



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, June 15, 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, and Councilmember Jackson

Absent: 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. Joint Meeting with the Board of Adjustment. (30 minutes)

Jerry Galloway, Chairman, introduced the members of the Board in attendance. Spoke concerning the five cases the Board reviewed during the year.

Staff spoke concerning variance procedures. Stated the City must be consistent and predictable. Staff would like direction regarding nonconformity of vacant buildings and see if any flexibility is available to provide a win-win for the City and the Applicant. Staff will analyze

the current conditions that propose a problem with the current Code in the various areas of the city to see if any flexibility can be reached based upon location.

Spoke regarding tree mitigation. Stated to save a tree, it may require a variance of the setback. Stated mature tree litigation would be considered a legitimate hardship.

3B. Employee Benefit Strategy Update. (30 minutes)

Staff gave a presentation regarding the Employee Benefit Strategy Update. Stated the goals of the City are to provide flexibility through a cafeteria plan and a good wellness program to City employees. The new insurance program will be on a fiscal year basis. The new strategy was compared to buying separate stereo components, replacing the turntable if that part does not work right rather than buying a complete new system.

Stated there will have to be compromises; stated the input from the employees is critical.

4. DISCUSS CONSENT AGENDA ITEMS

Items 10F and 10G were removed from the Consent Agenda to be considered individually.

RECEPTION FOR THE INCOMING COUNCILMEMBERS (6:30 P.M. - 7:30 P.M.)

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

Convened into the Council Chambers at 7:30 p.m.

5. INVOCATION

The invocation was led by Pastor Kent Cox, Crossroads Baptist 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.** Administration of Oaths of Office and personal remarks from the Mayor and City Councilmembers, Places Two, Four and Six.

David Dean, Former Secretary of State administered the Oaths of Office to Mayor Harper and Deputy Mayor Pro Tem Gottel. The Oaths of Office will be administered to Councilmembers for Place Two and Place Six at a future meeting.

- 8B.** Proclamation recognizing Stephanie Taylor as the 2010 Rowlett High School Valedictorian.

Mayor Harper presented Stephanie Taylor with a proclamation recognizing her great achievement.

- 8C.** Proclamation recognizing the week of June 20 – 26, 2010 as Lightning Awareness Week.

Mayor Harper presented Chief Harris with a proclamation recognizing Lightning Awareness Week.

- 8D.** Hear presentation of the Monthly Financial report for the period ending April 30, 2010.

Staff gave a brief presentation regarding the Monthly Financial Report for the period ending April 30, 2010.

- 8E.** 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 his thanks to Mayor Pro Tem Maggiotto for his assistance during his absence on May 18, 2010 and June 1, 2010. Commented on the Monthly Financial Report that had just been presented along with the refunding of the bonds. The five-year Capital Improvement Plan will continue to be funded for the next year to year and a half. Budget proposals are to be presented by the City Manager. A Council retreat will be taking place soon. Public Hearings will be held regarding the budget and tax rate. The news show, "Rowlett on the Lake, on the Move", will be filmed on Thursday, June 17, 2010 with more details including Robertson Park in Dallas. A Statewide award was received for our new city website. Upcoming dates: Wednesday, June 16, 2010 at the Chamber luncheon, "A Shared Vision for Economic Development" will be presented by the Mayor; Thursday, June 17, 2010 will be a meeting of TEX-21 to discuss transportation issues; also on June 17, 2010 will be a meeting for Rowlett businesses with NTTA regarding the intersection of PG&E and Highway 66. Friday, June 18, 2010 the election process should be completed; Sunday, June 20, 2010 is Father's Day; Friday, June 25, 2010 will be a reception at

the Rowlett Chamber of Commerce for the outgoing as well as the incoming Councilmembers; Saturday, July 3, 2010 is the Fireworks on Main, a special event program that will be emceed by Deputy Mayor Pro Tem Gottel; Thursday, July 15, 2010 will be the DART Community Meeting at 6:30 p.m.; Tuesday, July 20, 2010 at 10:00 a.m. will be the groundbreaking to the DART rail station and on the same day will be the next taping of "Rowlett on the Lake, on the Move." Councilmember Doug Phillips will be my designee to represent me on the Rowlett Economic Advisory Board and serve as the vice-chair.

9. CITIZENS' INPUT

No one spoke during Citizens' Input.

10. CONSENT AGENDA

Items 10F and 10G were removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

10A. Consider approving minutes from the June 1, 2010 Regular Council Meeting.

This item was approved on the Consent Agenda.

10B. Consider a resolution appointing a representative to the Dallas Area Rapid Transit (DART) Board of Directors.

This item was approved as RES-051-10 on the Consent Agenda.

10C. Consider a resolution recommending that the Texas State Legislature take action in the next regular session of the State Legislature in 2011 to enact laws regarding payday, auto title and/or other consumer loan companies to require that they be licensed and comply with Chapter 342 of the Texas Finance Code.

This item was approved as RES-052-10 on the Consent Agenda.

10D. Consider a resolution exercising the last one-year renewal option for the purchase of Workrite uniforms for Fire Rescue in the unit amounts bid to Ad Vision through the interlocal agreement with City of McKinney and in an estimated annual amount of seventeen thousand dollars (\$17,000).

This item was approved as RES-053-10 on the Consent Agenda.

- 10E.** Consider a resolution authorizing the City Manager to execute a Settlement Agreement and Release to HDR, Inc. for the costs associated with an error and omissions in the construction plans for Kenwood Heights, Phase 2 which resulted in additional work by Conatser Construction, LP for the adjustment of alley elevations and replacement of a sanitary sewer line in the amount of fifty-nine thousand one hundred sixty-eight dollars and ninety-five cents (\$59,168.95) resulting in HDR, Inc. providing settlement costs for said services to the City of Rowlett for the change order in the Kenwood Heights Phase 2 project.

This item was approved as RES-054-10 on the Consent Agenda.

- 10F.** Consider a resolution appointing Councilmember Todd W. Gottel as Mayor Pro Tem as prescribed in the City Charter.

Mayor Harper read the item into the record. Mayor Pro Tem Maggiotto expressed the desire to move this item and 10G to the special meeting. The items can be voted on during July which would allow the new Council to have input on this item. Councilmember Rushing agreed.

A motion was made by Councilmember Rushing, seconded by Mayor Pro Tem Maggiotto, to table this agenda item until after the canvassing of the runoff election. The motion failed by the following vote:

Ayes: 2 – Mayor Pro Tem Maggiotto and Councilmember Rushing

Noes: 4 – Mayor Harper, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, and Councilmember Jackson

Absent: 1 – Councilmember Kilgore

A motion was then made by Deputy Mayor Pro Tem Gottel, seconded by Councilmember Jackson, to approve the Resolution as presented. This item was approved as RES-055-10. The motion carried by the following vote:

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

Abstain: 2 – Mayor Pro Tem Maggiotto and Councilmember Rushing

Absent: 1 – Councilmember Kilgore

10G. Consider a resolution appointing Councilmember Patrick Jackson as Deputy Mayor Pro Tem as prescribed in the City Charter.

Mayor Harper read the item into the record. Mayor Pro Tem Maggiotto expressed the same concerns for this item as the last item.

A motion was made by Deputy Mayor Pro Tem Gottel, seconded by Councilmember Jackson, to approve the Resolution as presented. This item was approved as RES-056-10. The motion carried by the following vote:

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

Noes: 1 – Councilmember Rushing

Abstain: 1 – Mayor Pro Tem Maggiotto

Absent: 1 – Councilmember Kilgore

Passed The Consent Agenda

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

Ayes: 6 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing and Councilmember Jackson

Absent: 1 – Councilmember Kilgore

11. ITEMS FOR INDIVIDUAL CONSIDERATION

11A. Present the Community Development Block Grant Program – 2010 Annual Plan and conduct a public hearing requesting citizen input on participating in the program.

Mayor Harper read the item into the record.

A PowerPoint presentation was made by Jo Carroll DeStefano of the Community Development and Training Network. One more public hearing is scheduled to be presented in July and the recommendations are to be submitted to HUD in August.

The public hearing opened at 8:26 p.m. and closed at 8:27 p.m. with no one speaking.

- 11B.** Consider adopting an ordinance authorizing the issuance and sale of the City of Rowlett, Texas General Obligation Refunding Bonds, Series 2010; levying an annual ad valorem tax for the payment of said Bonds; approving a purchase agreement and an escrow agreement; approving the official statement; and enacting other provisions relating to the subject.
Mayor Harper read the item into the record.

Staff discussed items 11B and 11C at the same time but the motions will be separate. The bonds are eligible to be sold from previous bond sales which total about \$11M worth that have savings available on them. Boyd London of First Southwest and Leroy Grawunder of McCall, Parkhurst and Horton, L.L.P. were introduced. The savings on the tax exempt bonds equate to about \$870,000 less interest costs over the remaining life of the bonds or about \$70,000 a year. The 1999 taxable bonds were also reviewed for placement; however, the structuring of the bond sale did not produce the desired results; therefore, Council will be asked to table the sale on Item 11C.

On July 6, 2010, Item 11C will be brought back for consideration to be sold at that time.

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Gottel to approve the ordinance as read. This item was approved as ORD-014-10. The motion carried by the following vote:

Ayes: 6 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing and Councilmember Jackson

Absent: 1 – Councilmember Kilgore

- 11C.** Consider adopting an ordinance authorizing the issuance and sale of the City of Rowlett, Texas General Obligation Refunding Bonds, Taxable Series 2010A; levying an annual ad valorem tax for the payment of said Bonds; approving a purchase agreement and an escrow agreement; approving the official statement; and enacting other provisions relating to the subject.

Mayor Harper read the item into the record.

Staff discussed this item with 11B.

A motion was made by Deputy Mayor Pro Tem Gottel, seconded by Councilmember Phillips to table Item 11C. The motion carried by the following vote:

Ayes: 6 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing and Councilmember Jackson

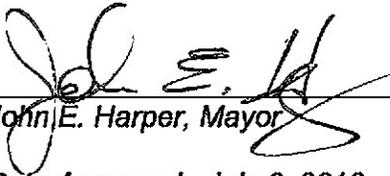
Absent: 1 – Councilmember Kilgore

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

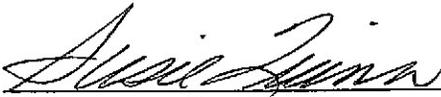
There were no Executive Session items to discuss.

12. ADJOURNMENT

Mayor Harper adjourned the meeting at 8:37 p.m.



John E. Harper, Mayor
Date Approved: July 6, 2010



Susie Quinn, City Secretary