



City of Rowlett Meeting Minutes City Council

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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 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, March 3, 2009

5:30 PM

Municipal Building - 4000 Main Street

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.

1. CALL TO ORDER

Mayor Pro Tem Gottel called the meeting to order at 5:30 p.m.

Excused: Mayor Harper

Present: Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

CONVENE INTO EXECUTIVE SESSION

The City Council convened into closed session at 5:30 p.m. ~

2. EXECUTIVE SESSION

2-A The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 to seek legal advice on the City's role in construction projects with DART; TxDOT; NTTA and citizen expectations. (20 minutes)

2-B The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.087 to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (10 minutes)

2-C The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 to seek legal advice for creation of Municipal Management Districts within the City of Rowlett. (10 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:15 p.m.

3. WORK SESSION ITEMS (6:15 P.M.)**3-A Joint meeting with the Arts and Humanities Commission. (10 minutes)**

Hugo Martinez, Arts and Humanities Commission Chair gave a brief summary of the Commission's goals including plans for a website, the Westshore and More Event, and various contests, exhibits and performances. He stated the Commission is trying to be more proactive in the area of enhancing the citizens' quality of life. Spoke concerning the need for a Performing and Cultural Arts Center within the City; stated the Commission would like to see a revival in conversations that were held in the past concerning an arts center.

Council suggested the Commission meet with the Bond Committee to discuss their needs.

Mr. Martinez stated a member of the Commission has met with the Bond Committee.

3-B Discuss the professional services agreement with Justice Research Consultants, LLC for a Comprehensive Organizational Efficiency and Staffing Study for the Police Department. (20 minutes)

Staff gave a brief background of the staffing study; stated the goal of the study is to educate ourselves about employee and operational concerns and to address them in a timely and effective manner, with the emphasis placed on employee input. The study will assess the current staffing levels within the department, as well as, make projections and recommendations for staffing needs and reallocations of staff in the future. More importantly, the study will identify and highlight necessary changes within the department that will allow it to sustain successful operations with current staffing levels during the tough economic challenges that lie ahead.

Staff stated the consultants will develop a plan to assist the department with implementing changes.

A member of Council asked staff if they have reviewed the studies that were performed in other cities.

Staff answered in the affirmative.

A member of Council asked regarding the existence of other studies, is there anything to be leveraged from those studies that could be done instead of launching this staff study.

Staff stated the study will provide a more holistic approach to the department versus dealing with single units of the department, thus creating additional options for the department.

Six (6) months is the estimated time period for completion of the study.

Staff stated the study would be funded through the Police Seizure Funds.

3-C

Discuss status of Rights of Way element (screening walls and utility poles) maintenance and provide staff direction on potential inclusion of a screening wall repair/replacement project in the next Capital Improvement Plan consideration.

Staff briefly spoke regarding the utility pole maintenance and the cooperation received from Oncor Representative Barry Young and Oncor.

A member of Council asked staff if the utility franchise would change the rates they charge the City.

Staff stated a provision in State Statutes allow the utilities to enact a separate tariff increment over and above what is presently being charged and charge the additional rate to the customers in certain jurisdictions.

Staff stated there is an option to bury utilities in select corridors; suggested if Council wanted to pursue that type of option, it could be included in a Capital Improvement Plan or presented as part of a developer's plan for the area.

A member of Council suggested a non-binding referendum as a query to the citizens to see if they wanted to accept the extra tariff for a particular amount of improvements. (A legal ruling regarding non-binding referendums would be required as the Rowlett Charter currently only allows binding referendums.)

Staff stated the City is responsible for approximately three (3) miles of screening wall that need attention; discussed several options for replacement or removal of certain screening walls. Stated discussion was needed regarding where the City would like to have walls in the community.

A member of Council stated he did not believe the citizens understood the impact that taking a screening wall down would have on the neighborhoods.

A member of Council stated the City should look for opportunities to give drivers diversity along a thoroughfare by having different types of walls. Stated to replace a masonry wall with another masonry wall will only recreate the same type of problem twenty (20) years from now.

If the screening wall is not in relationship to a subdivision, there may be opportunities where Council will consider removing the screening walls; if the screening walls are in relationship to a subdivision, the Council would entertain options other than replacing the existing wall with masonry. As long as a visible look around a subdivision is maintained, Council would allow other innovated options to be considered.

Staff will bring this item back to Council once the Bond Committee has made its prioritizations so that there will be a context to weigh the screening wall funding and where that funding relates against the other prioritizations.

A councilmember stated before a wall is removed as a final solution, other options should be explored by the City Council and the citizens.

Staff stated no action will be taken without notice to the citizens.

3-D Discussion on ambulance re-mounts. (10 minutes)

Staff stated the ambulance re-mounts will still meet the contractual obligations with the mutual aid agreements and provide a service to the citizens. Staff recommended Option 1 for the ambulance re-mount. Stated by having two (2) re-mounts and combining them both into one (1) finance package would save approximately \$56,000 in the current budget.

3-E Discussion on Energy Efficiency Funding. (15 minutes)

Staff spoke concerning the Energy Efficiency and Conservation Block Grant Program. This program would reduce fossil-fuel emissions and improve energy efficiency programs. Staff asked for direction from Council.

Council directed staff to come back with proposed projects; and to provide information to the citizens about the free Oncor energy efficiency home check.

Staff stated they have reason to believe the City of Rowlett will receive some kind of allocation relative to the block grant.

4. DISCUSS REGULAR SESSION ITEMS

Item 10-O was pulled because the application was withdrawn.

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

Convened into regular session at 7:35 p.m.

5. INVOCATION

The invocation was led by Associate Pastor Dan Pance, Still Water Community Church.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Gottel.

7. TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Councilmember Kilgore.

8. PRESENTATIONS AND PROCLAMATIONS**8-A Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest.**

Mayor Pro Tem Gottel briefly spoke concerning the March Clean-Up Campaign. The Campaign will run for the entire month of March and this year there is a new drop off location due to the turnpike construction. Spoke regarding the Point Royal Neighborhood Ceremony Celebration; a St. Patrick's Day Cake-Walk will occur on the Library front lawn on March 17th at 3:00 p.m.; the Rowlett Chamber of Commerce will have a Casino Auction night on March 21st at South Fork Ranch; the Eggstra-Ordinary Egg Hunt will be held on April 4th at 10:30 a.m. on Main Street in Downtown Rowlett; and the Groundbreaking Ceremony for the

DART Blue Line Extension will occur on April 9th at 10:00 a.m. behind Big Star Burger on the rail line.

Mayor Pro Tem Gottel announced that Mayor Harper will not attend this Council meeting.

8-B Presentation by the All-America City Committee on the City of Rowlett's application for the All-America City Award.

A PowerPoint presentation entitled "Rowlett's All America City Award Application - A Report to the Mayor and Council - March 3, 2009" was presented to the City Council.

- *The Committee*
 - *Mary Alice Etheridge, Executive Director, Rowlett Chamber of Commerce*
 - *Eric Evans, Chief Operating Officer, Lake Pointe Medical Center*
 - *Whitney Lanning, Rowlett Citizen Corps*
 - *Judge Belinda Loveland, Municipal Court Judge, ROCK Coordinator*
 - *Janet Miller, Formerly of Janet Miller Realty*
- *Committee History*
 - *Committee has been meeting since Summer 2008.*
 - *Committee explored multiple civic initiatives for submission.*
 - *Committee unanimously selected initiatives.*
- *The Application*
 - *The first component of the application collected demographic information about the City.*
 - *The second component of the application required the committee to indentify the City's two greatest challenges.*
 - *The third component of the application required the committee to identify and write about three projects/programs with one directly benefitting Rowlett's youth.*
- *The Challenges*
 - *Community Engagement (with growth)*
 - *Ease of Access/Transportation*
- *Community Driven Projects*
 - *Rowlett Citizen Corps (RCC)*
 - *DART/President George Bush Turnpike*
 - *ROCK*
- *Next Step*
 - *Wait. Finalist will be named on March 31st.*
 - *25 finalists will attend the "Main Event" in Tampa, Florida on June 17-19 where they will present in front of a panel of judges, who will determine what cities will be named 2009 All - America Cities.*

9. CITIZENS' INPUT

1. *Colleen Elledge - 6317 Joel Court - spoke concerning the smoking ban ordinance.*

10. CONSENT AGENDA

Mayor Pro Tem Gottel explained the procedure regarding the Consent Agenda and the rights of each Councilmember and each citizen to have any consent agenda item removed to be considered individually.

Item 10-O has been pulled and will require no action as the applicant has withdrawn the application. No items were removed from the Consent Agenda to be considered individually.

City Secretary read items into the record.

- 10-A Consider approving minutes from the February 17, 2009 Regular Council Meeting and the February 18, 2009 Special Council Work Session.

This Matter was approved on the Consent Agenda.

- 10-B Consider a resolution approving a professional services agreement with Justice Research Consultants, LLC for a Comprehensive Organizational Efficiency and Staffing Study for the Police Department in an amount not to exceed fifty-one thousand three hundred dollars (\$51,300).

This Matter was approved as RES-018-09 on the Consent Agenda.

- 10-C Consider a resolution authorizing the City Manager to spend five thousand dollars (\$5,000) for lobbyist in support of the transportation issues.

This Matter was approved as RES-019-09 on the Consent Agenda.

- 10-D Consider a resolution supporting legislation to create a Municipal Management District for the area known as the Waterfront Entertainment District.

This Matter was approved as RES-020-09 on the Consent Agenda.

- 10-E Consider a resolution supporting legislation to create a Municipal Management District for the area known as the Downtown District.

This Matter was approved as RES-021-09 on the Consent Agenda.

- 10-F Consider a resolution approving the purchase of food items to US Foodservice Inc. in an estimated annual amount of forty-five thousand dollars (\$45,000) for the purpose of resale at the Wet Zone Family Water Park.

This Matter was approved as RES-022-09 on the Consent Agenda.

- 10-G Consider a resolution supporting legislation to create a Municipal Management District for the area known as the Pecan Grove Waterfront District.
- This Matter was approved as RES-023-09 on the Consent Agenda.**
- 10-H Consider a resolution exercising the option to renew the annual bid award for the purchase of work uniforms for the services departments in the unit amounts bid per line item to the lowest bidders meeting specifications as indicated in Exhibit "A" and an annual amount not to exceed forty-five thousand and fifty-seven dollars (\$45,057).
- This Matter was approved as RES-024-09 on the Consent Agenda.**
- 10-I Consider a resolution authorizing the first one-year renewal option with Ely Tree and Landscape for Section II Mowing Services in the unit amounts bid and an estimated annual amount of one hundred, fifty-one thousand, three hundred eighty-three dollars and twenty cents (\$151,383.20) as provided herein for the Parks & Recreation Department.
- This Matter was approved as RES-025-09 on the Consent Agenda.**
- 10-J Consider a resolution authorizing the first one-year renewal option with Lawn & Landscape Management for Section III Mowing Services in the unit amounts bid and an estimated annual amount of fifty-eight thousand, one hundred twenty-seven dollars and forty cents (\$58,127.40) as provided herein for the Parks and Recreation Department.
- This Matter was approved as RES-026-09 on the Consent Agenda.**
- 10-K Consider a resolution authorizing the first one-year renewal option with Martin Property Maintenance for Section IV Mowing Services in the unit amounts bid and an estimated annual amount of one hundred, sixty-eight thousand, six hundred ninety-six dollars, and forty-nine cents (\$168,696.49) as provided herein for the Parks and Recreation Department.
- This Matter was approved as RES-027-09 on the Consent Agenda.**
- 10-L Consider a resolution authorizing the first one-year renewal option for the annual bid for Section V Mowing services to Ely Tree & Landscape in the unit amounts bid with an estimated annual amount of ten thousand four hundred ninety-six dollars (\$10,496) as provided herein for Water and Wastewater.
- This Matter was approved as RES-028-09 on the Consent Agenda.**

- 10-M Consider an ordinance amending the Code of Ordinances by amending Chapter 66 "Traffic and Vehicles" by amending Section 66-102, "Parking Prohibited on Certain Streets," by providing for No Parking between the hours of 6:00 p.m. and 6:00 a.m. on Melcer Drive and Martin Drive and by amending the No Parking Regulations for Industrial Street to provide for the same.

This Matter was approved as ORD-004-09 on the Consent Agenda.

- 10-N Consider a resolution awarding the bid for the purchase of one ambulance remount (refurbishing Rowlett's existing Frazer Type 1 12' generator powered module E-923 mounted on a new 2009 Dodge Ram 3500 5.7 gasoline chassis) in the amount of seventy-eight thousand fifty dollars (\$78,050) to Frazer, Ltd. through the inter-local cooperative purchasing agreement with Houston-Galveston Area Council (H-GAC) for Fleet Services and Fire Rescue.

This Matter was approved as RES-029-09 utilizing Option 1 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Rushing, seconded by Councilmember Phillips, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Ayes: 6 - Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

Excused: 1 - Mayor Harper

- 10-O Take appropriate action denying a Special Use Permit (SUP) application for a gas station and convenience store. The subject property is located at 1803 Dalrock Road and is a part of the William Crabtree Abstract 346 page 805 Tracts 14 and 15. (SUP08-393)

Mayor Pro Tem Gottel asked the City Attorney to comment on Item 10-O.

David Berman, City Attorney stated "Simply to avoid confusion. We understand as of last week when the agenda was prepared and posted, the application for a SUP had been placed back on the agenda for consideration by the Council this evening. Subsequently, very recently, the application has been withdrawn and therefore, the item has not just been pulled from the Consent Agenda but pulled from the agenda in its entirety. Without an application there's nothing for us to act on so it's off the agenda completely."

Mayor Pro Tem Gottel stated "Steve, did you have a comment?"

Deputy Mayor Pro Tem Maggiotto replied "As a Point of Order on Item 10-N, to add to the City Secretary's reading of the agenda item to note that the City Council chose by consensus in the Work Session Option 1 for financing."

No action required as the application was withdrawn.

11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11-A Conduct the first of two public hearings to consider an administrative amendment to Article XI, Section 11.06 of the City Charter to correct the spelling of "statues" to "statutes" from the sentence.

Mayor Pro Tem Gottel read the item into the record.

The public hearing was opened and closed at 8:03 p.m. with no one speaking.

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

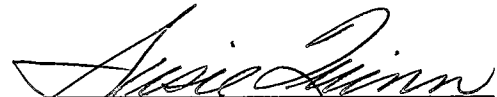
No action was taken following Executive Session.

12. ADJOURNMENT

Mayor Pro Tem Gottel adjourned the meeting at 8:04 p.m.



Todd W. Gottel, Mayor Pro Tem



Susie Quinn, City Secretary

Date Approved: March 17, 2009