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**MINUTES**  
**ROCKWALL CITY COUNCIL**  
**Monday, February 16, 2015**  
**4:00 p.m. Regular City Council Meeting**  
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

7 I. CALL PUBLIC MEETING TO ORDER

8  
9 Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt,  
10 Mayor Pro Tem Dennis Lewis, and City Council Members David White, Mike Townsend,  
11 John Hohenshelt, Scott Milder and Bennie Daniels. Also present were City Manager Rick  
12 Crowley, Assistant City Managers Brad Griggs and Mary Smith and City Attorney Frank  
13 Garza.

14  
15 II. WORK SESSION

- 16  
17 1. Hold Work Session to discuss the acquisition of portable furniture for San Jacinto Plaza,  
18 and take any action necessary.

19  
20 City Manager Rick Crowley provided brief, introductory comments related to this work  
21 session item, indicating that Parks & Recreation staff has included several different  
22 portable furniture options in the council members' informational meeting packet for  
23 review and consideration. Assistant City Manager Brad Griggs indicated that the City of  
24 Dallas utilizes this same company and similar furniture in Clyde Warren Park in  
25 downtown. Mayor Pruitt asked where the furniture will be stored. Mr. Griggs indicated  
26 that it will mostly be kept out; however, it would be able to be stored at The Center if and  
27 when needed. Mr. Crowley indicated he would like the council's feedback concerning  
28 who should be involved in selection of furniture for the San Jacinto Plaza. Councilmember  
29 Daniels asked if the furniture that has been evaluated is sturdy enough  
30 to withstand high winds. Mr. Griggs indicated that, yes, even though it is light weight, it  
31 is pretty durable and should be ok. Councilmember Milder expressed concern related to  
32 it being left out overnight. Councilmember Hohenshelt suggested that a variety of table  
33 sizes be chosen to accommodate both couples and small groups. Mayor Pro Tem Lewis  
34 asked if graffiti will come off of the furniture easily. Mr. Griggs indicated that he believes  
35 it will come off pretty easily. Lewis expressed that he favors the "Bistro Collection" that  
36 is included in the council packet. Mr. Griggs indicated that a combination of two seat  
37 tables and four seat tables will likely be selected, and a possible combination of high  
38 tops and low tops may be selected. Councilmember White suggested that staff and / or  
39 whomever oversees maintenance of the plaza should chose the furniture (possibly staff  
40 members Bethany Browning and Andy Hesser). Councilmember White inquired as to the  
41 expected lifespan of the furniture. Mr. Griggs indicated it will likely be about five to  
42 seven years. The general consensus among council members was to allow staff to  
43 choose the furniture. No formal action was taken regarding this agenda item.

- 44  
45 2. Hold Work Session to discuss and consider initiating amendment to the Unified  
46 Development Code in Article IX. Tree Preservation, Section 11. Tree Fund, Section 11.1  
47 Tree Fund Administration, and take any action necessary.

49 Mr. Crowley began discussion of this item, indicating that this change is related to how  
50 the city uses funds it receives from developers associated with tree mitigation. Assistant  
51 City Manager Brad Griggs provided additional comments, indicating that this change  
52 would allow for funds received to be used to purchase, not only trees, but also any type  
53 of plant material that is not an “annual,” such as shrubs and bushes. It would also allow  
54 funds to be used to pay for the installation or equipment needed for installation. This  
55 change would also allow for funds to be spent on purchase and installation of irrigation  
56 systems to keep new plantings alive. He explained that the city has received about  
57 \$235,000 in tree credit payments in the last several months. City Manager Rick Crowley  
58 mentioned that if the city council is ok with this amendment, in general, then staff will run  
59 it through the Planning & Zoning Commission for them to evaluate it and submit its  
60 recommendation back to the council for formal consideration and action at a later date.  
61 The council generally agreed to this, and no formal action was taken related to this  
62 agenda item at this time.

63  
64 3. Hold Work Session to discuss and consider city branding, including updating the city  
65 logo, and take any action necessary.  
66

67 Assistant City Manager Mary Smith provided introductory comments related to this work  
68 session item, including rough, preliminary costs associated with changing out the city’s  
69 logo (i.e. cost associated with things such as facility monument signs, street signs,  
70 business cards, vehicle decals, city flags, letterhead, water towers, etc.). She indicated  
71 that a rough estimate of cost associated with a logo change is about \$367,720.00. Brief  
72 comments were provided related to possibly phasing in a new logo should the council  
73 opt to move forward with its modification.  
74

75 Mayor Pruitt indicated that he has reviewed the rendering of the suggested new logo, and  
76 he believes it only conveys the ‘lake’ part of our city and not the peacefulness of it.  
77 Mayor Pruitt expressed that he would like the city council to ensure that the proposed,  
78 new logo conveys that which the city wishes to convey about itself.  
79

80 Councilmember Milder expressed that the current logo is dated, and he believes the  
81 city’s logo and brand should reflect who we are today and what we want to be in the  
82 future. He believes that the updated design currently being proposed has a lot of  
83 symbolism to it. He feels like it is time for the city to move forward with changing its  
84 brand and logo, even if it is not this particular logo currently being circulated.  
85

86 Councilmember Hohenshelt explained that the thought of a potential logo change and  
87 rebranding was birthed out of discussions at the REDC because they were considering  
88 new, improved marketing strategies to help better attract businesses to Rockwall. He  
89 explained that the REDC board looked at about 25 potential logo designs in consultation  
90 with a consultant, Billy Quinton of QBall Designs, before narrowing the options down to  
91 this particular one.  
92

93 Councilmember Daniels expressed that he agrees the city should be looking at  
94 rebranding itself. However, he does not see a striking difference in the logo included in  
95 the council packet versus the one the city currently utilizes. He generally expressed a  
96 desire to have some additional expertise and input from a professional in the business of  
97 marketing and branding. He does not disagree that the city may need a new logo and  
98 new branding; however, he questions if this particular logo is the most desirable one. He  
99 also expressed concern about tying in the colors of the two existing high schools on the

100 flag of the boat's mast in the draft logo. He believes this will be problematic a few years  
101 into the future when a third or fourth high school is opened in the city.

102  
103 Councilmember Milder clarified that perhaps what Councilmember Daniels would like to  
104 see is a consultant who could assist with 'branding' and not just graphic design  
105 associated with a logo depiction. Councilmember Daniels generally seemed to agree  
106 that 'branding,' including input and thought beyond just a pictorial representation is a  
107 good idea. For example, maybe a slogan should be created to go along with a new logo.  
108

109 Councilmember Hohenshelt indicated that when the REDC began looking at revamping  
110 its logo, its main concerns were that the current logo did not communicate that Rockwall  
111 is a Texas city, and it did seem like the city's current logo was outdated and needed a  
112 new, fresh look.  
113

114 Mr. Crowley explained that the square version of the city's logo was initially created in  
115 about 1983 or so, and it was slightly revamped with updated colors and round instead of  
116 a square depiction in about 2003 or 2004.  
117

118 Mayor Pruitt indicated that he and Councilmember Milder requested this work session  
119 item, not necessarily for the purpose of taking any action, but to begin discussions of  
120 this topic.  
121

122 Councilmember Milder suggested that three council members be selected to form a  
123 subcommittee of the council in order to further explore this topic.  
124

125 Councilmember White indicated that he has no problem with the REDC and the city  
126 having different logos. He pointed out that not having an updated logo or "brand" has  
127 not stopped businesses and residents from coming to and moving to Rockwall.  
128 Rockwall has continued to be a very fast growing city, and he believes the city has been  
129 doing just fine with the logo it has now.  
130

131 Councilmember Hohenshelt asked if the city council is generally ok with him reporting to  
132 the REDC that they are free to move forward with a new logo and marketing plan if they  
133 would like to do so. Council members generally indicated that, yes, doing so will be ok.  
134

135 Mayor Pruitt indicated that he concludes the city council will, at this point, not proceed  
136 with initiating a new city logo. He did offer a suggestion that the REDC consider the  
137 concern that Councilmember Daniels pointed out regarding not including the colored  
138 flags on the boat's mast, which currently represent the school colors of the city's  
139 existing, two high schools.  
140

141 Mr. Crowley mentioned that, at some point, he would like to have a discussion with the  
142 council regarding possible, future strategic planning as well as the city's future  
143 marketing strategy.  
144

145 Following the work session items, Mayor Pruitt read the below listed discussion items  
146 into the record before recessing the public meeting into Executive Session at 4:45 p.m.  
147

148

149

150

151 **III. EXECUTIVE SESSION**

152  
153 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**  
154 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**  
155 **CODE:**

- 156 1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex  
157 RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
- 158 2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas  
159 and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with  
160 Attorney)
- 161 3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks  
162 Subdivision pursuant to Section 551.071 (Consultation with Attorney)
- 163 4. Discussion regarding Economic Development prospects and potential incentive  
164 agreement pursuant to Section 551.087 (Economic Development)

165  
166 **IV. ADJOURN EXECUTIVE SESSION**

167  
168 **Executive Session was adjourned at 5:45 p.m.**

169  
170 **V. RECONVENE PUBLIC MEETING**

171  
172 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council**  
173 **members present.**

174  
175 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

176  
177 **Mayor Pro Tem Lewis indicated that no action was needed as a result of Ex. Session.**

178  
179 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND**

180  
181 **Councilmember Townsend delivered the invocation and led the Pledge of Allegiance.**

182  
183 **VIII. PROCLAMATIONS / AWARDS**

- 184  
185 1. **Engineers Week**

186  
187 **Mayor Pruitt called forth City Engineer, Tim Tumulty, and read and presented him with**  
188 **this proclamation.**

189  
190 **IX. CONSENT AGENDA**

- 191  
192 1. Consider approval of the minutes from the February 2, 2015 regular city  
193 council meeting, and take any action necessary.

- 194 2. **P2015-003** - Discuss and consider a request by Christopher Orr of  
195 Arcadia Lakes of Somerset Holdings, LLC for the approval of a master  
196 plat and open space plan for Phases 1 & 2 of the Somerset Park  
197 Subdivision, containing 309 single-family residential lots on a 139.354-  
198 acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey,

199 Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned  
200 Planned Development District 63 (PD-63) for Single Family 10 (SF-10)  
201 District land uses, situated within the SH-205 Overlay (SH-205 OV)  
202 District, located at the northeast corner of the Intersection of FM-549 and  
203 S. Goliad Street (SH-205), and take any action necessary.

- 204 3. **P2015-004** - Discuss and consider a request by Christopher Orr of  
205 Arcadia Lakes of Somerset Holdings, LLC for the approval of a  
206 preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision,  
207 containing 309 single-family residential lots on a 139.354-acre tract of  
208 land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No.  
209 123, City of Rockwall, Rockwall County, Texas, zoned Planned  
210 Development District 63 (PD-63) for Single Family 10 (SF-10) District land  
211 uses, situated within the SH-205 Overlay (SH-205 OV) District, located at  
212 the northeast corner of the Intersection of FM-549 and S. Goliad Street  
213 (SH-205), and take any action necessary.

214 **Mayor Pro Tem Lewis made a motion to approve the entire consent agenda (#s 1, 2, and**  
215 **3). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0**  
216 **nays.**

217  
218 **X. APPOINTMENTS**

- 219  
220 1. Appointment with the Planning and Zoning Chairman to discuss and  
221 answer any questions regarding cases on the agenda and related issues  
222 and take any action necessary.

223 **John McCutcheon of the city's Planning and Zoning Commission came forth and briefed**  
224 **the council on recommendations of the Commission relative to items on tonight's**  
225 **council agenda. The council took no action related to this agenda item.**

- 226  
227 2. Appointment with Police Chief Mark Moeller to hear reports on racial  
228 profiling, crime comparison and the holiday crime initiative, and take any  
229 action necessary.

230 **Police Chief Mark Moeller came forth, indicating that the council has been provided with**  
231 **the annual racial profiling report in their informational meeting packet. Councilmember**  
232 **White commented that having had approximately 110 people consent to vehicle searches**  
233 **this past year is an astounding number. Chief Moeller then provided brief comments on**  
234 **the crime comparison of statistics of crimes the year before compared to this past year**  
235 **as well as the statistics associated with the department's holiday crime initiative. The**  
236 **Council thanked Chief Moeller for his hard work and took no action related to this agenda**  
237 **item.**

238  
239 **XI. PUBLIC HEARING ITEMS**

- 240  
241 1. **Z2015-001** - Hold a public hearing to discuss and consider approval of an  
242 ordinance for a request by James Jackson of Jackson Automotive for the  
243 approval of a Specific Use Permit to allow for automotive vehicles to be  
244 stored outside overnight in conjunction with an existing minor automotive  
45 repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block  
46 A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned  
247 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)

District, located at 608 White Hills Drive, and take any action necessary.  
(1st reading)

Planning Director Robert LaCroix provided background information related to this agenda item. He mentioned that Mr. Jackson's business has been operating in the city since about 1983, and it was expanded by about 3,000 square feet several years ago. He explained that Mr. Jackson is making this request because sometimes there is a need for customer cars to be parked and stored outside of his business overnight, especially if he is waiting on a part to come in or the customer is unable to come pick up their vehicle right away when it is ready. Twenty-three notices were mailed out to property owners within 500' of the property, and no notice replies have been received back by staff at this time. He explained that the overnight parking would be limited to 18 parking spaces located to the west of the property, and that no car will be parked outside overnight for longer than a forty-eight (48) hour period. The Planning and Zoning Commission unanimously recommended approval of this item.

Mayor Pruitt opened the public hearing and called forth the applicant.

Mr. James Jackson  
608 White Hills Drive

Mr. Jackson came forth and explained that any of the vehicles that would be stored overnight will not be able to be seen from passersby.

Mayor Pruitt asked if anyone else would like to come forth and speak. There being no one else wishing to come forth, Mayor Pruitt closed the public hearing.

Councilmember Townsend made a motion to approve Z2015-001. Mayor Pro Tem Lewis seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 15-  
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

- 300 2. **Z2015-004** - Hold a public hearing to discuss and consider approval of an  
301 ordinance for a request by Zack Amick of Gordon Rockwall Investments,  
302 LLC on behalf of Keith Young for the purpose of amending Specific Use  
303 Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre  
304 tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard  
305 Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City  
306 of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,  
307 situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed  
308 as 1530 E. IH-30, and take any action necessary. **(1st reading)**

309 **Planning Director Robert LaCroix provided background information related to this**  
310 **agenda item. He generally explained that the SUP will continue to allow the property to**  
311 **be used in conjunction with the current Hyundai dealership while also allowing the**  
312 **applicant flexibility to pursue other brands. The development enhancements would be**  
313 **phased in over a three year period, and the SUP would be reviewed after three years.**  
314 **The first phase would deal with the paving, drainage and detention ponds (engineering).**  
315 **Part two would be to complete the concrete paving area, add some lighting and**  
316 **landscaping. Lastly, the existing building would be remodeled to match the existing**  
317 **Hyundai dealership adjacent to it. Mr. LaCroix indicated that thirty-three notices were**  
318 **sent out to property owners located within 500' of the subject property. One notice was**  
319 **received back today in favor of the request. The Planning & Zoning Commission did**  
320 **recommend approval of this agenda item by a unanimous vote.**

321  
322 **Mayor Pruitt opened the public hearing and called the applicant forth.**

323  
324 **Zack Amick**  
325 **1957 Stevens Road**  
326 **Rockwall, Texas**

327  
328 **He indicated that he is requesting this SUP for the primary reason of expanding the**  
329 **business. He explained that they are exploring having another brand come to Rockwall.**  
330 **He explained that the dealership is owned by Mr. Young, who has been in the car**  
331 **dealership business his whole life. It is possible that the higher end product of Hyundai,**  
332 **Genesis, may be brought to this location.**

333  
334 **Mayor Pruitt asked if anyone else would like to come forth and speak. There being no**  
335 **one else, Mayor Pruitt then closed the public hearing.**

336  
337 **Councilmember Milder asked Mr. Amick what he would do with the property if the SUP**  
338 **were not approved. Mr. Amick expressed that he is unsure what would be done with it if**  
339 **the SUP is not approved. He explained that, prior to it being purchased and opened for a**  
340 **Hyundai dealership, an RV storage and sales business operated out of this property. Mr.**  
341 **Amick explained that Mr. Young, the current owner of the property and the Hyundai**  
342 **dealership, intends to own and operate a car dealership out of this location for a long**  
343 **time into the future.**

344  
345 **Councilmember Townsend expressed that it makes him somewhat uneasy to not know**  
346 **what type of car dealership business will eventually end up operating out of this location**  
347 **in future years since the project is being proposed to be phased in over a three-year**  
348 **period.**

350 Mayor Pruitt asked why the city is not requiring the applicant to finish Commerce Street.  
351 Mr. LaCroix indicated that, eventually, this may happen as part of the platting process via  
352 some sort of facilities agreement. Pruitt asked if the council is able to make this a  
353 condition associated with granting this SUP. Mr. Garza indicated that, no, under the law,  
354 that may not be included as a condition of the SUP. Pruitt indicated that spreading out  
355 car dealerships and not allowing them right next to each other in a way that overloads a  
356 certain area of the city is important, especially if car dealerships end up going under  
357 years down the road.

358  
359 Mr. Amick pointed out that there is very little frontage on IH-30 associated with this car  
360 dealership. He also pointed out that the twenty-two acres located to the rear of this  
361 property is also owned by Mr. Young, and he has plans to develop it with perhaps some  
362 office/warehouse space.

363  
364 Councilmember White made a motion to approve this SUP request (Z2015-004), including  
365 staff recommendations. Mayor Pro Tem Lewis seconded the motion. The ordinance was  
366 read as follows:

367 CITY OF ROCKWALL  
368 ORDINANCE NO. 15-XX  
369 SPECIFIC USE PERMIT NO. S-107

370  
371 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
372 ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT  
373 CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL,  
374 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC  
375 USE PERMIT NO. S-107 TO ALLOW FOR A NEW MOTOR VEHICLE  
376 DEALERSHIP ON A TEN (10) ACRE TRACT OF LAND IDENTIFIED  
377 AS TRACTS 4 & 4-02 OF THE N. M. BALLARD SURVEY, ABSTRACT  
378 NO. 24, AND THE A. HANNA SURVEY, ABSTRACT NO. 99, CITY OF  
379 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR  
380 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT  
381 TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)  
382 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;  
383 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN  
384 EFFECTIVE DATE.

385  
386 The motion passed by a vote of 5 in favor with 2 against (Pruitt and Milder).

- 387  
388 3. Z2015-002 - Hold a public hearing to discuss and consider approval of an  
389 ordinance for a request by Lawrence H. Ringley of Ringley & Associates,  
390 Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a  
391 Specific Use Permit to allow an automobile rental facility on a 0.215-acre  
392 portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A,  
393 Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall  
394 County, Texas, zoned Commercial (C) District, located at 898 Steger  
395 Towne Drive, and take any action necessary. (1st reading)

396 Planning Director Robert LaCroix provided background information related to this  
397 agenda item. He explained that cars associated with this leasing operation would be  
398 cleaned off-site and only minor cleaning, such as vacuuming, would take place. Cars  
399 would be stored in the rear of the shopping center suite. Notices were mailed out to  
400 fifteen property owners located within 500' of the property, and one notice was received  
401 back today in favor. The Planning & Zoning Commission did recommend approval of



402 this item by a vote of 7 ayes to 0 nays. The Commission discussed the possibility of the  
403 company having designated parking spaces in front of the business; however, this is  
404 something the business would have to work out with the property management company  
405 who owns the shopping center / parking lot.

406  
407 Mayor Pruitt opened the public hearing and called the applicant forth.

408  
409 **Jeff Wagner**  
410 **3937 S. 26<sup>th</sup> Avenue**  
411 **DFW Airport, Texas**  
412

413 Mr. Wagner came forth and indicated that the company has had Rockwall on its radar for  
414 quite a number of years now, and it would like to open a car rental operation at this  
415 location, which he feels suits the needs of this car leasing business.

416  
417 Mayor Pruitt asked if anyone else would like to come forth and speak during the public  
418 hearing.

419  
420 **Freddie Jackson**  
421 **1812 Bristol Lane**  
422 **Rockwall, TX**  
423

424 Mr. Jackson came forth and expressed concern about the applicant indicating that the  
425 cars will not be washed on site.

426  
427 Mr. Wagner explained that if a car is dirty enough to need an external wash, it will be  
428 taken down the road to a car wash that's attached to a gas station. Any vacuuming or  
429 minor cleaning will take place behind the building.

430  
431 There being no one else wishing to come forth and speak, Pruitt then closed the public  
432 hearing.

433  
434 Councilmember white made a motion to approve Z2015-002 with staff recommendations.  
435 Mayor Pruitt seconded the motion. The ordinance was read as follows:

436  
437 **CITY OF ROCKWALL**  
438 **ORDINANCE NO. 15-**  
439 **SPECIFIC USE PERMIT NO. S-**  
440

441 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
442 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE  
443 NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY  
444 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP)  
445 ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A  
446 COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A  
447 LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK  
448 A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY  
449 LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL,  
450 ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN  
451 EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A  
452 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND  
453 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A

454 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
455 PROVIDING FOR AN EFFECTIVE DATE.  
456

457 **The motion passed by a vote of 7 ayes to 0 nays.**  
458

- 459 4. **Z2015-003** - Hold a public hearing to discuss and consider approval of an  
460 ordinance for a request by Cole Franklin of the Skorburg Company on  
461 behalf of the owner Larry Hance for the approval of a zoning change from  
462 an Agricultural (AG) District to a Planned Development District for Single  
463 Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-  
464 acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract  
465 No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural  
466 (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-  
467 OV) District, located at the northwest corner of FM-552 and John King  
468 Boulevard, and take any action necessary [Postponed to the March 2,  
469 2015 City Council meeting.

470 **Mayor Pruitt announced that this item has been postponed to the March 2 city council**  
471 **meeting. No discussion took place at this time, and no action was taken.**  
472

473 **XII. ACTION ITEMS**  
474

- 475 1. Discuss and consider a request from Mr. Richard and Ceci Chancellor to  
476 install a 48" tall wrought iron fence in the required front yard located at  
477 705 Pendleton Dr, and take any action necessary.

478 **Building Official Jeffrey Widmer provided brief background information related to this**  
479 **agenda item.**  
480

481 **Mayor Pruitt called Mr. Chancellor forth. Mr. Chancellor, 705 Pendleton Drive, came forth**  
482 **and indicated that he would like to build this wrought iron fence in order to keep his**  
483 **grandkids and puppy safe from the dangers of the street in front of his home. He**  
484 **explained that it will be a short, 4' fence, and he shared that the rear of his property is**  
485 **occupied by a swimming pool. He explained that there is a home located at the end of**  
486 **his street that has a similar wrought iron fence in its front yard.**  
487

488 **Mr. Widmer indicated that the other home is nine houses away from Mr. Chancellor's**  
489 **home, and the variance granting the front yard fence was permitted in 2011. Mr. LaCroix**  
490 **indicated that, as he recalls, that particular variance was granted in April of 2011 to**  
491 **secure a dog.**  
492

493 **Mayor Pruitt asked if there is any requirement for neighbors to be notified. Mr. LaCroix**  
494 **indicated that as long as the front yard fence is kept to no more than 4' tall, then**  
495 **neighbors do not have to be notified.**  
496

497 **Councilmember White made a motion to grant permission for a 48" tall, wrought iron**  
498 **front yard fence. Mayor Pro Tem Lewis seconded the motion. Councilmember Daniels**  
499 **generally expressed that he believes other front yard fences have been allowed by**  
500 **council in the past due to retaining walls being present and in order to rectify safety-**  
501 **related concerns. He generally expressed concern about granting permission for this**  
502 **front yard fence, as he cannot imagine that neighbors would really be okay with it.**  
503 **Councilmember Milder expressed concern granting permission for this front yard fence**

504 as well. He is uncomfortable with the idea of a dog being out in the front yard and is  
505 concerned that precedent may have already been set with the granting of a front yard  
506 fence back in 2011 on the same street. Councilmember Hohenshelt asked if Mr.  
507 Chancellor has spoken to his neighbors about his desire to build this front yard fence.  
508 Mr. Chancellor expressed that he has not, that one of his neighbors just moved in a day  
509 or two ago, and the other neighbor moved in about one-and-a-half months ago.  
510

511 After clarifying comments, the motion on the floor (to approve the front yard fence)  
512 passed by a vote of four in favor and 3 against (Pruitt, Milder and Daniels).  
513

- 514 2. **Z2014-040** - Discuss and consider approval of an ordinance for a request  
515 by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of  
516 Tekmak Development Company for the approval of a Specific Use Permit  
517 (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block  
518 A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa  
519 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned  
520 Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30  
521 OV) District, located at the southeast corner of the intersection of the IH-  
522 30 Frontage Road and Lakefront Trail, and take any action necessary.  
523 **(2nd Reading)**

524 Mayor Pruitt made a motion to table this item until the next regularly scheduled city  
525 council meeting. Councilmember Lewis seconded the motion, which passed by a vote of  
526 7 ayes to 0 nays.

- 527  
528 3. **SP2014-034** - Discuss and consider a request by Cameron Slown of FC  
529 Cuny Corporation on behalf of Tom Kirkland of Tekmak Development  
530 Company for the approval of waivers to Planned Development District 32  
531 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development  
532 Code associated with a site plan for a hotel on a 2.968-acre tract of land  
533 identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block  
534 A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas,  
535 zoned Planned Development District 32 (PD-32), situated within the IH-30  
536 Overlay (IH-30 OV) District, located at the southeast corner of the  
537 intersection of the IH-30 Frontage Road and Lakefront Trail, and take any  
538 action necessary.

539 Mayor Pruitt made a motion to table this item until the next regularly scheduled city  
540 council meeting. Councilmember Daniels seconded the motion, which passed  
541 unanimously (7 ayes to 0 nays).

- 542 4. Discuss and consider various bills being proposed in the 84th Texas  
543 State Legislative Session and consider authorizing the City Manager to  
544 enter into an agreement with Capitol Insights for support in monitoring this  
545 legislative session, and take any action necessary.

546 Mr. Crowley provided brief background information related to this agenda item.  
547 Councilmember Townsend asked for clarification regarding if Capitol Insights would only  
548 be monitoring the session on our behalf or if they would also be doing some lobbying  
549 too. Mr. Crowley indicated that this agreement would be limited to the company  
550 monitoring proposed bills, and it would not include lobbying services on the city's  
551 behalf. Mayor Pruitt pointed out that the legislative session is roughly 1/3 of the way

552 through at this point. Pruitt indicated that a few of the bills that are being monitored by  
553 the TX Municipal League (TML) are being watched because TML is opposed to them;  
554 however, he would actually be in favor of lobbying in favor of some of them.  
555

556 Councilmember Hohenshelt asked how staff would be fielding information to and from  
557 the council concerning bills that have been proposed. In other words, how would staff  
558 and the company be gleaning insight from the city council concerning its position on  
559 certain bills. Mr. Crowley indicated that staff would be periodically approaching the  
560 council to find out its stance on certain bills.  
561

562 Mayor Pruitt expressed he believes TML does a good job of keeping the city informed.  
563 He is therefore not in favor of spending taxpayer money to monitor issues the city can  
564 monitor on its own. However, if the city has opposing viewpoints contrary to TML's  
565 stance on certain bills, he may be in favor of the city hiring a lobbyist to speak on the  
566 city's behalf. After the brief discussion, no action was taken concerning this agenda  
567 item.  
568

569 5. Discuss and consider initiating a survey for the purpose of soliciting  
570 citizen feedback and input regarding city programs and services, and take  
571 any action necessary.

572 Mr. Crowley indicated that conducting a new citizen survey was not necessarily included  
573 in the budget this year; however, it could be funded out of the general fund should the  
574 council decide to move forward with one. He pointed out that Councilmember Milder  
575 requested this agenda item for discussion and consideration, and staff stands prepared  
576 to move forward as directed by council.  
577

578 Councilmember Milder indicated that he would like a survey conducted in order to gain  
579 insight as to what citizens like and dislike in order to help the city council members make  
580 informed decisions that are most favorable to citizens' wants and desires. Milder  
581 indicated a desire to instruct the city manager to begin investigating possible firms to  
582 assist with conducting a citizen survey, and he suggested that a survey be conducted  
583 annually.  
584

585 Mayor Pro Tem Lewis asked what the 'return rate' was the last time a citizen survey was  
586 conducted. Mr. Crowley indicated that the last return rate was about twelve percent  
587 (12%). He asked how much money may have been spent on printing and mailing the past  
588 survey. Mr. Crowley indicated that about \$25,000 was previously spent. Also, he pointed  
589 out that phone surveys are fairly difficult, especially since most people no longer have  
590 home phones.  
591

592 Councilmember White indicated that there is no way he will support conducting a survey.  
593 He pointed out that the city council must be willing to take positive, responsive action in  
594 response to the feedback it receives, and, a lot of times, action associated with feedback  
595 on a survey is not possible (i.e. citizens wanting a Sprouts or a Whole Foods – the  
596 council cannot do a lot about this sort of thing). He instead suggested that staff  
597 communicate with citizens in other ways in order to glean feedback from them. He has  
598 concerns about having such a low return rate (12%), and he believes it is a waste of  
599 taxpayer money.  
600

601 Councilmember Townsend pointed out that, every year, someone on the city council is  
602 up for election, and, therefore, every year citizens have a chance to weigh in on their  
603 local government and how it is being operated. He believes that city council members  
604 are elected for the purpose of listening to their constituents.  
605

606 Councilmember Daniels asked how many households are in Rockwall. Mrs. Smith  
607 indicated that about 14,000 households are in the city. Councilmember Daniels generally  
608 indicated mixed feelings about conducting a citizen survey. Mr. Daniels suggested doing  
609 a "sample survey" of a limited number of residents to glean feedback that could then,  
610 statistically, be applied to residents of the city as a whole. He indicated he worked for  
611 the U.S. Census for a while, and he believes a person can make survey results show  
612 whatever he wants them to show. He believes surveys do help uncover some helpful  
613 information, however, he believes it is important to keep financial costs in mind.  
614

615 Councilmember Milder indicated he appreciates the opinions of other council members;  
616 however, he believes a survey can genuinely be designed in order to gain sound,  
617 valuable feedback from citizens to help the council in making future decisions. He  
618 generally expressed that he believes there is value in conducting surveys in order to gain  
619 objective, real feedback. He suggested that the city needs to be more strategic in  
620 considering critical issues facing the city. He pointed out that a very small percentage of  
621 citizens show up to vote and elect city council members. However, it is still important to  
622 solicit feedback from citizens living in the city even if they don't vote.  
623

624 Councilmember White indicated that staff should be advising on certain matters, and, if  
625 citizens have concerns, they are always welcome and invited to email council members  
626 to express such concerns. He believes that the city gets a lot of positive feedback via  
627 things such as magazines naming Rockwall one of the greatest places to live.  
628

629 Councilmember Hohenshelt weighed in indicating that if there were very specific topics  
630 that the city council wanted to ask of citizens, then he could maybe see merit in  
631 conducting a survey. However, if questions asked were vague in nature, he would not be  
632 largely in favor of conducting a survey of that nature.  
633

634 Mayor Pruitt suggested that strategic planning or citizen surveys may be topics best  
635 discussed at council/staff planning retreats. There being no motions made concerning  
636 this item, no action was taken.  
637

638 Mayor Pruitt then called for the meeting to be adjourned (7:42 p.m.).  
639

640 **XIII. EXECUTIVE SESSION**  
641

642 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS  
643 THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT  
644 CODE:

- 645 1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex  
646 RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
- 647 2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas  
648 and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with  
649 Attorney)

650 3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks  
651 Subdivision pursuant to Section 551.071 (Consultation with Attorney)

652 4. Discussion regarding Economic Development prospects and potential incentive  
653 agreement pursuant to Section 551.087 (Economic Development)

654 **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**  
655

656 **The council did not reconvene in Executive Session following the close of the public**  
657 **meeting agenda.**

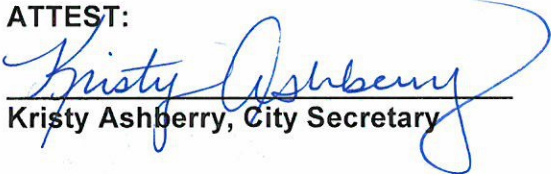
658  
659 **XV. ADJOURNMENT**

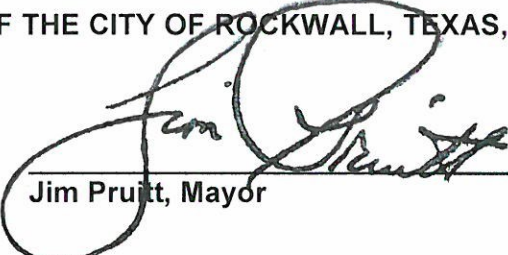
660 **The meeting was adjourned at 7:42 p.m.**  
661  
662  
663

664 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
665 **this 2<sup>nd</sup> day of March, 2015.**

666  
667

668 **ATTEST:**

669   
670 Kristy Ashberry, City Secretary  
671

  
\_\_\_\_\_  
Jim Pruitt, Mayor

