

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, October 2, 2023 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Johannesen called the public meeting to order at 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Anna Campbell, and Councilmembers Sedric Thomas, Mark Moeller, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza was present for Executive Session via video conferencing (“ZOOM”). Councilmember Clarence Jorif was absent from Executive Session, but he joined the public meeting at 6:09 p.m.

Mayor Johannesen read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. 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 (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters).
2. **Pulled from Public Meeting Agenda – Action Item #4.** Discuss and consider approval of the Rockwall Baseball Softball League's Zero Tolerance Umpire Policy, and take any action necessary

III. Adjourn Executive Session

Council adjourned Executive Session at 5:26 p.m.

IV. Reconvene Public Meeting (6:00 P.M.)

Mayor Johannesen reconvened the public meeting at 6:00 p.m.

V. Invocation and Pledge of Allegiance - Councilmember Thomas

Councilmember Thomas delivered the invocation and led the Pledge of Allegiance.

VI. Proclamations / Awards / Recognitions

1. Domestic Violence Awareness Month

Kristen Ostertag and Heather Adams from “Women in Need,” along with representatives of the Rockwall Police Department and Rockwall County came forth, including Judge Mark Russo. Mayor Johannesen then read and presented them with this proclamation to raise awareness for Domestic

Violence and encourage supporting organizations that aim to eradicate this type of crime.

2. National Night Out

Members of the Rockwall Police Department came forth and accepted this proclamation from Mayor Johannesen. "Texas Night Out" is being celebrated tomorrow, October 3, and various neighborhoods within the City of Rockwall will be holding 'block parties' and other events. Residents throughout the city were encouraged to participate.

3. Fire Prevention Month

Mayor Johannesen called forth Fire Chief, Kenneth Cullins. He then read and presented this proclamation for "Fire Prevention Month," encouraging all residents to use caution to prevent home and other fires.

It was noted that Councilmember Jorif joined the meeting at this point in time (6:09 p.m.).

VII. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Melba Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mrs. Jeffus came forth and expressed many concerns related to 'short-term rentals' (i.e. "Air B&Bs"), a topic which she stated she had previously come to Council about a year ago to discuss. She shared that she previously expressed to the Council that Rockwall needs to form a committee to create guidelines to regulate short-term rentals in our city. She does not believe a committee has been formed, thus far, and she is very concerned about these sorts of properties. She shared that she found many, many listings today when she "Googled" "short-term rentals, VRBO and Air B&B Rockwall" earlier today. She does not want our city to find itself in the same position as cities such as Dallas and Plano have found themselves in. She urged the city council to appoint a committee to evaluate establishing regulations.

Lonnie Herbst
1509 S. Alamo
Rockwall, TX 75087

Mr. Herbst came forth and also discussed concerns about short-term rentals in the City of Rockwall. The one located at 1400 Ridge Road, which overlooks several homes and the neighborhood below, just opened last week, and already there have been several calls made to the police. He shared that his entire neighborhood is now essentially an amphitheater (loud music). He shared that if regulations are not put in place soon to delineate how short-term rentals operate, how many people can occupy them, etc., additional issues will arise. When this particular short-term rental is being occupied, it is lit up like a Christmas tree, he stated, and – overall – the property is unkept. He believes this will begin to adversely affect his neighborhood more and more, including diminishing home values and tearing up families. He believes this particular short-term rental "on steroids" will very much adversely impact his home and his neighborhood.

**Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087**

Mr. Jeffus came forth and shared concerns about short-term rentals. He would like to see some sort of regulations and some sort of plan put into place to address these types of properties. He generally has concerns about trash/littering as well as traffic, noise and other things that are undesirable.

**Marvalee Barrett
1511 S. Alamo Road
Rockwall, TX 75087**

Mrs. Barrett shared that her home is directly behind and beneath the short-term rental that recently opened on Ridge Road. She has a lot of concerns, including this potentially being a 'party house' and having a large metal structure out back that already has a lot of things inside of it. Her daughter's windows are right nearby, and her driveway is as well. She will greatly appreciate the Council taking a deep look into these concerning issues.

**Judy Dickson
205 Meadowdale
Rockwall, TX**

Mrs. Dickson shared she has three short-term rentals within a block of her house. She believes that they pose a security concern, and – also – when someone purchases a home, they have certain rights. She generally expressed the belief that these short-term rentals are essentially commercial establishments that serve as hotels. She believes that short-term rentals infringe on property owners' rights, and they directly impact surrounding neighbors. She posed some questions to council related to short-term rentals and then generally urged Council to do what's best to manage and support our existing residents in our city.

**Joy Bounds Murphy
209 Tanya Drive
Rockwall, TX 75087**

Mrs. Bounds came forth to speak about short-term rentals ("Air B&Bs"). She indicated that eight or nine years ago, she and others came to Council to discuss Dan Bobst and his wife, who she indicated the "Central Appraisal District tax rolls" currently show to have 100% ownership of the property at 1400 Ridge Road. Staff clarified that Mr. Bobst recently sold the property; however, the ownership information shown on the Central Appraisal District website has not yet been updated to reflect the home having recently changed ownership. Mrs. Bounds pointed out that years ago, Mr. Bobst wanted to sell this home and have an office building with multiple layers of parking and huge lights built. With that proposal at the time, the lights would have been very bright and concerning, but it would have been an office building that would only be open during the day. Now, the issue has escalated into a 'party house' being established that is open seven days a week. She shared that she has lived in this same home on Tanya for forty years, and she is one of many generations of her family who have lived in Rockwall. Families move here to Rockwall to put their children in our schools, and they desire it to be a safe environment. However, short-term rentals pose a problem, and she and others are very concerned about these rentals (in particular the one by her own home). She is especially concerned about the pickleball court at 1400 Ridge Road, however, it is not the main problem. She likes to go outside and look at the stars and the moon for spiritual reasons, and she knows and loves her neighbors. She expressed that she and her neighbors have 'rights,' and they

deserve to have safety and security. She went on to pose a series of questions to Council, encouraging them to think about the questions she has vocalized (specific to the short-term rental (that she called a “vacation home” and a “party barn”) that has opened up at 1400 Ridge Road). She urged Council to ‘vote against’ this proposal (the short-term rental at 1400 Ridge) as well as its pickleball court. She urged Council to put ordinances in place to establish guidelines for vacation rental properties and protect the community. Doing so now, instead of delaying action, will put us in bad positions.

William Childs
1611 S. Alamo
Rockwall, TX 75087

Mr. Childs intended to ask what the City is doing to regulate short-term rentals. Apparently the city is doing nothing to regulate them. Just in his area (S. Alamo), he has two short-term rentals directly across from him, in addition to the one at 1400 Ridge Road (“the party house,” he stated). The homes in this area range anywhere from \$400k to \$1 million + in value. The short-term rental industry is growing, so these issues are only going to get worse. There is a direct correlation between short-term rentals and crime due to renters being part of the ‘transient community.’ He believes properties like this bring crime, including drugs. He has studied this issue and knows that problems related to short-term rentals are not unique to Rockwall – they are happening all over the country. He briefly spoke about City of Plano banning short-term rentals for one year, pointing out that that city was 100% reactive. Peers around our city are taking action and doing things. He encouraged our city to lead these charges because now is the time to act. He implored the Council to act now and do something to regulate short-term rentals. Short-term rentals come with delinquent, criminal behavior, and not taking action now will be very costly to the City.

Mayor Johannesen shared that it is not fair to say the City of Rockwall has done ‘nothing’ thus far. He went on to share that the city has discussed these concerns in the past. At that time, however, the city attorney advised the Council to wait to see what the Texas State Legislature does pertaining to these sorts of properties. So, the city has been looking into and watching these matters.

Erica Lyle
1603 S. Alamo
Rockwall, TX

Mrs. Lyle shared that her home is in earshot of the ‘amphitheater’ that is located at 1400 Ridge Road (the short-term rental that was recently established). She has been before Council many times over the twenty-five years she has lived here. She believes we live in an amazing country, state and city, and she believes she and others would like to keep our city ‘a great place.’ She believes that having short-term rentals anywhere in Rockwall is a bad idea, but she is especially concerned about the “party barn” that looks down over her back yard. She thanked Council for thinking about these concerns and for looking for solutions.

Stephan Kelley
206 Tanya Drive
Rockwall, TX 75087

Mr. Kelley shared that a couple of his neighbors are here tonight (and have already spoken). He is a newcomer to this city, and he believes certain things – such as a high achieving school system – have attracted new residents to move into our city. He urged Council to think about what attracts (essentially) desirable residents and what might attract not-so-desirable residents. He urged Council to take steps to ensure our city remains a desirable community.

Paulette Weddle
1601 S Alamo Road
Rockwall, TX 75087

Mrs. Weddle shared that, during the week, the short-term rental is charging what equates to about \$25/night for each of the 16 people who might rent/occupy the one located at 1400 Ridge Road. She went on to share the 'house rules' that are specified associated with renting 1400 Ridge Road, pointing out that they state renters should respect the home/the rental itself (but it says nothing about respecting neighbors). She shared that she and her other neighbors are not going to quit fighting the issue of 'short-term rentals.' She does not know if there is a way to stop this particular short-term rentals, but – if not – she at least urged the City to establish strict regulations on them. (i.e. no noise after 10 PM).

There being no one else wishing to come forth and speak at this time, Mayor Johannesen closed Open Forum.

Mayor Johannesen thanked the speakers this evening for sharing their input, indicating that Council will be considering their concerns.

VIII. Take Any Action as a Result of Executive Session

Mayor Pro Tem Campbell moved to appoint Ben Lewis and Brandon Litton to fill vacant seats on the city's Historic Preservation Advisory Board (HPAB) (each will have a term that runs through August of 2025). Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. Consent Agenda

1. Consider approval of the minutes from the September 18, 2023 city council meeting, and take any action necessary.
2. **Z2023-038** - Consider a request by the City of Rockwall for the approval of an ordinance for a Zoning Change amending Planned Development District 3 (PD-3) [Ordinance No.'s 72-02, 77-19A, 80-33, 84-59, 86-23, 86-39, 89-04, 96-35 & 96-23] for the purpose of consolidating the regulating ordinances for a 639.264-acre tract of land situated within the T. Dean Survey, Abstract No. 69; S. King Survey, Abstract No. 131; N. Butler Survey, Abstract No. 21; and, A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 3 (PD-3), generally located south of Dalton Road, west of SH-205 [S. Goliad Street], and north of Lake Forest Drive, and take any action necessary (**2nd Reading**).
3. **Z2023-039** - Consider approval of an ordinance for a *Text Amendment* to Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of creating a process to allow Homeowner's Associations (HOA's) the ability to lease certain portions of the takeline, and take any action necessary (**2nd Reading**).
4. **Z2023-040** - Consider a request by Kaylee and Taylor Henson for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established*

- Subdivision* on a ten (10) acre parcel of land identified as Lot 1, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 1325 Breezy Hill Lane, and take any action necessary **(2nd Reading)**.
5. **Z2023-041** - Consider a request by Anthony Loeffel of Kimley-Horn on behalf of James Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District for a 66.057-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary **(2nd Reading)**.
 6. **Z2023-042** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.
 7. **Z2023-043** - Consider a request by Angelina Nguyen for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill In an Established Subdivision on a 0.16-acre parcel of land identified as Lot 18, Block B, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), addressed as 303 Harborview Drive, and take any action necessary **(2nd Reading)**.
 8. Consider approval of an **ordinance** amending Chapter 28 of the city's Code of Ordinances to establish the Rockwall Municipal Court as a Court of Record, and take any action necessary **(2nd reading)**.
 9. **P2023-030** - Consider a request by Ashley Egan for the approval of a Final Plat for Lot 1, Block A, Reborn Skin Addition being a 0.51-acre tract of land identified as Block 80B of the B.F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and take any action necessary.
 10. Consider a request by Bowen Hendrix of DuWest Realty, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for two (2) *Restaurant/Retail Buildings* on an 8.63-acre tract of land identified as Tract 3-10 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.
 11. Consider authorizing the City Manager to execute an interlocal cooperative agreement between the City of Rockwall and STAR Transit for transportation services for fiscal year 2024 in the amount of \$121,000 to be funded by the Administration Department Operating Budget, and take any action necessary.
 12. Consider authorizing the City Manager to execute an agreement with Meals on Wheels

Senior Services for certain nutritional and senior service programs for fiscal year 2024 in the amount of \$50,000 to be funded from the Administration Department Operating Budget, and take any action necessary.

13. Consider authorizing the City Manager to execute an interlocal agreement between the City of Rockwall and Rockwall County for Animal Control Services, and take any action necessary.
14. Consider authorizing the City Manager to execute a purchase order with Facility Solutions Group/Green Frog System in the amount of \$165,280.80 for installation of solar lighting at Kidzone playground and Harry Myers parking lots to be funded out of the Recreation Development Fund (this is an approved 2023-2024 budget request funded at \$185,000.00), and take any action necessary.
15. Consider authorizing the City Manager to execute a purchase order with Master Systems Courts in the amount of \$55,000.00 for the resurfacing of pickleball and basketball courts to be funded out of the Recreation Development Fund (this is an approved 2023-2024 budget request with approved funding of \$55,000.00), and take any action necessary.
16. Consider authorizing the City Manager to execute a purchase order with Horizon Online Distributors in the amount of \$48,081.90 for the purchase of Toro Dingo XT1000 Tractor to be funded out of Parks Budget (this is an approved 2023-2024 budget request funded at \$55,000.00), and take any action necessary.
17. Consider authorizing the City Manager to execute an amendment with Rockwall Adoption Center related to funding for fiscal year 2024, and take any action necessary.

Regarding the Consent Agenda, Mayor Johannesen pulled item #1. Councilmember McCallum pulled item #10. Councilmember McCallum then moved to approve the remaining Consent Agenda items (#2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, and 17). Councilmember Jorif seconded the motion. The ordinance captions were then read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 23-53**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 3 (PD-3) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CONSOLIDATE THE REGULATING ORDINANCES OF THE PLANNED DEVELOPMENT DISTRICT, BEING A 639.264-ACRE TRACT OF LAND SITUATED WITHIN THE T. DEAN SURVEY, ABSTRACT NO. 69; S. KING SURVEY, ABSTRACT NO. 131; N. BUTLER SURVEY, ABSTRACT NO. 21; AND, A. HANNA SURVEY, ABSTRACT NO. 98, 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.

**CITY OF ROCKWALL
ORDINANCE NO. 23-54**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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.

CITY OF ROCKWALL
ORDINANCE NO. 23-55
SPECIFIC USE PERMIT NO. S-315

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) FOR RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 10.00-ACRE TRACT OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

CITY OF ROCKWALL
ORDINANCE NO. 23-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT AND A LIGHT INDUSTRIAL (LI) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 66.057-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK B; LOT 1R, BLOCK C; AND LOT 1, BLOCK D, ROCKWALL COMMERCIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* 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.

CITY OF ROCKWALL
ORDINANCE NO. 23-57
SPECIFIC USE PERMIT NO. S-316

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING 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 A *RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD 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.

CITY OF ROCKWALL
ORDINANCE NO. 23-58
SPECIFIC USE PERMIT NO. S-317

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 23-40*] AND 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) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1519-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 18, BLOCK B, OF THE HARBOR LANDING PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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.

CITY OF ROCKWALL
ORDINANCE NO. 23-59

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, (“CITY”) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 28 TO ESTABLISH A MUNICIPAL COURT OF RECORD; AMENDING ARTICLE I IN GENERAL AND ARTICLE III FEES; DECLARING A PUBLIC PURPOSE; PROVIDING FOR RECITALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #1, Mayor Johannesen explained that one minor error is in need of correction on the first page of the draft minutes. Mayor Johannesen then moved to approve the corrected minutes. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #10, Councilmember McCallum asked if developers are allowed to transplant trees to serve as a portion of their tree mitigation. Mr. Miller, Planning Director, shared that the city does have a “tree day” that is required by ordinance. Following additional, brief comments, Councilmember McCallum expressed a desire to keep ‘tree mitigation’ settlements to a minimum. He then moved to approve Consent Agenda item #10. Councilmember Lewis seconded the motion, which passed unanimously (7 ayes to 0 nays).

X. Action Items

1. Discuss and consider approval of a resolution providing for the submission of names to the Rockwall Central Appraisal District (CAD / RCAD) for nominations to the Board of Directors, and take any action necessary.

Councilmember McCallum made a motion to approve the resolution specifying John Hohenshelt as the city's nomination and submitting said resolution it to the Rockwall Central Appraisal District. Councilmember Thomas seconded the motion, which passed unanimously of Council (7 ayes to 0 nays).

2. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee appropriating funding for the Chamber of Commerce in the amount of \$465,000, and take any action necessary.

Mrs. Smith, City Manager, shared that the Council subcommittee met with representatives of the Chamber last week, and an explanatory memo has been provided within tonight's informational meeting packet. Councilmember McCallum moved to approve this funding request. He went on to explain that, with this large funding request being approved, the Chamber will be coming before the Council – likely quarterly – to provide reports and updates on use of these funds. Mayor Pro Tem Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider a recommendation by the Parks & Recreation Board, including approval of a resolution naming 50 acres of dedicated park land the "Ben A. Klutts, Sr. Park," and take any action necessary.

Planning Director, Travis Sales came forth and briefed the Council on background information related to this agenda item, explaining that this park land donation and associated 'naming' request is associated with the old Klutts farm. The Parks & Rec Board received a request from the Klutts Family that the city consider naming it after Mr. Klutts, and the Park Board has agreed with the family's request. Mayor Johannesen went on to provide brief comments related to planning for city parks, generally explaining that this park land is associated with the city's Parks Master Plan which aims to have one large park in the north end of the city and one large park in the south end (with Harry Myers Park being in the middle of the city). This park land helps accomplish part of that plan in the south area of the city. Following the mayor's comments, Councilmember Jorif moved to approve the 'naming' recommendation and associated resolution. Councilmember Moeller seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider approval of the Rockwall Baseball Softball League's Zero Tolerance Umpire Policy, and take any action necessary.

Mr. Travis Sales, Parks Director, shared that the policy has been provided to Council for consideration. Its purpose is generally to support the umpires and ensure orderly conduct during games.

Councilmember Lewis moved to approve the policy. Mayor Pro Tem Campbell seconded the motion, thanking city staff for a well-written, good policy. Councilmember McCallum expressed that Mr. Sales is one of the very best Parks Directors in the state. Councilmember McCallum explained that he is personally not an umpire, but he is a basketball official, so he appreciates all that staff does to ensure things related to sporting games run smoothly. The motion to approve the policy then passed unanimously of council (7 ayes to 0 nays).

XI. City Manager's Report, Departmental Reports and Related Discussions Pertaining To Current City Activities, Upcoming Meetings, Future Legislative Activities, and Other Related Matters.

1. Building Inspections Department Monthly Report - August 2023
2. Fire Department Monthly Report - August 2023
3. Parks & Recreation Department Monthly Report - August 2023
4. Police Department Monthly Report - August 2023
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Mrs. Smith shared that the city's annual Rib Rub, Run and Roll is happening this weekend. She urged everyone to show up and enjoy the various festivities.

Councilmember Thomas thanked the Klutts family members who were present in the audience this evening. He expressed gratitude for their generous land donation so that our city and its residents can enjoy this parkland in the future.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 7:08 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 16th DAY OF OCTOBER, 2023.


TRACE JOHANNESSEN, MAYOR

ATTEST:


KRISTY TEAGUE, CITY SECRETARY

