on local public works/infrastructure or other civic projects. (10 minutes)

Staff addressed the infrastructure projects the City has ready to begin per the list submitted by North Central Texas Council of Governments (NCTCOG). Stated there may be funds from the federal government that would allow the building of infrastructure projects; stated the importance of anticipating what may be occurring in the future and get the City's projects in order to receive funds, if available.

Stated a project list was submitted to NCTCOG survey from the City's Capital Improvement Project (CIP).

The listing of projects that were provided is listed in the City publication Word on the Street.

Staff stated they do not know if NCTCOG sent a listing of projects to President-Elect Obama; stated NCTCOG does have a backlog list and they've spoke with the Service Transportation Technical Committee about the list of backlogged projects, and the list of overrun, over-cost projects.

Council complimented the Publics Work department for being prepared.

3.-D. Hear an update on the Coyle House. (10 minutes)

The move of the Coyle House will occur on January 19, 2009.

Council asked what it would take to bring the Coyle House up to compliance with the same codes that would be required by all other homes in the City. What would be the minimum cost to meet minimum codes to renovate the interior and exterior of the house? Who will use the house once it is renovated?

Staff presented an update on the Coyle House. Staff reviewed the information and stated to restore the house to a usable state and to make it ADA compliant, it will cost approximately \$258,000. Stated the approximate price is with the North Texas Tollway Authority (NTTA) putting the house and the outbuildings on new foundations in the same relationship they are currently.

Stated the City has a maximum of five (5) years to finish the restoration of the buildings.

A member of Council stated the City's resources are stretched and this project is viewed as an extra; therefore, alternate ways should be sought to find funds as opposed to taking money from current CIP dollars.

A member of Council asked the City Attorney to review the 2004 mitigation agreement and a clarification from the State on the renovation plans.

This item will be discussed at the January 6, 2009 City Council meeting.

3.-E.

Presentation and discussion on Wet Zone, Rowlett's Family Waterpark, Daily Admission and Season Pass Fees and proposed operating hours. (15 minutes)

Staff brought forth a presentation regarding the Wet Zone daily admissions and season pass fees and proposed operating hours.

Stated staff recommends Option B.

Council asked for the percentage of seniors that use the park.

Staff stated on daily admissions, the percentage of senior population that accounts for daily admissions is 0.003%.

Staff spoke in regards to marketing or a membership drive.

The item will be brought back to the Council on January 6, 2009.

3.-F.

Discuss authorizing a resolution for the purchase of four (4) 2007 Harley-Davidson Road King motorcycles from Renegade Harley-Davidson in the amount of thirty four thousand four hundred dollars (\$34,400) for the Police Traffic Division and Fleet Services. (10 minutes)

Staff brought forth information regarding the purchase of the Police motorcycles.

Council asked the benefit of the motorcycle as opposed to using a police car and the impact of the City's liability insurance.

Staff stated the motorcycles allow officers to be more efficient. The officer's turn-around time is decreased; therefore, reducing the risk of pursuits. Stated motorcycles do not contribute much to the City's liability insurance.

4. DISCUSS REGULAR SESSION ITEMS

Items 10D and 10E were removed from the Consent Agenda to be considered individually.

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

Convened into regular session at 7:54 p.m.

5. INVOCATION

The invocation was led by Mayor Pro Tem Gottel.

6. PLEDGE OF ALLEGIANCE

Mayor Harper led the Pledge of Allegiance.

7. TEXAS PLEDGE OF ALLEGIANCE

Mayor Harper led the Texas Pledge of Allegiance.

8. PRESENTATIONS AND PROCLAMATIONS

8.-A. Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest.

Mayor Harper updated the Council regarding the closing of City offices for the Christmas and New Year's holidays; Christmas tree recycling will occur on January 3rd - 4th; the Volunteer Appreciation Banquet is on January 16, 2009; the formal swearing in ceremony for the new City Manager, Lynda Humble and the State of the City Address will occur on January 20, 2009; and the next Town Hall meeting is scheduled for February 5, 2009.

9. CITIZENS' INPUT

No one spoke during Citizens' Input.

10. CONSENT AGENDA

Mayor Harper explained the procedure regarding the Consent Agenda and the rights of each Councilmember and each citizen to have any consent agenda item removed to be considered individually.

Items 10D and 10E were removed from the Consent Agenda to be considered individually. City Secretary read items into the record.

- 10.-A. Consider approving minutes from the December 2, 2008 Regular Council Meeting and the December 9, 2008 Special Council Meeting.

This Matter was approved on the Consent Agenda.

- 10.-B. Consider a resolution authorizing the purchase of four (4) 2007 Harley-Davidson Road King motorcycles from Renegade Harley-Davidson in the amount of thirty four thousand four hundred dollars (\$34,400) for the Police Traffic Division and Fleet Services.

This Matter was approved as RES-158-08 on the Consent Agenda.

- 10.-C. Consider a resolution approving a supplemental agreement to Task Order Number 4-TNP to the approved professional services agreement with Teague Nall and Perkins, Incorporated to include the design of a 24-inch waterline along Princeton Road from Liberty Grove Road to Dalrock Road as part of the Princeton Road Rehabilitation project in the amount of ninety-six thousand dollars and no cents (\$96,000).

This Matter was approved as RES-159-08 on the Consent Agenda.

Passed The Consent Agenda

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

Ayes: 7 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

- 10.-D. Consider a resolution awarding the bid for the purchase of one ambulance (new Frazer Type 1 12 generator powered module mounted on a new 2009 Dodge Ram 3500 5.7 gasoline chassis with air suspension system) in the amount of one hundred eighteen thousand three hundred dollars (\$118,300) to Frazer, Ltd. through the inter-local cooperative purchasing agreement with Houston-Galveston Area Council (H-GAC) and authorize the City Manager to enter into a Municipal Lease/Purchase agreement for four year financing of the ambulance for Fleet Services and Fire Rescue.

Mayor Harper read the item into the record.

Deputy Mayor Pro Tem Maggiotto stated "I have some ideas that, if you will, have a sensitive aspect to them. What I'd like to propose on this particular agenda item, with all due respect to staff, I haven't engaged them on these brainstorming ideas, but what I'd like to do is table this item to allow the incoming City Manager time to assess the situation. Should it be deemed necessary to participate in negotiations concerning the acquisition of an EMS ambulance?"

Mayor Harper stated "We have a motion to table; is there a second?"

A motion was made by Deputy Mayor Pro Tem Maggiotto, seconded by Councilmember Phillips, that this matter be postponed. The motion carried by the following vote:

Ayes: 6 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Jackson and Councilmember Kilgore

Noes: 1 - Councilmember Rushing

10.-E.

Consider a resolution awarding the bid for the purchase of one ambulance remount (refurbishing Rowlett's existing Frazer Type 1 12' generator powered module E-923 mounted on a new 2009 Dodge Ram 3500 5.7 gasoline chassis) in the amount of eighty-three thousand four hundred seventy-five dollars (\$83,475) to Frazer, Ltd. through the inter-local cooperative purchasing agreement with Houston-Galveston Area Council (H-GAC) for Fleet Services and Fire Rescue.

Mayor Harper read the item into the record.

George Harris, Interim City Manager stated "I would ask the Council if you do pass this to pass it as an amount not to exceed because we're looking at a few bid specification changes that would save the City several thousand dollars."

Mayor Harper replied "All right, we'll have a motion then not to exceed the figure of \$83,475. Is that correct?"

Mr. Harris replied "That's correct."

Mayor Harper stated "Thank you, Mr. Harris. Anybody else?"

Councilmember Rushing stated "Mayor, I had one question. Is there a problem with doing the remount before we order the new purchase?"

Don Poovey, Interim Fire Chief stated "The reason we did that is because we have to maintain three (3) in-service medic units to meet our obligation with the Mutual Aid Contract with the City of Garland. And if we send one (1) off before we receive one (1), then that...we would not have a reserve ambulance. So, like this week, we had two (2) ambulances go down mechanically, we would not be able to meet that obligation."

Councilmember Rushing stated "So, if we...since we are postponing and tabling Item 10D to not order the new one, it would be a problem for you if we agreed to send one off for a remount before we order the new one."

Chief Poovey replied "Well, if we send the one off for remount, essentially, that reserve ambulance would go away and we'll just have the three (3). And when one (1) goes down for maintenance or mechanical, then we're down to two (2) ambulances in the City."

Mayor Harper stated "How long is this process, Chief?"

Chief Poovey replied "It's going to be long. Probably four (4), five (5), maybe even six (6) months."

Mayor Harper stated "Oh, it takes that long to do the refurbishing?"

Chief Poovey replied "Yes, it has to get in line with their refurb work."

Mayor Harper stated "I see."

Chief Poovey stated "The best estimate they can give us is about five (5) to six (6) months."

Mayor Harper stated "But would they actually take the vehicle in the next couple of weeks?"

Chief Poovey stated "You have to send it down there and get it in line and they go to work on it."

Mayor Harper stated "Does it sit there or do they actually work on it?"

Chief Poovey replied "I think somewhat it does sit there but then somewhat they have different people go in and do..."

Mayor Harper stated "True, this isn't the Federal government doing it?"

Chief Poovey continued "Unfortunately, that's their process."

Mayor Harper stated "All right. Mr. Maggiotto, I see you want to say something."

Deputy Mayor Pro Tem Maggiotto replied "Chief, that's not my understanding how Frazer does business. Specifically, I think the question was 'how long does it take to do a remount' as opposed to where you are in the queue."

Chief Poovey replied "Actually, once they start working on it, they did not disclose that to me. I could call and ask them but what she did tell me was you have to send it down here and get it in line and then they go to work on it as it falls in line with their other remounts. There are a lot of other cities being remounted at the same time."

Deputy Mayor Pro Tem Maggiotto stated "And the person that you were talking to?"

Chief Poovey replied "Laura Frazer."

Deputy Mayor Pro Tem Maggiotto stated "Okay, so it wasn't Adolf? The person that returned the quote to you?"

Chief Poovey replied "I didn't do this last quote but it was Laura Frazer."

Deputy Mayor Pro Tem Maggiotto stated "But in terms of actually the production line that Frazer has, I think the thought here by Council is to approve a purchase order not to exceed and having you done your due diligence to reduce the cost that with a purchase order in hand, you can at least guarantee your slot in the queue. Correct?"

Chief Poovey replied "That is possible."

Deputy Mayor Pro Tem Maggiotto replied "Thank you."

Mayor Harper stated "That being the case, this is a question for you Mr. Maggiotto from

me. It sounds like there really isn't an issue then if we go ahead as we've already decided to table Item 10D and to approve Item 10E."

Deputy Mayor Pro Tem Maggiotto replied "Correct. I think the Council wants to afford staff the maximum flexibility in doing business. Right now, as Chief Poovey indicates, we do have a slot and they do have a production on a per month basis. I'd just like to be able to afford them that flexibility to tie up that slot. I don't expect that Item 10D will take more than the time it takes the new City Manager to acquaint herself with the situation and to basically bring her decision back to the Council."

Mayor Harper stated "Okay. Any other comments or questions? Mr. Harris?"

Mr. Harris stated "Thank you, Mayor. What I would suggest is if the Council approves Item 10E, that we would hold off on actually shipping the ambulance out until Item 10D is settled."

Mayor Harper replied "All right."

Mr. Harris continued "To not put us in..."

Mayor Harper asked "Would that hold your place in line?"

Mr. Harris replied "We'll talk to Frazer and find out what he'll do for us."

Mayor Harper stated "Good that sounds like a great plan. Anybody else?"

Mayor Pro Tem Gottel stated "Mayor, I'd just like to make a motion."

Mayor Harper stated "Mr. Gottel wishes to make a motion."

Mayor Pro Tem Gottel stated "I would like to make a motion that we approve the item, Item 10E, as read with the exception that it's modified to an amount not to exceed \$83,475."

A motion was made by Mayor Pro Tem Gottel, seconded by Deputy Mayor Pro Tem Maggiotto, that this matter be adopted as amended as RES-160-08. The motion carried by the following vote:

Ayes: 7 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

11. ITEMS FOR INDIVIDUAL CONSIDERATION

11.-A.

Conduct the second of two public hearings and consider an ordinance approving an administrative amendment to Article VI, Section 6.04(1)(A) of the City Charter to delete the word "every" from the last, final sentence.

Mayor Harper read the item into the record.

Mayor Harper stated "This is the second of two (2) public hearings and as well, considering an ordinance. So, we'll do this in two (2) separate steps. First, let me open the public hearing (8:09 p.m.). I'll ask anyone who is present, does anyone wish to speak for or against the administrative amendment to the City Charter to delete the word 'every' from the last final sentence in Article VI, Section 6.04 (1)(A)? Is there anyone who wishes to

Speak for or against the deletion of the word 'every'? Not hearing or seeing anyone, I'll close the public hearing (8:09 p.m.). Now we'll move to the ordinance. Council, do you have any need for a presentation? Or questions or comments? Do we have a motion?

A motion was made by Councilmember Phillips, seconded by Councilmember Jackson, that this matter be adopted. The motion carried by the following vote:

Ayes: 7 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

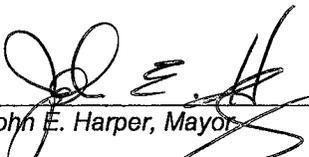
TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No actions were taken during the Executive Session.

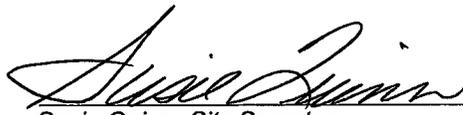
12. ADJOURNMENT

Mayor Harper, on behalf of the City Council, wished everyone a safe and happy holiday.

The meeting adjourned at 8:10 p.m.



John E. Harper, Mayor
Date Approved: January 6, 2009



Susie Quinn, City Secretary