



CITY OF ROWLETT CITY COUNCIL ACTION MINUTES

Our Vision: A well-planned lakeside community of quality neighborhoods, distinctive amenities, diverse employment, and cultural charm. Rowlett: THE place to live, work and play.

Tuesday, January 7, 2020

5:15 P.M.

Municipal Building

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 Laning, and Councilmember Bell

1. CALL TO ORDER (5:15 P.M.)* Times listed are approximate.

Mayor Dana-Bashian called the meeting to order at 5:15 p.m.

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with Attorney), to seek legal advice from the City Attorney regarding the El Cenizo v. State of Texas, Case No. 5:17-CV-404-OG, and a request to the Attorney General to provide for the City's legal defense. (30 minutes)

In Executive Session at 5:16 p.m.; out at 5:46 p.m.

- 2B.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with Attorney), to seek legal advice from the City Attorney regarding the Amended Economic Development Program Agreement with Yoco, LLC, and a proposed amendment thereto. (30 minutes)

In Executive Session at 5:47 p.m.; out at 6:15 p.m.

3. WORK SESSION (6:15 P.M.)*

- 3A.** Review revised Rowlett Public Library Policy Manual. (30 minutes)

- 3B.** Hear a presentation and discuss the zoning of properties in the North Shore, zoning compatibility with the Comprehensive Plan, and the purposes of overlay zones. (30 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

It was requested that Item 7C be removed for Individual Consideration.

Council adjourned the Work Session at 6:15 p.m.

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

Council reconvened in the Regular Session at 7:33 p.m.

INVOCATION – Pastor Michael Hankins, Church in the City

PLEDGE OF ALLEGIANCE – led by the City Council
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5. PRESENTATIONS AND PROCLAMATIONS

5A. Presentation to Kathy Freiheit for her years of service as Library Director.

City Manager Funderburk and Deputy City Manager Stevens presented Kathy Freiheit with a plaque for her service and accomplishments. Members of the Arts and Humanities Commission and Library Advisory Board were in attendance to congratulate Kathy on her new journey.

5B. State of the City Address.

Mayor Dana-Bashian presented the video.

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

Mayor Pro Tem Brown made the following announcements:

PARKS AND RECREATION

- REGISTRATION IS CURRENTLY OPEN FOR ADULT COED VOLLEYBALL.
- WINTER YOUTH BASKETBALL GAMES BEGIN THIS SATURDAY, SO MAKE SURE TO STOP BY THE ROWLETT COMMUNITY CENTRE TO CHECK OUT THE COMPETITION!
- FOR MORE INFORMATION ON THIS AND OTHER PARKS AND RECREATION PROGRAMS, VISIT THE DEPARTMENT'S PAGE ON THE CITY'S WEBSITE.

ANIMAL SERVICES DIVISION

- ANIMAL SHELTER IS OPEN MONDAY – SATURDAY, 10AM – 5PM AND LOCATED AT 4402 INDUSTRIAL STREET.
- TONIGHT WE ARE FEATURING SEVERAL OF THE DOGS AND CATS THAT ARE AVAILABLE FOR ADOPTION.

LIBRARY

- EXCITING PROGRAMMING FOR EVERYONE AT YOUR ROWLETT PUBLIC LIBRARY.
- THE LIBRARY'S DR. KING BOOKMARK CONTEST IS UNDER WAY! OPEN TO YOUTH IN GRADES K- 12, DESIGN AND ENTER YOUR BOOKMARK FEATURING A PERSON, INVENTION OR EVENT OF HISTORICAL SIGNIFICANCE. ONE ENTRY PER PERSON, ONE WINNER PER CATEGORY. WINNING ENTRIES WILL BE PRINTED AND MADE AVAILABLE IN FEBRUARY.
- TELL US YOUR THOUGHTS! THE LIBRARY IS CONDUCTING A SURVEY TO FIND OUT WHAT PEOPLE WANT IN THEIR FUTURE LIBRARY. THE SURVEY IS AVAILABLE ONLINE, BUT PAPER COPY IS ALSO AVAILABLE. THE DEADLINE FOR REPLIES IS JANUARY 10, 2020.
- FOR MORE INFORMATION ON THE SURVEY, DR. KING BOOKMARK CONTEST AND ALL THE PROGRAMS AVAILABLE, VISIT THE LIBRARY AT 3900 MAIN STREET OR CALL 972.412-6161. LIKE US ON FACEBOOK!

TOWN HALL MEETING

- THE ROWLETT CITY COUNCIL IS HOSTING A TOWN HALL MEETING - JOIN US AND FIND OUT WHAT'S GOING ON IN YOUR CITY! THE MEETING TAKES PLACE IN A RELAXED SETTING, ALLOWING EVERYONE TO SPEAK FREELY AND INFORMALLY. TUESDAY, JANUARY 28TH FROM 6:30-8PM AT THE ROWLETT COMMUNITY CENTRE.

CITY ACADEMY

- REGISTRATION IS NOW OPEN FOR THE NEXT CITY ACADEMY, WHICH BEGINS JANUARY 23RD. THE CITY ACADEMY IS A 13-WEEK COURSE THAT GIVES YOU AN UP CLOSE LOOK AT THE FUNCTIONS AND DEPARTMENTS OF YOUR CITY GOVERNMENT.
- UPCOMING PUBLIC MEETING INFORMATION CAN BE FOUND ON THE PUBLIC BULLETIN BOARD OF THE CITY'S WEBSITE.
- 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!
- FOR MORE INFORMATION ON ANY CITY PROGRAMS OR SERVICES, VISIT ROWLETT.COM OR CALL THE ACTION CENTER.
- ALL CITY OFFICES AND FACILITIES WILL BE CLOSED MONDAY, JANUARY 20TH IN OBSERVANCE OF THE MARTIN LUTHER KING, JR. HOLIDAY.

6. CITIZENS' INPUT

1. Stanley Pollard – 3110 Sycamore, Rowlett – spoke concerning the Library and traffic issues on Main Street.

2. John Shewmaker – 3101 Weems Way – spoke concerning his water bill.

7. CONSENT AGENDA

Item 7C was removed from the Consent Agenda to be considered individually.

7A. Approving minutes.

Consider action to approve minutes from the December 17, 2019 City Council meeting.

This item was approved on the Consent Agenda.

7B. Consider selecting a representative to the Dallas Central Appraisal District Board of Directors.

Consider approval of a resolution casting a vote in a runoff for a representative for the Suburban Cities to the Dallas Central Appraisal District Board of Directors.

This item was approved on the Consent Agenda as RES-001-20.

7C. Consider amending the Amended Economic Development Program Agreement with Yoco, LLC.

Consider action to approve a resolution approving an amendment to the Economic Development Program Agreement with YOCO, LLC for property located at 3901 and 3913 Main Street and to authorize the Mayor to execute the necessary documents.

This item was removed for Individual Consideration.

Jim Grabenhorst, Economic Development Director, gave a brief presentation.

A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Sherrill, to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as RES-002-20.

7D. Consider approving request for the Attorney General's assistance.

Consider action to approve a resolution requesting the Attorney General's assistance in defending the City in El Cenizo v. State of Texas, Case No. 5:17-CV-404-OG.

This item was approved on the Consent Agenda as RES-003-20.

Passed the Consent Agenda

A motion was made by Councilmember Margolis, seconded by Councilmember Laning, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with an unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A. Consider action to approve an ordinance adopting changes to the Bayside Public Improvement District (PID) Service and Assessment Plan including the annual update to the Assessment Roll pursuant to the Service and Assessment Plan for the Bayside PID – South Improvement Area.

A motion was made by Councilmember Sherrill, seconded by Councilmember Bell to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as ORD-001-20.

- 8B. Consider a resolution to accept a petition and call a public hearing on the creation of the Trails at Cottonwood Creek Public Improvement District (PID) submitted on behalf of Freedom Quest, LLC for the property known as Trails at Cottonwood Creek for a 765-unit residential development. The 226.58-acre site is generally located at the northeast corner of Vinson Road and Stonewall Road, in the City of Rowlett, Dallas County, Texas.

A motion was made by Mayor Pro Tem Brown, seconded by Councilmember Laning to deny the acceptance of a petition and call a public hearing item. The motion failed with a vote of five in favor and two opposed (Brown and Laning). A second motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Margolis to approve the item as presented. The motion carried with a vote of five in favor and two opposed (Brown and Laning). This item was approved as RES-004-20.

- 8C. Conduct a public hearing and take action on a request by Monk Consulting Engineers, Inc., on behalf of property owner Patricia Granville Holcomb, for a Major Warrant from Sections 2.8.6.c.2.iv and 2.8.6.e.2 of the Form-Based Code (FBC) to reduce the minimum required window area from 60 percent to 24 percent on public fronting facades and from 30 percent to 10 percent on the remaining facades on property zoned Form-Based Commercial Center (CC) District. The 2-acre site is located on the northeast corner of Old Merritt Road and Liberty Grove Road, in the City of Rowlett, Dallas County, Texas.

A motion was made by Mayor Pro Tem Brown, seconded by Councilmember Sherrill to approve the item as presented with the following changes: to reduce the minimum area window requirement from 60% to 40% on public facing facades; a minimum area window requirement of 30% in the grooming area; and to reduce the minimum area window requirement from 30% to 20% on the remaining sides. The motion carried with an unanimous vote of those members present. This item was approved as ORD-002-20.

- 8D. Conduct a public hearing and take action on a request by Rhodes Surveying, on behalf of property owner Ross Mussina, for a Special Use Permit (SUP) to allow an accessory structure exceeding 500 square feet on property zoned Single-Family Residential (SF-40) District. The 4.1-acre site is located at 8306 Chiesa Road, approximately 129 feet north of Bellaire Lane and on the north side of Chiesa Road, in the City of Rowlett, Dallas County, Texas.

A motion was made by Councilmember Margolis, seconded by Councilmember Sherrill to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as ORD-003-20.

- 8E.** Conduct a public hearing and take action on a request by Mike Martinie, on behalf of DHI Communities, and Walter Guillaume, First Baptist Church of Rowlett, to rezone the subject property from General Office (O-2) District and Commercial/Retail Highway (C-3) District to Planned Development (PD) District for Commercial/Retail Highway (C-3) District uses and Form-Based Urban Village (FB-UV) District uses. The 28.93-acre site is located at the northeast corner of Main Street and President George Bush Turnpike, in the City of Rowlett, Dallas County, Texas.

Councilmember Bell recused herself from this item.

The following spoke during the public hearing:

1. Ed Olszewski, 3413 Jones Drive, Rowlett
2. Mark Daniels, 11010 Affinity Lane #6215, Rowlett
3. Lauren Gummelt, 6518 Creek Bend, Rowlett
4. Tom Hopkins, 3101 Cambridge Drive, Rowlett
5. Todd Gottel, 10110 Birdie Court, Rowlett
6. Bruce Woody, 4417 Brittany Drive, Rowlett
7. Wes Shepherd, 8106 Meadowlark, Rowlett
8. Gabby Richards, 5201 Alazan Bay Drive, Rowlett
9. Marcie Hargrove, 3805 Osage Drive, Rowlett
10. Darren Smith, 9113 Barton Creek Drive, Rowlett
11. Jim Dunleavy, 2110 Indian Trail, Rowlett
12. John Tomko, 9213 Chimneywood Drive, Rowlett
13. Mike Britton, 1906 Westminister Drive, Rowlett
14. Tiffani Thomas, 4413 Ridgecove Drive, Rowlett
15. Jana Schieber, 3513 Lake Highlands Drive, Rowlett
16. Judy Robinson, 4313 Creekbluff Drive, Rowlett
17. Chris Jones, 7921 Tulane Drive, Rowlett
18. Robert Blackman, 4406 Brittany Drive, Rowlett
19. Robert Andrews, 3302 Duchess Way, Rowlett
20. James McGee, 4502 Horizon Drive, Rowlett
21. Gary Cook, 5509 Cypress Drive, Rowlett
22. Kacie Richards, 5201 Alazan Bay Drive, Rowlett
23. Sharon Hodges, 4618 Clay Drive, Rowlett
24. Austin Hunter Smith, 7409 Belmont Road, Rowlett
25. Richard Crank, 5909 Covington Drive, Rowlett
26. Stanley Pollard, 3110 Sycamore Street, Rowlett
27. John Muzyka, 1700 Alma Drive, Suite 300, Plano

A motion was made by Councilmember Margolis, seconded by Deputy Mayor Pro Tem Grubisich to deny the item as presented. The motion to deny carried with a vote of six in favor and one abstain (Bell).

- 8F.** Conduct a public hearing and take action on a request by Skorburg Company, on behalf of property owners Leslie and Tommy Kearney, for a Major Warrant to Appendix 2.1 of the Form-Based Code to eliminate the required 20-foot garage offset from the front building line and allow for garages to be aligned with the front of the home. The 33-acre site is located along Castle Drive, between Miles Road and Merritt Road, in the City of Rowlett, Dallas County, Texas.

A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Bell to be remand this item to the Planning and Zoning Commission. The motion carried with a vote of six in favor and one opposed (Dana-Bashian).

- 8G.** Conduct a public hearing and take action regarding a request by Marc English, Sapphire Bay Land Holdings, LLC, for approval of a Regulating Plan and associated Major Warrants from the Form-Based Code Urban Village Standards, as they relate to connectivity, parking allocation, continuous building frontage, and right of way frontage, on property zoned Form-Based Bayside Special District (FB-BS) District. The 116.93-acre site is located south of Interstate 30 (IH-30), in the City of Rowlett, Dallas County, Texas.

A motion was made by Councilmember Sherrill, seconded by Councilmember Margolis to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as ORD-006-20.

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

No actions were taken for the Executive Session items.

The meeting adjourned at 12:58 a.m.