



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
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 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, April 20, 2010

5:30 P.M.

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.

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

1. CALL TO ORDER

Mayor Harper called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION

There were no Executive Session items.

3. WORK SESSION ITEMS (5:30 P.M.)

3A. Hear Freese and Nichols presentation for Merritt Road (Liberty Grove) Phase 2 Alignment. (35 minutes)

A representative from Freese and Nichols spoke regarding the Merritt Road Phase 2 Alignment. Spoke regarding four alignment options, public feedback and concerns, and environmental considerations. Stated the firm recommended Option 3 as it was rated the highest on the pairwise comparison.

Council voiced concerns regarding utility relocations, the reconstruction of the Liberty Grove bridge and various combinations of options. Stated a monetary assessment with differential cost of a 6-lane bridge for Option 3 was needed.

Staff stated a lump sum cost would be brought back to the City Council at a future date.

3B. Discuss the proposed amendments to the Master Thoroughfare Plan and provide staff with direction. (15 minutes)

Staff spoke about the proposed amendments to the Master Thoroughfare Plan. Stated the focus will be to improve intersections along State Highway 66. Stated when the President George Bush Turnpike opens the distribution of traffic will begin.

Concerns were voiced regard State Highway 66.

Staff stated currently State Highway 66 was maxed out with the amount of right-of-ways; stated in the upcoming months, staff will hold discussions with Rockwall County.

Council stated the expansion of State Highway 66 through Royse City will have a significant impact on the City of Rowlett.

Staff stated the Master Thoroughfare Plan will be an ongoing process.

3C. Discussion of the contract review and renewal options for the Rowlett Chapter #4440 of the Academy of Model Aeronautics. (10 minutes)

Staff gave a brief history of this item; spoke regarding the policy changes Rowlett Chapter #4440 would like to make, including decibel changes, wording changes for consistency, automatic renewal of contract and inclusion of a Fun Fly Event.

Staff recommends only the change in the wording 'fuel turbine aircraft are not permitted'.

A member of Council stated the Council should reflect on the past of the organization and build trust with the behavior that has been demonstrated by them. Stated not automatically renewing the contract would be a deterrent; stated the organization should be given an opportunity to have electric fly-ins.

Staff stated costs will need to be determined for a Sunday event.

A member of Council voiced support for an automatic renewal of the contract but with a recommend change to paragraph 8, term 8.01 where it states 'written notice of its intention not to extend the term of this agreement' to change to 'intention to review this agreement'.

City Attorney stated the language was changed to reflect the AMA recommendations.

Council will delay an approval until the Parks and Recreation Advisory Board has had an opportunity to review this item.

3D. Update on progress of the Fiscal Year 2009-2010 Organizational Work Plan. (60 minutes)

City Manager Humble stated the operational work plan stemmed from the Executive Team Retreat. Spoke regarding the numerous achievements within the City.

Due to the lack of time, the presentation stopped at Goal #3.

This item will be brought back at the May 4, 2010 City Council meeting.

4. DISCUSS CONSENT AGENDA ITEMS

Items 10C, 10F and 10H were removed from the Consent Agenda to be considered individually. Item 10B was removed and deferred to the next City Council meeting.

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

Convene into Council Chambers at 7:45 p.m.

5. INVOCATION

The invocation was led by Bishop Miller E. Johnson, New Life Fellowship Church.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Harper.

7. TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Harper.

8. PRESENTATIONS AND PROCLAMATIONS

8A. Proclamation honoring Collin Stewart honoring him for his actions that resulted in saving his great-grandmother's life.

Mayor Harper presented Collin Stewart with a proclamation honoring him for his heroic actions. In addition to Collin's family being present, the following first responders were also present: Captain Richard Strange, John Garrett, Joe Moore, Jerry Belisle and Andrew Alman.

8B. Proclamation recognizing the week of April 18-24, as Administrative Professional's Week.

Mayor Harper and City Manager Humble presented a proclamation honoring Administrative Professional's Week to the represented City of Rowlett Administrative Assistants Evette Whitehead, Carrie Wilson and Kendra Frederick.

8C. Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest, and Items of Community Interests.

Mayor Harper gave a brief update to the Council on the various activities in the City including success in volunteerism within the City, the state of the economy, the President George Bush Turnpike, the DART Blue Line Extension, Diversity Day will be held on April 24th at the Rowlett Community Centre, Early Voting will begin on April 26th at the Rowlett Library, the Rockwall Mayor's Prayer Breakfast will be held on May 6th, the General Election Day will be on May 8th at the voter's precinct location, the Chamber of Commerce's Gala will be held on May 14th, the Wet Zone will open for a new season on May 22nd, the Memorial Day/Touch-a-Truck Event will be held on May 29th and the Fireworks on Main Event will be held on July 3rd.

9. CITIZENS' INPUT

1. John Shewmaker – 3101 Weems Way – voiced concern regarding the proposed senior housing project and communications between City staff and City Council.

10. CONSENT AGENDA

Items 10C, 10F and 10H were removed from the Consent Agenda to be considered individually. Item 10B was removed and deferred to the next City Council meeting.

The Deputy City Secretary read the items into the record.

- 10A. Consider approving minutes from the March 30, 2010 Special Council Work Session and the April 6, 2010 Regular Council Meeting.

This item was approved on the Consent Agenda.

- 10B. Consider a resolution approving a policy regarding Council participation in Town Hall Meetings.

This item was removed from the Consent Agenda to be considered individually.

Mayor Harper read the item into the record.

A motion was made by Mayor Pro Tem Maggiotto, seconded by Councilmember Jackson to pull this item from the agenda and to bring this item back at a future meeting. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

- 10C.** Consider a resolution awarding the bid for the purchase of twenty-five (25) Panasonic Toughbook laptop computers and accessories to John Wright Associates, Incorporated in the amount of one hundred thirty-eight thousand eight hundred fifty-seven dollars (\$138,857) for the Police Department.

This item was removed from the Consent Agenda to be considered individually.

Mayor Harper read the item into the record.

Staff gave a brief summary as to the computers and accessories to be purchased.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gottel to approve this item with the stipulation that the General Service Administration pricing will be compared to the State Buyboard. This item was approved as RES-035-10. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

- 10D.** Consider a resolution authorizing the City Manager to execute the Katy Park Improvement Agreement with Austin Bridge and Road, Incorporated for the use of haul road, and filling of Pond 2 on City owned property located in the Katy Park for construction of the DART Blue Line Light Rail Train Extension.

This item was approved as RES-027-10 on the Consent Agenda.

- 10E.** Consider a resolution awarding the annual bid for the crack seal program in the unit amounts bid as attached hereto and incorporated herein by reference as Exhibit A and in an estimated annual amount of one hundred fifty thousand dollar (\$150,000) as work is required for the City of Rowlett Street Department to Southwest Construction Services and authorizing the execution of the necessary documents for said purchase.

This item was approved as RES-028-10 on the Consent Agenda.

- 10F. Consider a resolution awarding the bid to Roadway Solutions in the amount of seventy-five thousand seven hundred eleven dollars (\$75,711) for the purchase and installation of thirty-two (32) illuminated LED signs for the City of Rowlett Street Department and authorizing the execution of the necessary documents for said purchase.

This item was removed from the Consent Agenda to be considered individually.

Mayor Harper read the item into the record.

Concerns were voiced regarding the use of the funds for this project.

Staff requested that this item be removed from the agenda to consult with TxDOT regarding the stipulations associated with the grant funding.

A motion was made by Mayor Pro Tem Maggiotto, seconded by Councilmember Phillips to pull this item from the agenda and to bring this item back at a future meeting. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

- 10G. Consider a resolution authorizing the final acceptance of public improvements for RaceTrac development located on Lot 1, Block A of the RaceTrac Addition, 7399 Lakeview Parkway.

This item was approved as RES-029-10 on the Consent Agenda.

- 10H. Consider an ordinance providing incentives for the installation of fire sprinkler systems.

This item was removed from the Consent Agenda to be considered individually.

Mayor Harper read the item into the record.

Concerns were expressed regarding funding for the incentives.

A motion was made by Mayor Pro Tem Maggiotto, seconded by Councilmember Jackson to approve the ordinance. This item was adopted as ORD-006-10. The motion carried by the following vote:

Ayes: 4 – Mayor Harper, Mayor Pro Tem Maggiotto, Councilmember Phillips and Councilmember Jackson

Noes: 3 – Deputy Mayor Pro Tem Gottel, Councilmember Rushing and Councilmember Kilgore

- 10I. Consider a resolution to authorize the Mayor to execute Master Professional Services Agreements with RJN Group, Inc., and The Wallace Group, Inc., to provide professional engineering design.

This item was approved as RES-030-10 on the Consent Agenda.

- 10J. Consider a resolution to authorize the Mayor to execute Task Order 1-RJ to the approved professional services agreements with RJN Group, Inc. in the amount not to exceed fifty-five thousand three hundred ninety dollars (\$55,390) for the engineering design of a 12-inch waterline along Main Street from east of Skyline to the President George Bush Turnpike.

This item was approved as RES-031-10 on the Consent Agenda.

- 10K. Consider a resolution to authorize the Mayor to execute Task Order 1-WA to the approved professional services agreements with the Wallace Group, Inc. in the amount not to exceed sixty-two thousand seven hundred fifty dollars (\$62,750) for the engineering design of a 16-inch waterline along Miller Road from Rowlett Road to the President George Bush Turnpike.

This item was approved as RES-032-10 on the Consent Agenda.

- 10L. Consider an ordinance amending Ordinance Number ORD-27-09, representing the 2009-2010 Fiscal Year Budget, by allocating funds with the budget which is attached hereto and incorporated herein by reference as Exhibit A; and awarding the annual bid for Concrete Repair/Replacement Part B for streets to Laughley Bridge & Construction, Inc. in the unit amounts bid which is attached hereto and incorporated herein by reference as Exhibit B and an estimated annual amount of one million one hundred thousand dollars (\$1,100,000); and authorizing the Mayor to execute the Standard Public Works Construction contract for said services.

This item was approved as ORD-007-10 on the Consent Agenda.

- 10M. Consider a resolution awarding the annual bid for screening wall repair and maintenance in the unit amounts bid as attached hereto and incorporated herein by reference as Exhibit A and in an estimated annual amount of one hundred fifty thousand dollars (\$150,000) as work is required for the City of Rowlett Street Department to Ratliff Hardscape LTD and authorizing the execution of the necessary documents for said purchase.

This item was approved as RES-033-10 on the Consent Agenda.

- 10N.** Consider a resolution approving Change Order Number 5 to the contract with Jim Bowman Construction Co., L.P. in the amount of six thousand ninety-one dollars and twenty-eight cents (\$6,091.28) (Exhibit A) and authorizing the final acceptance of the improvements and final payment of sixteen thousand one hundred fifty-eight dollars and one cent (\$16,158.01), release of retainage in the amount of fifty-three thousand ninety dollars and eighteen cents (\$53,090.18), and an early completion bonus in the amount of sixty thousand dollars and no cents (\$60,000.00), for a total amount of one hundred twenty-nine thousand two hundred forty-eight dollars and nineteen cents (\$129,248.19) plus the accrued interest on the retainage amount as per Public Works Contract for the Delia Street Water, Drainage, and Street Improvements.

This item was approved as RES-034-10 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gottel, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A.** Conduct a public hearing regarding a citizen petition requesting a Falcon Street Rowlett Road Screening Wall Public Improvement District (PID). The wall is proposed to be located along the length of the Falcon Street alley adjacent to Rowlett Road being Lots 2-18, Block 13 of the Springfield Addition Section Four. If approved, the proposed PID will enable screening wall improvements along Rowlett Road having an estimated cost of one hundred forty-nine thousand five hundred ninety-two dollars (\$149,592). The proposed apportionment of the cost is 80% by the municipality and 20% by the improvement district with the proposed method of assessment through annual tax payments to the City of Rowlett.

Mayor Harper read the item into the record.

Staff gave a brief history regarding this item.

The public hearing opened at 8:39 p.m. and closed at 8:45 p.m. with one person speaking.

1. Jesse Foster – 6806 Falcon Street – spoke regarding the PID petition process and the noise levels on Rowlett Road.

This item will be voted upon at the May 4, 2010 City Council meeting.

- 11B. Conduct a public hearing and consider continuing Chapter 34, Article III, Sections 34-61 through 34-65 of the Code of Ordinances regarding the Juvenile Curfew Ordinance.

Mayor Harper read the item into the record.

The public hearing opened and closed at 8:51 p.m. with no one speaking.

A motion was made by Mayor Pro Tem Maggiotto, seconded by Deputy Mayor Pro Tem Gottel to approve the ordinance. This item was adopted as ORD-008-10. The motion carried by the following vote.

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

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

No actions were taken following the Executive Session.

12. ADJOURNMENT

Mayor Harper adjourned the meeting at 8:52 p.m.



John Harper, Mayor

Date Approved: May 4, 2010



Susie Quinn, City Secretary