



# City of Rowlett

## Meeting Minutes

### City Council

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

*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.*

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Tuesday, September 4, 2018

5:00 P.M.

Municipal Building – 4000 Main Street

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**Present: Mayor Dana-Bashian, Mayor Pro Tem Brown, Deputy Mayor Pro Tem Grubisich, Councilmember Margolis, Councilmember Sherrill, Councilmember Bobbitt (arrived at 5:19 p.m.) and Councilmember Bell**

**1. CALL TO ORDER**

Mayor Dana-Bashian called the meeting to order at 5:00 p.m.

**2. EXECUTIVE SESSION (5:00 P.M.) \* Times listed are approximate.**

**2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), and §551.072 (Deliberations Regarding Real Property) to consult with and receive legal advice from the City Attorney and to deliberate the purchase, exchange, lease, or value of real property regarding easement acquisition for the Main Street project. (20 minutes)

In Executive Session at 5:00 p.m. Out at 5:25 p.m.

**2B.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), to consult with and receive legal advice from the City Attorney relating to the Development Agreement for the Bayside project. (25 minutes) **THIS ITEM WILL BE DISCUSSED AFTER THE REGULAR SESSION.**

In Executive Session at 10:07 p.m. Out at 11:01 p.m.

**2C.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), to consult with and receive legal advice from the City Attorney relating to Brandi Bull vs. City of Rowlett/Kimberly Wilson vs. City of Rowlett. (15 minutes) **THIS ITEM WILL BE DISCUSSED AFTER THE REGULAR SESSION.**

In Executive Session at 7:01 p.m. Out at 7:24 p.m.

**3. WORK SESSION (5:20 P.M.)\* Times listed are approximate.**

**3A. Joint Work Session of the City Council and Strategic Plan Steering Committee to Discuss the Proposed Strategic Plan. (60 minutes)**

Committee Chair, E.C. Umberger called their portion of the meeting to order at 5:27 p.m. He then introduced the Committee members who were present: Councilmember Margolis, Councilmember Brown, Whitney Laning, Diana Moore, Maria Martinez, Brian Funderburk, Chris Herron and Jeff Winget. Members not present were Caleb Baucom and Scott Airitam. David Eisenlohr with the Azimuth Group, presented the proposed priorities and goals, including the vision and mission statements. Councilmembers commented on the good work done by the Committee, staff and the community. Brian Funderburk, City Manager, also thanked Council for their work during the process. The final draft version will be presented to Council for consideration at the September 18, 2018 meeting.

**3B. Hear annual update from the Rowlett Chamber of Commerce. (30 minutes)**

Whitney Laning, Chamber of Commerce Board of Directors Chair, provided an update of the Chamber's accomplishments over the past year and outlined goals for the upcoming year.

**3C. Discuss funding options for civil site improvements for the Public Safety Training Facility site located at 8491 Schrade Road. (30 minutes)**

Shawn Poe, Director of Public Works, along with Neil Howard, Fire Chief, outlined the options for the project. It was the consensus of Council to proceed with the alternative paving bid without the landscaping and irrigation feature. This will be presented to Council for consideration at the September 18, 2018 meeting.

**4. DISCUSS CONSENT AGENDA ITEMS**

Council adjourned the Work Session at 7:24 p.m.

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

**INVOCATION** – Craig Schill, Lake Cities Community Church

**PLEDGE OF ALLEGIANCE** – Led by the City Council  
**TEXAS PLEDGE OF ALLEGIANCE**

Council reconvened in the Regular Session at 7:34 p.m.

**5. PRESENTATIONS AND PROCLAMATIONS**

**5A. Presentation of the 2018 Senior Friendly Business Award.**

Councilmember Bell, along with Rob Rose – Chairman of the Senior Advisory Board, and other members of the Board, presented the award to Life Message.

- 5B.** Presentation from the Texas Municipal Courts Education Center, Texas Court Clerks Association, and Texas Municipal Courts Association recognizing Jacob Wetzel, Rowlett Court Administrator, for his achievement of Level III Court Clerk Certification, the highest level.

Councilmember Sherrill provided background information on the Certification and representing the Texas Court Clerks Association, the Texas Municipal Courts Association and the Texas Municipal Courts Education Center, Matthew Freeman – City of Frisco Court Clerk, presented the certification plaque to Mr. Wetzel. Judge Liston was also in attendance for the presentation.

- 5C.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Councilmembers made the following announcements as noted:

Councilmember Margolis:

**PARKS & RECREATION**

- MOVIES ON MAIN SERIES HELD ON FRIDAYS IN SEPTEMBER
  - ACTIVITIES WILL BE HOSTED IN DOWNTOWN ROWLETT, ACROSS FROM CITY HALL (4000 MAIN STREET)
  - ACTIVITIES BEGIN AT 6:30 PM, MOVIES BEGIN AT DUSK
- REPRESENT YOUR CULTURE AT THE INTERNATIONAL FESTIVAL
  - SATURDAY, OCTOBER 6 FROM 11 AM TO 2 PM
  - ACTIVITIES WILL BE HOSTED IN DOWNTOWN ROWLETT, ACROSS FROM CITY HALL (4000 MAIN STREET)
  - VENDORS WANTED FOR EVENT
- BACK TO SCHOOL FAMILY MEMBERSHIP DRIVE AT THE COMMUNITY CENTRE
  - THROUGH SEPTEMBER 17<sup>TH</sup> ALL RESIDENTS AND NON-RESIDENTS WILL RECEIVE A 10% DISCOUNT ON NEW ANNUAL FAMILY MEMBERSHIPS
  - NOT VALID FOR MONTHLY MEMBERSHIPS
  - CALL 972.412.6170 FOR MORE INFORMATION
- ADULT LEAGUE REGISTRATION NOW OPEN
  - VOLLEYBALL AND BASKETBALL LEAGUES AVAILABLE
- VISIT [WWW.ROWLETT.COM/PARKSANDREC](http://WWW.ROWLETT.COM/PARKSANDREC) FOR INFORMATION ON ALL OUR PROGRAMS.

**LIBRARY**

- ROWLETT PUBLIC LIBRARY IS OPEN AT 3900 MAIN STREET! A MAP SHOWING ALL THE PARKING AVAILABLE DOWNTOWN IS ON THE LIBRARY'S MAIN WEB PAGE.
- SEPTEMBER IS LIBRARY CARD SIGN-UP MONTH. A WORLD OF INFORMATION AND ENTERTAINMENT AWAITS YOU, INCLUDING FREE ACCESS TO BOOKS, DVDS, ONLINE MOVIES, MUSIC AND MORE. GET IT, USE IT!
- NOW SHOWING – FRIDAY FLICKS! ENJOY AFTERNOON FUN ON FRIDAYS THROUGHOUT THE MONTH OF SEPTEMBER. JOIN US FOR "HOW TO TRAIN YOUR DRAGON" AT 3:30 PM ON SEPTEMBER 7<sup>TH</sup>.
- THE SENIOR BOOK CLUB MEETS THE FIRST WEDNESDAY OF THE MONTH AT 1PM AT THE ROWLETT COMMUNITY CENTRE. DISCUSSION ON SEPTEMBER

5<sup>TH</sup> IS THE WARMTH OF OTHER SUNS BY ISABEL WILKERSON. OCTOBER'S SELECTION WILL BE THE HUNDRED-YEAR-OLD MAN WHO CLIMBED OUT OF THE WINDOW AND DISAPPEARED BY JONAS JONASSON.

- FOR MORE INFORMATION ON THESE AND OTHER LIBRARY PROGRAMS CALL 972.412-6161

Councilmember Sherrill:

#### **ANIMAL SHELTER**

- **NEXT LOW COST VACCINATION CLINIC** WILL BE HELD ON **SUNDAY, OCTOBER 7<sup>TH</sup>, 2 – 5PM** LOCATED AT 8502 LIBERTY GROVE RD. @ LIBERTY GROVE ANIMAL HOSPITAL. THESE CLINICS ARE HELD THE FIRST SUNDAY OF EVERY MONTH (EXCLUDING HOLIDAYS).
- ANIMAL SHELTER IS OPEN MONDAY – SATURDAY, 10AM – 5PM AND LOCATED AT 4402 INDUSTRIAL STREET.

#### **CPR CLASS OFFERED**

- NEXT CPR CLASS WILL BE HELD ON SEPTEMBER 15<sup>TH</sup>; COST IS \$30 AND OPEN TO ANYONE 16 YEARS OLD AND UP. CALL JULIE @ 972.412.6230 TO REGISTER

#### **NATIONAL NIGHT OUT IS TUESDAY, OCTOBER 2<sup>ND</sup>**

THE ROWLETT POLICE DEPARTMENT INVITES YOU AND YOUR NEIGHBORHOOD TO PARTICIPATE IN NATIONAL NIGHT OUT. RESIDENTS THROUGHOUT THE COMMUNITY ARE ENCOURAGED TO TURN ON THE PORCH LIGHT, LOCK THE DOOR AND GATHER WITH NEIGHBORS TO SHOW UNITY AGAINST CRIMINAL ACTIVITY. MANY NEIGHBORHOODS PLAN SPECIAL EVENTS SUCH AS BLOCK PARTIES, SWIMMING PARTIES AND COOKOUTS. CITY COUNCILMEMBERS, ROWLETT POLICE, FIRE RESCUE, PUBLIC WORKS DEPARTMENTS AND OTHER CITY STAFF WOULD LOVE THE OPPORTUNITY TO DROP IN AND VISIT WITH EVERYONE

PLEASE CONTACT OFFICER DANA REEVES IN THE POLICE DEPARTMENT'S COMMUNITY SERVICES DIVISION, [DREEVES@ROWLETT.COM](mailto:DREEVES@ROWLETT.COM) OR AT 972-412-6242, TO REGISTER YOUR NEIGHBORHOOD'S CELEBRATION OR FOR MORE INFORMATION!

Councilmember Bobbitt:

#### **COME TO THE NEXT FARMERS MARKET**

- NEXT DOWNTOWN FARMERS MARKET IS SCHEDULED FOR THURSDAY, SEPTEMBER 6<sup>TH</sup> FROM 5 TO 9PM AND EVERY THURSDAY THROUGH SEPTEMBER
  - FOOD VENDORS AND MUCH MORE WILL BE AVAILABLE
  - LIVE MUSIC IS FEATURED TOO!

#### **PUBLIC WORKS**

- PUBLIC WORKS DEPARTMENT IS FLUSHING WATER LINES
  - ENSURES CHLORINE RESIDUALS ARE BEING MET ACCORDING TO STATE STANDARDS FOR SAFE DRINKING WATER
  - FLUSHING DOES NOT AFFECT CUSTOMER CONSUMPTION OR COST – THE WATER BEING FLUSHED DOES NOT GO THROUGH ANY CUSTOMERS' METERS

WE ARE NOW ACCEPTING APPLICATIONS FOR TWO VACANCIES ON THE ROWLETT HOUSING FINANCE CORPORATION BOARD OF DIRECTORS – DEADLINE TO APPLY IS MONDAY, SEPTEMBER 10<sup>TH</sup>! FOR ADDITIONAL INFORMATION, VISIT THE "NEWS AND EVENTS" SECTION OF THE CITY'S WEBSITE.

Deputy Mayor Pro Tem Grubisich:

**ACTION CENTER**

- WHEN YOU NEED TO REPORT A POTHOLE OR A WATER MAIN LEAK, GO ONLINE OR CALL THE ACTION CENTER. IT'S YOUR ONE-STOP SHOP FOR INFORMATION AND ASSISTANCE.
  - ONLINE AT [WWW.ROWLETT.COM](http://WWW.ROWLETT.COM) AND CLICK ON THE ACTION CENTER BUTTON IN THE UPPER LEFT OF THE PAGE. CALL 972.412.6100 AND YOU'LL SPEAK TO A COURTEOUS REPRESENTATIVE WHO WILL GET YOU TO THE RIGHT PERSON OR ANSWER YOUR QUESTIONS.
  - YOU MAY VISIT IN PERSON AT CITY HALL LOCATED AT 4000 MAIN STREET. WE ARE HERE TO SERVE!

**CREATE YOUR AMI (ADVANCED METERING INFRASTRUCTURE) PROFILE**

- WATER CUSTOMERS NOW HAVE THE ABILITY TO ACCESS WATER CONSUMPTION ONLINE
  - SYSTEM READS EVERY HOUR FOR REAL-TIME USAGE INFORMATION
  - CREATE YOUR ACCOUNT AT [WWW.ROWLETT.COM/AMI](http://WWW.ROWLETT.COM/AMI)
  - FOR MORE INFORMATION ABOUT THIS GREAT SERVICE, WATCH THE YOUTUBE VIDEO LISTED ON THE NEWS FLASH AT [WWW.ROWLETT.COM](http://WWW.ROWLETT.COM), DATED FEBRUARY 5<sup>TH</sup>

**THERE'S AN APP FOR THAT!!**

THE CITY OF ROWLETT HAS LAUNCHED A NEW MOBILE APP - CONVENIENTLY CONNECTING YOU WITH CITY GOVERNMENT SERVICES AND INFORMATION. STAY UP-TO-DATE WITH NEWS AND EVENTS, REVIEW CITY COUNCIL AGENDAS AND WATCH MEETINGS, VIEW JOB OPENINGS, SUBMIT ONLINE PAYMENTS, REPORT/TRACK CONCERNS AND SO MUCH MORE, ALL AT YOUR FINGERTIPS. DOWNLOAD THE CITY OF ROWLETT TEXAS APP AND CONNECT WITH OUR CITY TODAY! GO TO "NEWS AND EVENTS" ON THE CITY'S WEBSITE FOR INSTRUCTIONS ON HOW TO DOWNLOAD.

Councilmember Bell:

**COUNCIL MEETINGS**

- NEXT REGULAR MEETING WILL BE SEPTEMBER 18<sup>TH</sup> AT CITY HALL.

**P & Z MEETINGS**

- NEXT MEETINGS WILL BE HELD ON SEPTEMBER 11<sup>TH</sup> AND 25<sup>TH</sup> AT CITY HALL.

**FY2019 PROPOSED BUDGET MEETINGS**

- PUBLIC HEARINGS ON THE AD VALOREM TAX RATE:
  - TONIGHT SEPTEMBER 4<sup>TH</sup> – 7:30PM DURING THE REGULAR COUNCIL MEETING
- PUBLIC HEARINGS ON THE FY2019 PROPOSED BUDGET:
  - TONIGHT, SEPTEMBER 18<sup>TH</sup> – 7:30PM DURING THE REGULAR COUNCIL MEETING
- FORMAL ADOPTION OF FY2019 BUDGET
  - TUESDAY, SEPTEMBER 18<sup>TH</sup> – 7:30PM DURING THE REGULAR COUNCIL MEETING
- WHEN THE FY2019 BUDGET IS ADOPTED, THE NEW TAX RATE WILL BECOME EFFECTIVE ON OCTOBER 1, 2018

**9/11 REMEMBRANCE CEREMONY**

PLEASE JOIN US AT 9AM ON TUESDAY, SEPTEMBER 11<sup>TH</sup> AT FIRE STATION 1 (3900 MILLER ROAD) FOR A SPECIAL 9/11 REMEMBRANCE CEREMONY.

Mayor Dana-Bashian:

**SPIRIT OF ROWLETT AWARD**

DO YOU KNOW A LOCAL HERO? NOMINATE THEM AT [ROWLETT.COM/SPIRIT](http://ROWLETT.COM/SPIRIT) BY THE THIRD OF EACH MONTH. THIS IS A GREAT WAY TO SAY “THANK YOU” TO THOSE WHO HAVE ENCOURAGED, SUPPORTED AND ACTED IN A WAY THAT HAS IMPACTED YOU IN YOUR EVERYDAY LIFE. WE LOOK FORWARD TO HEARING FROM YOU AND TO PROVIDING THIS RECOGNITION FOR GOOD DEEDS, DONE WELL! THIS AWARD IS TO PUBLICLY RECOGNIZE ORDINARY RESIDENTS DOING EXTRA-ORDINARY THINGS IN OUR COMMUNITY, AND THEY’RE NOMINATED BY YOU – THE CITIZENS OF ROWLETT.

SEPTEMBER’S RECIPIENT IS ROB ROSE:

- 36-YEAR ROWLETT RESIDENT
- STARTED THE ROWLETT BABY BOOMER’S PAGE ON FACEBOOK IN AN EFFORT TO HELP OTHERS STAY INFORMED.
- ROB IS ALSO THE SENIOR ADVISORY BOARD CHAIRPERSON.
- HE ATTENDED THE FIRST ROWLETT CITY ACADEMY, AND HAS ATTAINED TRI-ACADEMY ALUMNI STATUS HAVING GRADUATED FROM BOTH THE FIRE AND POLICE ACADEMIES AS WELL.
- CURRENTLY SERVING ON THE ROWLETT COMPREHENSIVE PLAN STEERING COMMITTEE. ROB AND HIS WIFE, DEBBIE, WERE ALSO AWARDED ROWLETT’S FIRST TEXAS SMART YARD AWARD.

YOU CAN SEE DEPUTY MAYOR PRO TEM GRUBISICH’S INTERVIEW WITH ROB UNDER THE “NEWS AND EVENTS” SECTION ON THE CITY’S WEBSITE.

TO FIND OUT WHAT’S HAPPENING IN ROWLETT – CHECK OUT THE *FRIDAY @ 5*, A WEEKLY NEWSLETTER FROM CITY HALL. IT’S FULL OF INFORMATION ABOUT YOUR CITY AND IS AVAILABLE ON THE CITY’S WEBSITE AND FACEBOOK PAGE EVERY FRIDAY AFTER 5PM. OR YOU CAN CHOOSE TO HAVE IT SENT DIRECTLY TO YOUR EMAIL. STAY UP-TO-DATE AND KNOW WHAT’S GOING ON!

AND FOR MORE INFORMATION ON ANY CITY PROGRAMS OR SERVICES, VISIT [ROWLETT.COM](http://ROWLETT.COM)

- FEATURED ANIMAL TONIGHT IS *CHIQUITA*

**6. CITIZENS’ INPUT**

Jacquiline Clark, 11312 CR 899, Princeton; spoke regarding property owned on Kirby Street.

**7. CONSENT AGENDA**

**7A.** Consider action to approve minutes from the City Council Regular Meeting August 21, 2018.

**This item was approved on the Consent Agenda.**

**7B.** Consider action to approve a resolution accepting the bid of and awarding contracts for the purchase of two 2019 Ram 3500 trucks to Grapevine Dodge/Chrysler/Jeep for a total amount of \$91,109 for the Parks and Recreation Department through the Interlocal Cooperative Purchasing Agreement with Tarrant County, Contract #2018-022.

**This item was approved as RES-078-18 on the Consent Agenda.**

- 7C.** Consider action to approve a resolution authorizing the City Manager to enter into an Interlocal Agreement with Dallas County for Mosquito Ground Control Services for Fiscal Year 2019 (FY2019).

**This item was approved as RES-079-18 on the Consent Agenda.**

- 7D.** Consider an action to approve an ordinance amending Section 42-54 of Article II (“Rules and Regulations”) of Chapter 42 (“Parks and Recreation”) of the Code of Ordinances to revise fees and reservations for the use of athletic facilities.

**This item was approved as ORD-024-18 on the Consent Agenda.**

- 7E.** Consider an action to approve an ordinance amending Division 6 (“Skate Park”), Article II (“Rules and Regulations”), Chapter 42 (“Parks and Recreation”) of the Code of Ordinances to establish skate park rules and regulations.

**This item was approved as ORD-025-18 on the Consent Agenda.**

- 7F.** Consider an action to approve an ordinance repealing Section 42-101 from Article II (“Rules and Regulations”) of Chapter 42 (“Parks and Recreation”) of the Code of Ordinances to remove limitations on activities permitted on tennis courts.

**This item was approved as ORD-026-18 on the Consent Agenda.**

**Passed the Consent Agenda**

**A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Margolis, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.**

**8. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 8A.** Conduct a public hearing (2nd) on the ad valorem tax rate for Fiscal Year 2018-2019.

Vlad Steere, Budget Officer, presented the information for this item. The public hearing opened and closed with no speakers.

- 8B.** Conduct a public hearing (2nd) on the proposed budget for Fiscal Year 2018-2019 and vote to postpone formal adoption until September 18, 2018.

Vlad Steere, Budget Officer, presented the information for this item. The public hearing opened and closed with no speakers.

**A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Margolis, to postpone the adoption of the budget until September 18, 2018. The motion carried with a unanimous vote of those members present.**

- 8C.** Conduct a public hearing and take action on a request by Tim and Deanna Sewell for a Special Use Permit (SUP) for the construction of an accessory structure on property zoned Single-Family-40 (SF-40). The 0.66-acre site is generally located at 3913 Castle Drive further described as being Lot 2, Block A of the Misty Valley Addition, in the City of Rowlett, Dallas County, Texas. (File Number PR-000177-2018).

Daniel Acevedo, Planning Manager, presented the information for this item. Tim Sewell, applicant, provided additional information. The public hearing opened and closed with no speakers.

**A motion was made by Councilmember Bobbitt, seconded by Councilmember Sherrill, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as ORD-027-18.**

- 8D.** Conduct a public hearing and take action on a request by RLG Consulting Engineers on behalf of Rahim Mawani for a zoning change from Form-Based Code, Urban Village (FBC-UV) District to a Planned Development (PD) District with a base zoning of Commercial (C-2) District. The 3.8054-acre site is located at 8900 Lakeview Parkway and generally described as a tract of land within the J. Hart Survey, Abstract No. 111, City of Rowlett, Rockwall County, Texas and being all of a tract of land described in a Special Warranty Deed with Vendor's Lien to Rowlett Consolidated, LLC recorded in Instrument Number 20150000000346, Deed Records, Rockwall County, Texas. (RDC-ZONE-000418-2018)

Munal Mauladad, Director of Community Development, presented the information for this item. Representatives for the applicant presented additional information. The public hearing opened and closed with no speakers.

**A motion was made by Councilmember Sherrill, seconded by Councilmember Bell, to approve the item as presented. The motion carried with a vote of five (5) in favor and two (2) opposed (Margolis, Bobbitt). This item was approved as ORD-028-18.**

- 8E.** Conduct a public hearing and take action on a request by the Skorburg Company for a zoning change from Single-Family Residential SF-9 District to a Planned Development (PD) with a base zoning of Single-Family Residential SF-5 District. The 5.924-acre site is generally located at 1 Woodside Drive, in the J.W. Gardener Survey Abstract No. 526 & James Saunders Survey, Abstract No. 1424, Lot 1, Block 1 of the Pearson Addition, City of Rowlett, Dallas County, Texas. (RDC-ZONE-000443-2018)

Daniel Acevedo, Planning Manager, presented the information for this item. Representatives for the applicant presented additional information. The public hearing opened and closed with one speaker: Stephen Winton, 7501 Pennridge Circle, Rowlett.

**A motion was made by Councilmember Margolis to approve the item as presented. Deputy Mayor Pro Tem Grubisich offered a friendly amendment, which was accepted, to make 50% of the properties have a "J" or "L" hook driveway. The amended motion was seconded by Deputy Mayor Pro Tem Grubisich. The motion carried with a vote of (5) in favor\* and two (2) opposed (Dana-Bashian, Bobbitt). This item was approved as ORD-029-18.**



**\*At the time of the meeting, it was originally believed that the motion required a SUPER-MAJORITY VOTE (at least six (6) votes) in order to pass and it was published in the Action Minutes that this item had FAILED. Upon review by the City Attorney, it was determined the Super-Majority vote requirement did not apply to this item and it therefore passed.**

- 8F. Conduct a public hearing and consider the approval of an ordinance based on a request by Brad Williams of Winstead PC, on the behalf of the property owners, Emmanuel Snoy, Charles-Albert Snoy, and Maric Pascale Snoy for; 1) A change in zoning from Form-Based Urban Village District (FB-UV) to General Commercial/Retail (C-2) on approximately 6.0 acres and 2) A Special Use Permit (SUP) to permit a drive-through restaurant on approximately 1.3 acres of the 6.0 acres. The property is located at 9103 and 9301 Lakeview Parkway, generally located north of Lakeview Parkway west of Scenic Drive, in the Josiah Hart Survey, Abstract No. 111, and in the Zalcon Center 1 Addition, Block A, Lot 2, City of Rowlett, Rockwall County, Texas (RDC-ZONE-000416-2018 and RDC-ZONE-000413-2018).

Munal Mauladad, Director of Community Development, presented the information for this item. Representatives for the applicant provided additional information. The public hearing opened/closed with four speakers:

1. Lisa Helms, 9014 Chimneywood, Rowlett
2. Della Vickers, 9006 Chimneywood, Rowlett
3. Tom Helms, 9014 Chimneywood, Rowlett
4. John Teel, 9010 Chimneywood, Rowlett

**A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Bobbitt, to table this item to a future Council meeting. The motion carried with a vote of six (6) in favor and one (1) opposed (Margolis).**

After a short break at 9:58 p.m., Council reconvened at 10:07 p.m. to continue the Executive Session.

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

There was no action taken.

#### **9. ADJOURNMENT**

The meeting was adjourned at 11:01 p.m.

  
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Tammy Dana-Bashian, Mayor

  
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Laura Hallmark, City Secretary

Date Approved: September 18, 2018