



## CITY OF ROWLETT CITY COUNCIL 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, September 7, 2021

5:00 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 Grubisich, Deputy Mayor Pro Tem Sherrill, Councilmember Margolis, Councilmember Laning, Councilmember Bell and Councilmember Brown**

### 1. CALL TO ORDER

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

### 2. EXECUTIVE SESSION (5:00 P.M.)

**2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with Attorney) and §551.087 (Economic Development) to seek legal advice from the City Attorney and to discuss commercial or financial information that the City has received from a business prospect that the Council seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations, regarding the North Shore Center for Commerce and Industry. (30 minutes)

In Executive Session at 5:02 p.m. Out at 5:32 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 Comptroller's Office Private Letter Ruling and Sapphire Bay. (15 minutes)

In Executive Session at 5:32 p.m. Out at 5:53 p.m.

### 3. WORK SESSION (5:45 P.M.)\* Times listed are approximate.

**3A.** Joint meeting of Rowlett Chamber of Commerce and Council. (30 minutes)

Board Chair, Mark Hall, presented the Chamber's mission, vision and values; a review of last year's membership numbers – highlighting a net increase in spite of COVID; the revised Strategic Plan and opportunity for accreditation – of note, only 3% of Chambers nationally are accredited; the Chamber's role as Visitor Information Center and potential for Convention & Visitors Bureau; events held over the last year and required accommodations due to COVID; the growth and improvement of Chamber programs; the Chamber's participation with the City, Rowlett Community Organizations Active in Disaster (RCOAD) and the Rowlett Chamber Foundation in administering the ROBUST grants – totaling \$910,000; upcoming events and programs and the Board leadership. Michael Gallops, President/CEO, introduced Board members who were present: Tori Owens – Chair Elect, Sheila Hair – Foundation Chair, Eva Hummel – Ex-Officio, Sandra Colvin – Ambassador and Carlton Northrup - Ambassador.

- 3B.** Discuss and take public input on the Garner, Fuqua, Spinnaker Point trail and provide guidance on moving forward with planning for this specific trail. (45 minutes)

Mayor Dana-Bashian read emailed comments from the following:

1. Rhonda Wolfe, Rowlett
2. Kristina & Robert Swift, Rowlett
3. Jim Wolfe, Rowlett
4. Stephanie Higgins, Rowlett
5. Paul Daniel, Rowlett

In-person comments from the following:

1. Philip Cascavilla, Rowlett
2. Dave Holl, Rowlett
3. Charlie Reilly, Rowlett
4. Debra Shinder, Rowlett

Angela Smith, Deputy City Manager, presented the trail plan priorities from the Parks, Recreation and Trails Master Plan and the two options for the Garner/Fuqua/Spinnaker Point trail. Councilmembers commented regarding notification of property owners directly impacted by projects, communication efforts in general, the Strategic Plan's priority to "Value Existing Neighborhoods" and thereby the agreements currently in place, the opportunity to learn about the issues occurring in the take line and the appreciation for the input received from the public. It was the consensus of Council to opt for the Garner/Fuqua route and review the prioritized trails and route options at a future date. All stated opposition to trails in the take line area of existing neighborhoods.

- 3C.** Update and take public input on reconstruction projects in the Southeast portion of Rowlett as they relate to the I-30 expansion. (30 minutes)

Gary Enna, Director of Public Works, presented the projects' scopes and timelines. Miller Road is projected to begin at the end of the year, pending utility pole relocation by Oncor. Due to Oncor crews mobilizing for Hurricane Ida assistance, this may be delayed. Chiesa Road will begin upon the completion of Miller Road. In the meantime, staff will resurface 2,400' of the

worst section as a temporary fix. SH66/Dalrock intersection is slated to begin in May 2023. Dalrock 24-inch waterline project is slated to begin in December of this year.

Council discussion regarding the impact of delaying Chiesa until final completion of Miller Road and finding a solution that works for all aspects – the least resistance to traffic flow, capacity of staff and the least inconvenient to residents (both time and traffic flow); funding and Right-of-Way acquisitions; revisions to previously designed plans and sections near the Miller Road bridge.

#### **4. DISCUSS CONSENT AGENDA ITEMS**

Councilmember Margolis inquired about Item 7F – Sanitary Sewer Evaluation Survey and notification of residents in advance of the smoke testing to help decrease the number of calls made to 911. Mr. Enna discussed the manner in which residents were notified, lessons learned from the last cycle and plans going forward.

After a short break at 7:17 p.m., Council reconvened at 7:30 p.m.

**INVOCATION** – Brian Hiatt, Cornerstone Church

**PLEDGES OF ALLEGIANCE** – led by Council

**CONVENE REGULAR SESSION (7:30 P.M.)\*** Times listed are approximate.

#### **5. PRESENTATIONS AND PROCLAMATIONS**

##### **5A.** Presentation of Proclamation in recognition of National Food Safety Education Month.

Mayor Pro Tem Grubisich presented the proclamation to Janet Tucker, Neighborhood Services Manager, and Bradley Strange, Environmental Health Specialist (not able to attend – Rodney Noles, Senior Environmental Health Specialist).

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

Deputy Mayor Pro Tem Sherrill read the following announcements:

Please join us for a 9/11 Memorial Ceremony in remembrance of the events 20 years ago. It will be held at the new Fire Station 2 (8602 Schrade Rd.) on Saturday, Sept 11th at 8:30 a.m. We will honor those 343 firefighters and 60 police officers who gave the ultimate sacrifice. We must never forget!

September is Library Card Sign-Up Month. Everyone who registers for a new library card this month will be entered into a drawing for Half Price Books gift cards. Additionally, there will be gift card drawings for all patrons who check out materials in September – including online books and movies.

**VILLAGE OF ROWLETT DOWNTOWN EVENTS COMING SOON:**

Announcing Rowlett's first "Taste of Fall" Farmers Market – every Thursday evening from 6 – 9 beginning September 23rd through November 11th. Themed evenings with local artists, vendors, produce, flowers and more! Fun for the whole family.

Lunch on the Lawn is back for the fall – every Monday from September 20th through October 25th from 11 a.m. to 2 p.m. A variety of food trucks will be on hand to offer something for everyone's tastes.

And don't forget – every Friday in September is Movies on Main. There is a kids' area, vendors and other attractions for the entire family. Movies begin at dusk.

For more information on these and all other City-related events, please visit the City's website at [Rowlett.com](http://Rowlett.com) or call the Action Center at 972-412-6100.

Councilmember Brown announced the following:

Keep Rowlett Beautiful's 5<sup>th</sup> annual Tri-City Cleanup on October 2<sup>nd</sup>.  
Electronics recycling/document shredding event on October 16<sup>th</sup>.  
For more information: [www.keepprowlettbeautiful.org](http://www.keepprowlettbeautiful.org).

**6. CITIZENS' INPUT**

Mayor Pro Tem Grubisich read an email submitted by Tom Shinder, Rowlett; proposed budget.  
In-person comments:

1. Dave Holl, Rowlett; street signs/addresses
2. Debra Shinder, Rowlett; budget process
3. Regino Martinez, Wylie; Trails of Cottonwood Creek development

**7. CONSENT AGENDA**

**7A. Consider approving the minutes.**

Consider action to approve minutes from the following City Council meeting(s): August 17, 2021 Regular Meeting, August 19, 2021 Special Meeting and August 28, 2021 Special Meeting.

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

**7B. Consider a resolution executing an Interlocal Agreement.**

Consider action to approve a resolution authorizing the City Manager to enter into an Interlocal Agreement with Dallas County for Household Hazardous Waste (HHW) for FY2022.

**This item was approved on the Consent Agenda as RES-090-21.**

**7C. Consider a resolution approving the Atmos Cities Steering Committee's recommendation.**

Consider action to approve a resolution settling Rate Review Mechanism (RRM) filings as recommended by the Atmos Cities Steering Committee.

**This item was approved on the Consent Agenda as RES-091-21.**

**7D. Consider a resolution authorizing a Professional Services Agreement.**

Consider action to approve a resolution authorizing the City Manager to enter into a Professional Services Agreement (PSA) with the City of Garland for the purposes of providing Public Health Services for Rowlett residents.

**This item was approved on the Consent Agenda as RES-092-21.**

**7E. Consider a resolution and to set a public hearing.**

Consider action to approve a Resolution of Intent and setting a public hearing for the Texas Property Assessed Clean Energy (PACE) Program.

**This item was approved on the Consent Agenda as RES-093-21.**

**7F. Consider a resolution executing a task authorization with RJN Group.**

Consider action to approve a resolution executing Task Authorization FY21-RJN-04 in the amount of \$197,544 with RJN Group, Inc. (RJN) to provide smoke testing, manhole inspection, Closed Circuit TV (CCTV) and engineering analysis for the Sanitary Sewer Evaluation Survey (SESS) and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved on the Consent Agenda as RES-094-21.**

**7G. Consider a resolution executing a task authorization with Binkley-Barfield.**

Consider action to approve a resolution executing Task Authorization FY21-BB-02 in the amount of \$115,700 with Binkley-Barfield, Inc. (Binkley-Barfield) for engineering design work associated with the Alley Group M Reconstruction Project and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved on the Consent Agenda as RES-095-21.**

**7H. Consider a resolution executing a task authorization with Neel-Schaffer.**

Consider action to approve a resolution approving Task Authorization FY21-NS-03 in the amount of \$570,755 to Neel-Schaffer, Inc. (Neel-Schaffer) for engineering design work

associated with the Toler Business Park Phase I and Phase II Reconstruction Project (ST2146) and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved on the Consent Agenda as RES-096-21.**

**7I. Consider a resolution executing a task authorization with Teague, Nall & Perkins.**

Consider action to approve a resolution executing Task Authorization FY21-TNP-01 in the amount of \$96,200 for Teague, Nall and Perkins, Inc. (TNP) for engineering design work associated with the Alley Group K Reconstruction Project, and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved on the Consent Agenda as RES-097-21.**

**7J. Consider a resolution executing a task authorization with CP&Y.**

Consider action to approve a resolution executing Task Authorization FY21-CPY-01 in the amount of \$150,238 with CP&Y, Inc. (CP&Y) for engineering design work associated with the Alley Group L Reconstruction Project and authorizing the Mayor to execute the necessary documents for said services.

**This item was approved on the Consent Agenda as RES-098-21.**

**Passed the Consent Agenda**

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

**8. INDIVIDUAL CONSIDERATION**

**8A. Conduct a public hearing and consider approval of an ordinance, on a request by Ryan Alcala, Jones & Carter, Inc., on behalf of property owner Walker Royall, Briarwood Rowlett LLC., granting a Special Use Permit to allow a restaurant with drive-thru window service on an approximately 0.88-acre property zoned General Commercial/Retail (C-2) District. The subject property is located at 3201 Lakeview Parkway, being Lot 4, Block A of Briarwood Armstrong Addition, approximately 560 feet west of the intersection of Rowlett Road and Lakeview Parkway, in the City of Rowlett, Dallas County, Texas.**

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

**Motion by Councilmember Brown, seconded by Deputy Mayor Pro Tem Sherrill, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-034-21.**

- 8B.** Conduct a public hearing and consider approval of an ordinance granting a Special Use Permit on request by property owner Candace Edwards to allow for a Spa and Massage Establishment on a portion of property zoned Planned Development (PD) District for Limited Commercial/Retail (C-1) Uses. The approximately 2.658-acre site is located at 8200 Liberty Grove Road, being a portion of Liberty Grove Office Center, Lot 1 Block A, approximately 760 feet southwest of the intersection of Chiesa and Liberty Grove Roads, in the City of Rowlett, Dallas County, Texas.

Ms. Mauladad presented the information for this item. The public hearing opened and closed with no speakers.

**Motion by Councilmember Brown, seconded by Deputy Mayor Pro Tem Sherrill, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-035-21.**

- 8C.** Conduct a public hearing and consider approval of an ordinance to rezone a 3.49-acre tract of land located 230 feet east of the intersection of Miller and Chiesa Roads, situated in the Charles D. Merrell Survey, Abstract Number 957, in the City Of Rowlett, Dallas County, Texas, from Single-Family Residential (SF-8) to Planned Development (PD) District for Multi-Family Duplex (MF-2F) Uses.

Ms. Mauladad presented the information for this item. The public hearing opened and closed with no speakers. Bart Carroll – builder, on behalf of the applicant, provided additional information.

**Motion by Councilmember Margolis, seconded by Councilmember Laning, to DENY the item as presented. The motion FAILED with a vote of three in favor (Margolis, Laning, Grubisich) and four opposed (Bell, Dana-Bashian, Sherrill, Brown).**

Mayor Dana-Bashian turned the meeting over to Mayor Pro Tem Grubisich.

**Motion by Mayor Dana-Bashian, seconded by Councilmember Bell, to approve the item as presented. The motion FAILED THE SUPER-MAJORITY REQUIREMENT with a vote of four in favor (Bell, Dana-Bashian, Sherrill, Brown) and three opposed (Margolis, Laning, Grubisich). THIS ITEM DID NOT PASS.**

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

There was no action taken.

#### **9. ADJOURNMENT**

The meeting adjourned at 8:41 p.m.

  
Tammy Dana-Bashian, Mayor

  
Laura Hallmark, City Secretary

Approved on: September 21, 2021