
**ROCKWALL CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 19, 2021 - 4:00 PM
City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087**

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 4:00 p.m. Present were Mayor Pro Tem Kevin Fowler, Mayor Jim Pruitt and Council Members Anna Campbell, John Hohenshelt, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Council Member Dana Macalik arrived to the meeting at 4:42 p.m. (at the close of the work session discussion), and Council Member Trace Johannesen was absent for the entirety of the meeting.

II. WORK SESSION

- 1. Hold a work session to discuss vacant, entitled, or designated residential property in the City's corporate limits.**

Planning Director, Ryan Miller came forth and provided a presentation to Council concerning this work session item.

Councilmember Macalik arrived to the meeting at 4:42 p.m. (at the end of the work session discussion).

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:43 p.m.

III. EXECUTIVE SESSION.

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

- 1. Discussion regarding the appointment/employment process for the position of City Manager, and appointment of Interim City Manager pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).**
- 2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)**
- 3. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)**
- 4. Discussion regarding land lease and airport management agreements at the Ralph M Hall / Rockwall Municipal Airport pursuant to Section §551.071 (Consultation with Attorney).**
- 5. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).**
- 6. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).**

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

Mayor Pruitt called forth City Manager, Rick Crowley, and his family – wife, Lauren; daughters Kayla and Rachel; and grandson, Hudson. Mayor Pruitt then read and presented to Mr. Crowley a proclamation congratulating him on his upcoming retirement and acknowledging his 37 years of service to the City of Rockwall and his 42 years of service in local government administration. He also presented him with a gift from Senator Bob Hall - a Texas flag recently flown over the state capitol in honor of Mr. Crowley's service.

1. Health for Humanity Yogathon

Mayor Pruitt called forth Ashwini Gurwale and her colleague. He then read and presented a proclamation related to this Yogathon, which recently took place from January 16 – 31, 2021 throughout the United States. A brief presentation about yoga and its health benefits then took place. Mayor Pruitt thanked them for their information and presentation.

VIII. OPEN FORUM

Darby Burkey, President of the Rockwall Area Chamber of Commerce, came forth and offered kind words of gratitude to Mr. Crowley in honor of him and his upcoming retirement.

Dennis Lewis (former city councilman) came forth and provided kind words to Mr. Crowley, indicating that his wife, Clarissa Lewis, sends "Congratulations" to Rick on his upcoming retirement. Mr. Lewis went on to offer kind words to Mr. Crowley concerning his years of dedication and service to the City.

Mr. Crowley's wife, Lauren, came forth and shared that Mr. Crowley has great admiration and respect for each member of Council. She thanked them.

Mayor Pruitt spoke briefly, sharing that his wife, Kenda, likes Rick more than she likes him. He thanked Rick for his years of dedicated service to the City.

Mr. Crowley then spoke, sharing that he recently attended his 1,000th city council meeting since he began his career in 1979. He thanked the mayor and council as well as city staff. He went on to thank the residents of the city for their help in supporting his work on behalf of the City over the years since he started his career with Rockwall in 1984. He went on to thank his wife and family members for their support over the years.

John Brown, owner of Rudy's Aviation Flight Service, a business located at the Ralph M. Hall Municipal Airport came forth and thanked the Council for the city recently issuing him a license to operate his new business out of the airport.

Jerry Welch, Vice Chairman of the city's Planning & Zoning Commission, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. He then wished Mr. Crowley well in his retirement.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

See action taken at the end of the public meeting agenda.

X. CONSENT AGENDA

1. Consider approval of the minutes from the January 4, 2021 regular City Council meeting, and take any action necessary.
2. **SNC2021-001** - Consider approval of a resolution changing the name of Sable Glen Drive to Sable Drive, and take any action necessary.
3. Consider awarding bids to Caldwell Country Chevrolet \$342,687 and Pursuit Safety \$166,000 and authorizing the City Manager to execute Purchase Orders for new Vehicles and Equipment for a total amount of \$508,687 to be funded out of General Fund Reserves, and take any action necessary.
4. Consider awarding a bid to multiple vendors and authorizing the City Manager to execute Purchase Orders for Parks Department Equipment in the amount of \$45,953.39 to be funded out of the General Fund Reserves and \$72,403.22 out of Recreation Development Fund, and take any action necessary.
5. Consider awarding a contract to FileOnQ and authorizing the City Manager to execute the contract for a Police Digital Evidence Management System in the amount of \$51,445 to be funded out of General Fund Reserves, and take any action necessary.
6. Consider amendment to current eligibility criteria for youth sports programs as a coach with the Rockwall Baseball & Softball League, and take any action necessary.
7. Consider authorizing the City Manager to execute an umpire agreement with Baseball Nation for the Rockwall Baseball Softball League, and take any action necessary.
8. Consider authorizing the City Manager to execute a tournament agreement with Baseball Nation for Leon Tuttle Athletic Complex, and take any action necessary.

Mayor Pruitt pulled item #1 for discussion.

Mayor Pro Tem Fowler moved to approve the remaining Consent Agenda Items (#s 2, 3, 4, 5, 6, 7, and 8). Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes to 0 nays (with Johannesen being absent).

Mayor Pruitt asked that the minutes be corrected to reflect that he participated in the 01/04/21 Executive Session by teleconference/telephone. He then moved to approve the minutes with that correction being made. Councilmember Hohenshelt seconded the motion, which passed unanimously (6 ayes to 0 nays with 1 absence (Johannesen)).

XI. PUBLIC HEARING ITEMS

1. **Z2020-055** - Hold a public hearing to discuss and consider a request by Caroline Harklau of Southern Roots, LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a *General Retail Store* on a 0.23-acre parcel of land identified as Lot 1, Block A, TCB Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary (**1st Reading**).

Ryan Miller, Planning Director, provided background information pertaining to this agenda item. The Planning & Zoning Commission has recommended approval of this request. Notices were sent out to adjacent property owners and residents located within 500' of the property. Overall, six notices/replies were received back in favor of the request. The Council is being asked to approve, approve with conditions, or deny the SUP request.

Mayor Pruitt opened the Public Hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Caroline Harklau of Southern Roots

**312 Dartbrook
Rockwall, TX**

Ms. Harklau came forth and briefly commented that her business has been doing very well, despite the pandemic, and she is making this request so that she may move out of her current space and into a new space that will allow her business a larger space to grow.

Mayor Pro Tem Fowler moved to approve Z2020-055. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A GENERAL RETAIL STORE ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 by a vote of 6 ayes with 1 absence (Johannesen).

2. **Z2020-056 - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of an ordinance for a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary (1st Reading).**

Mr. Miller, Planning Director, provided background information pertaining to this agenda item. This is for a 260 lot, residential subdivision that will incorporate lots that are 60' x 120' (i.e. a minimum of 7,000 SF), 70' x 120' (i.e. a minimum of 8,400 SF), and 72' x 120' (i.e. a minimum of 8,600 SF). The subject property is located at southeast corner of the intersection of FM-1141 and FM-552. Notices were sent out to 37 property owners and residents within 500' of the subject property. Staff has received one (1) property owner notification from a property owner within the notification area (i.e. within the 500-foot buffer) opposed to the applicant's request; eight (8) emails from property owners outside of the notification area, but within the City limits of the City of Rockwall, opposed to the applicant's request; and six (6) emails from people who live outside of the City limits.

1189 Waters Edge Drive

Rockwall, TX

Adam Buczek
8214 Westchester Drive, Suite 900
Dallas, TX

Mr. Buczek came forth and briefed the Council on the substantive changes that were made to this proposed residential subdivision since he initially brought it forth at the November 16, 2020 city council meeting.

Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak at this time.

Steve Curtis
2130 FM-1141
Rockwall (County), TX

Mr. Curtis came forth to address the Council, expressing concern about the large pond / lake that is located within the boundaries of the proposed, residential subdivision. He believes this is a FEMA floodplain area, and the lake has snakes and poses dangers to kids and residents who will be living here if this residential subdivision is approved. He expressed that this proposal does not match up with the Hometown "master plan" that the Council has previously approved. It has too high a density, and the developer is trying to fit too many homes on the acreage. He stated that this acreage was supposed to be developed as a 'custom home community,' not a residential subdivision with too many jam-packed lots. He believes the Hometown Plan reflects 'rural estate lots,' and what is being proposed does not match that description. He urged Council to deny this request, send it back to the Planning & Zoning Commission, and tell the developer to submit a new plan that more appropriately reflects what was previously promised.

Jim Turner
1691 E Old Quail Run Road
Rockwall, TX

Mr. Turner came forth and provided commentary, speaking in opposition of this proposal and its approval. He does not understand the zoning change to an SF-10 when the applicant applied for an SF-7. He has concerns about the traffic that will result from this new development if it comes to fruition. He urged the Council to deny this proposal at this time. He does not believe that this proposal is in line with / consistent with the city's Comprehensive Plan. He went on to read this statement by City Attorney, Frank Garza regarding the legal purpose of the Comprehensive Plan: "recommendations by Planning and Zoning and decisions of the Board of Adjustment and City Council are easier to defend if challenged if the decisions are consistent with the Comprehensive Plan." He believes there is nothing about this proposal that is consistent with the city's Comp. Plan.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker shared that he recently spoke with the school district, who indicated to him that this development will pose no problem for the district – they can handle the increased number of students. He pointed out that metal structures could be built on this acreage instead of what this developer is proposing. He generally spoke in favor of approval of this request. He believes the homes that are built will be quality homes.

There being no one else wishing to come forth and speak, Mayor Pruitt closed the Public Hearing.

At Mayor Pruitt's request, Mr. Miller clarified that the modified 'lot mix' was considered to be a 'substantial change' by the Planning & Zoning Commission.

Councilmember Daniels asked for the estimated "median" price of the homes that are proposed to be built. Mr. Buczek indicated that the median home price will be about \$550,000.

Councilmember Hohenshelt moved to approve Z2020-056. Mayor Pro Tem Fowler seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX**

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, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; 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.

Following brief, clarifying comments, the motion to approve passed by a vote of 6 ayes to 0 nays (with one absence – Johannesen).

Mayor Pruitt recessed the meeting, calling for a short break at 7:29 p.m. He called the meeting back to order at 7:43 p.m.

3. Z2020-057 - Hold a public hearing to discuss and consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of an ordinance for a Zoning Change superseding *Specific Use Permit No. 57 (S-57; Ordinance No. 08-39)* and changing the zoning from a Single-Family 10 (SF-10) District to Planned Development District 41 (PD-41) for General Retail (GR) District land uses on a 2.96-acre parcel of land identified as Lot 1, Block A North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. On December 18, 2020, the applicant – *Doug Galloway of Viaduct Development* -- submitted an application requesting to change the zoning of the 2.96-acre subject property from Single-Family 10 (SF-10) District and Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses to Planned Development District 41 (PD-41) for limited General Retail (GR) District land uses. In the applicant's letter, the applicant indicated the intent of the zoning change was to provide two (2) additional pad sites to allow the construction of two (2) office buildings. On December 19, 2020, staff mailed 756 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shores on Lake Ray Hubbard, Lakeview Summit, Caruth Lakes, and the Hillcrest at the Shores Homeowner's Associations (HOA's), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following: 16 property owner notifications, one (1) online Zoning & Specific Use Permit Input Form, and one (1) email from property owners within the notification area (i.e. within the 500-foot buffer) opposed to the applicant's request; however, staff should point out that several of these notices site an opposition a land use not being proposed with this case (i.e. retail and multifamily); One (1) email from a property owner within the notification area (i.e. within the 500-foot buffer) stating no objection to the applicant's request; and Two (2) emails and one (1) online Zoning & Specific Use Permit Input Form from property owners outside of the notification area (i.e. outside of the 500-foot buffer) opposed to the applicant's request. On January 12, 2021 the Planning and Zoning Commission approved the applicant's request to rezone the subject property from Single-Family 10 (SF-10) District and Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land development District 41 (PD-41) for limited General Retail (GR) District land uses by a vote of 6-1, with Commissioner Moeller dissenting.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

The applicant then came forth:

Doug Galloway
3508 Edgewater
Dallas, TX

Mr. Galloway came forth and addressed the Council concerning this request.

Councilmember Hohenshelt moved to approve Z2020-057. Councilmember Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS
AMENDING PLANNED DEVELOPMENT DISTRICT 41 (PD-41) [ORDINANCE NO.'S
94-15 & 01-27] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38]**

OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 41 (PD-41) AND REZONING A 1.46-ACRE TRACT OF LAND FROM SINGLE-FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 41 (PD-41), BEING A ~145.744-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98 AND THE J. G. B. JONES SURVEY, ABSTRACT NO. 124, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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.

Mayor Pruitt commented that there has been a lot of opposition to this proposal, and he believes that people should be able to decide what they will and will not have located beside them. Mayor Pro Tem Fowler pointed out that he believes there was a lot of misunderstanding and misinformation floating around about what is being proposed. Councilmember Campbell commented that she lives nearby in The Shores, and traffic is a concern in the area; however, she does understand that traffic associated with the types of businesses that will be occupying the space will be sporadic.

The motion passed by a vote of 5 ayes, 1 nay (Pruitt) and 1 absence (Johannesen).

4. **Z2020-058** - Hold a public hearing to discuss and consider a request by David LeCour for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory structure on a 0.50-acre parcel of land identified as Block 107 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 507 S. Clark Street, and take any action necessary (1st Reading).

Mr. Miller, Planning Director, provided background information pertaining to this agenda item. The property owner and applicant -- David LeCour -- is requesting the approval of a Specific Use Permit (SUP) to allow the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC). He indicated that there used to be an accessory building located on the property; however, it was wiped out in 2019 due to a storm. This proposed accessory building exceeds the maximum allowable size. This is a discretionary decision on the part of Council. The Planning & Zoning Commission has recommended approval of this request by a vote of 5 ayes to 2 nays. Notices were sent out to adjacent property owners and residents, and 3 notices were received back in favor of the request.

Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing and called forth the applicant:

David LeCour
507 S. Clark
Rockwall, TX

Mr. LeCour came forth and shared that a bad storm destroyed the previous accessory building back in 2018. The insurance company gave him money for materials to replace the previous structure.

Clarification was given that the previous structure was a legally, non-conforming structure (it had been 'grandfathered'), and rebuilding it could have been approved by the Board of Adjustments (BOA); however, Mr. LeCour missed the deadline associated with making that sort of request before the BOA.

Mr. Miller shared that the proposed structure doesn't have a concrete slab – rather, it has poles set down in concrete. So it does not meet the city's accessory building standards.

Mayor Pruitt moved to approve Z2020-058. Councilmember Hohenshelt seconded the motion. Discussion ensued pertaining to the powers of the Board of Adjustments and how Mr. LeCour could have requested to rebuild his structure, which was destroyed by an Act of God, if he had done so within six months of it having been destroyed.

The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.50-ACRE PARCEL OF LAND, IDENTIFIED AS BLOCK 107, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 to approve passed by a vote of 6 ayes with 1 absence (Johannesen).

5. **Z2020-060** - Hold a public hearing to discuss and consider a request by Matthew Deyermond of TC Planning and Design Group on behalf of the owners Donald Wallace for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District and a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 8.17-acre portion of a larger 123.00-acre tract of land identified as Tract 44-01 and all of Tracts 45-02 & 45-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Single-Family Estate 2.0 (SFE-2.0) District, generally located on the north side of H. Wallace Lane north of the intersection of H. Wallace Lane and Horizon Road [*FM-3097*], and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing to establish three residential land parcels.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. The applicant then came for to speak:

Matthew Deyermond (applicant) provided clarifying comments to Council concerning this request so split this 8 acres into three, separate parcels of land.

Councilmember Hohenshelt moved to approve Z2020-060. Councilmember Macalik seconded the motion. The ordinance was read as follows:

The motion passed unanimously of those present (6 ayes with Johannesen absent).

XII. ACTION ITEMS

- 1. Discuss and consider approval of a resolution to nominate a candidate to fill a vacancy on the Rockwall Central Appraisal District (CAD) Board of Directors, and take any action necessary.**

Mayor Pruitt shared that this topic will be delayed until the next, regular council meeting.

- 2. Discuss and consider an update regarding the Complete Count Committee for the 2020 Census, and take any action necessary.**

Councilmember Daniels shared that the official census count has been completed. Rockwall County had the second highest "self-response" rate within the State, second only to Fort Bend County. He went on to thank staff members Joey Boyd and Lauri Dodd for all of their work on promoting the Census count and associated 'self-reporting.'

XIII. EXECUTIVE SESSION.

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

- 1. Discussion regarding the appointment/employment process for the position of City Manager, and appointment of Interim City Manager pursuant to Section 551.074 (Personnel Matters) and 551.071 (Consultation with Attorney).**
- 2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments 'alternates') pursuant to Section 551.074 (Personnel Matters)**
- 3. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)**
- 4. Discussion regarding land lease and airport management agreements at the Ralph M Hall / Rockwall Municipal Airport pursuant to Section §551.071 (Consultation with Attorney).**
- 5. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).**
- 6. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).**

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

Mayor Pro Tem Fowler moved to authorize the mayor to negotiate and execute a contract with Mary Smith for her to serve as interim City Manager. Councilmember Hohenshelt seconded the motion. The motion passed by a vote of 6 ayes with 1 absence (Johannesen).

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1st DAY OF FEBRUARY, 2021.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

