



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

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Tuesday, December 7, 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 Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

1. CALL TO ORDER

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

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

2. EXECUTIVE SESSION (5:30 P.M.)

2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (legal consultation) and §551.072 (legal consultation regarding condemnation of property), to seek legal advice from the City Attorney regarding acquisition for right-of-way for the Rowlett Road, Phase 2 Street Reconstruction Project. (15 minutes)

2B. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (legal consultation) and §551.072 (legal consultation regarding condemnation of property) seek legal advice from the City Attorney regarding acquisition for right-of-way for the Martin Drive Street Reconstruction Project. (10 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 5:55 p.m.

3. WORK SESSION ITEMS (5:55 P.M.)

3A. Discuss creating a support letter to Garland Independent School District for the Belinda Loveland Memorial Committee. (10 minutes)

A member of the Belinda Loveland Memorial Committee spoke regarding the possibility of naming a future school in Garland Independent School District (GISD) after Judge Loveland.

Stated further recommendations would be made in April 2011.

Staff stated there are two elementary schools located in Rowlett that are named for the street location; suggested the Committee meet with GISD to research their naming policy.

The Council came to a consensus to move forward in research the GISD naming policy, to speak with the GISD Trustees and changing the letter to adapt the suggestions.

3B. Discuss possible Liberty Grove Road Closure. (45 minutes)

Lee Engineering gave a PowerPoint presentation. Stated the initial scope was to gather background information, traffic volume data collection, site visits, review available information and make recommendations. Spoke regard different route scenerios. Gave several recommendations including:

- For safety issues, closing the southern closure between Lakehill Drive and Rosebud Drive;
- Use alternative closure locations for section north of Toler Road (Option 3); and
- Consider new thoroughfare for additional study

A consensus was reach by the Council to close the distance between Lakehill Drive and Rosebud Drive; no decision will be made on the northern section of President George Bush Turnpike until it has been open for six months; will consider the economic development possibilities and include the effected property owners in a conversation; and engage the public to seek input.

Staff spoke concerning the economic development of the area.

3C. Discuss policy regarding proper email communication between Council and staff. (20 minutes)

This item was discussed following the end of the City Council Regular Session.

Mayor Pro Tem Gottel called the Work Session back into session at 8:40 p.m. Mayor Harper was not present.

Staff gave a brief presentation regarding this item.

Council came to a consensus to continue with Option 1: to respond to the City Council on any and all emails received from any Councilmember.

3D. Discuss the 2011 Legislative Agenda. (25 minutes)

This item followed Item 3E.

Staff gave a presentation regarding the 2011 Legislative Agenda. Spoke regarding the general items (Municipal Management Districts, Texas Municipal Retirement System, revenues, public safety, transportation, local control and other agendas of other entities) that would be considered priorities.

Council spoke concerning watching bills being considered involving a mandatory collective bargaining with public safety; changes to the Governmental Accounting Standards Board; the diversion of the gas tax; the ability to have "no notice" road stops to check for intoxication; and any red light camera issues.

3E. City Manager's Operational Update to include: Progress on FY2010 Work Plan, Hinton Landfill, Low Water Pressure and duplication of NetBill recurring payments. (15 minutes)

This item followed Item 3B.

City Manager Humble gave a brief update to the Council regarding the listed topics.

4. DISCUSS CONSENT AGENDA ITEMS

Items 7B and 7N were removed from the Consent Agenda to be considered individually.

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

Convened into the regular session at 7:37 p.m.

INVOCATION

The invocation was led by Dr. Steven Leatherwood, First Baptist Church of Rowlett.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Harper.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Harper.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Presentation of the Certificate of Achievement for Excellence in Financial Reporting.

Mayor Harper and Brian Funderburk, Assistant City Manager, recognized the achievement of the Finance Department and presented George Vadakin with a certificate.

5B. Hear presentation of the Monthly Financial report for the period ending October 31, 2010.

Staff presented the Monthly Financial report for the period ending October 31, 2010. Spoke regarding the changes that have been made to the report.

5C. 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 the successful November 20th Holiday Parade and Festival; the building of Kenwood Heights Park on December 4th; the successful Light Up Main Tree Lighting Event on December 4th; the addition of eight methane gas wells at the Hinton Landfill; the Toler Road and Liberty Grove Road Closures; the low water pressure at the northwest portion of the City; the December 14th Special City Council Meeting; the December 17th Arbor Day Celebration at Community Park; the local Economic Stimulus Program will begin on January 1st; the 82nd Texas Legislature convenes on January 11th; the State of the City Address will be on January 18th; and the DART Station Groundbreaking Ceremony will occur in late January or early February.

6. CITIZENS' INPUT

1. Karen Scholz, 7206 Timberline Drive, Rowlett – Spoke regarding the building of the Kenwoods Heights Park.
2. Edwin King, 6701 Liberty Grove, Rowlett – Spoke regarding the closing of Liberty Grove.
3. Patsy Covington, 6702 Eastview Drive, Sachse – Spoke regarding comments made concerning property located on Liberty Grove Road.

7. CONSENT AGENDA

Items 7B and 7N were removed from the Consent Agenda to be considered individually. Items 7I and 7M were removed from the Consent Agenda to be considered individually at the request of a citizen.

City Secretary read the items into the record.

- 7A.** Consider approving minutes from the November 16, 2010 Regular Council Meeting and the November 30, 2010 Special Council Work Session.

This item was approved on the Consent Agenda.

- 7B.** Consider amending Article III ("Trucks") of Chapter 66 ("Traffic and Vehicles"), replacing Sections 66-161, 66-162 and 66-163 of the Rowlett Code of Ordinances and adding Section 66-164.

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

Councilmember Kilgore read into the record.

A motion was made by Councilmember Kilgore, seconded by Mayor Pro Tem Gottel, to adopt the amendment as attached with the following revision. Under Section 66-162, 'Truck Routes Established', striking item parenthetical four which reads 'Dalrock Road from its southern city limits to Lakeview Parkway (State Highway 66); otherwise adopted as presented. This item was adopted as ORD-031-10. The motion carried by the following vote:

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

- 7C.** Consider a resolution approving the purchase of equipment and services to replace the "9-1-1 System" in the Police Department's Emergency Communications Center from Verizon Select Services, Incorporated in the amount of one hundred and eighty-nine thousand two hundred and twenty-eight dollars and forty-one cents (\$189,228.41) and authorizing the City Manager to execute the necessary documents after City Attorney approval.

This item was approved as RES-109-10 on the Consent Agenda.

- 7D. Consider a resolution authorizing the Cities Aggregation Power Project, Inc. (CAPP) to negotiate an extension to the current electric supply and related services agreement with Next Era for electric delivery through December 31, 2018.

This item was approved as RES-110-10 on the Consent Agenda.

- 7E. Consider a resolution approving Task Order Number 9-FNI to the approved Professional Services Agreement with Freese & Nichols, Incorporated (FNI) for the engineering design of the Rowlett Road Pump Station and Upper Pressure Plane Improvements in the amount of one hundred sixty-six thousand eight hundred dollars (\$166,800).

This item was approved as RES-111-10 on the Consent Agenda.

- 7F. Consider a resolution authorizing the final acceptance of public improvements for Lindsey Estates Addition an 18.985 acre residential subdivision on the east side of Chiesa Road and 400+/- feet south of Pennridge Circle in Rowlett, Texas.

This item was approved as RES-112-10 on the Consent Agenda.

- 7G. Consider a resolution approving Task Order Number 2-LEE to the approved Professional Services Agreement with Lee Engineering, LLC for a traffic study to revise the City of Rowlett Design Standards for intersections in the City in the amount of thirty-nine thousand seven hundred forty-seven dollars and no cents (\$39,747).

This item was approved as RES-113-10 on the Consent Agenda.

- 7H. Consider a resolution approving a one-year extension for Professional Services Agreement with E3 Engineering to provide management and oversight of the City of Rowlett Capital Improvement Plan and assist with development review in an amount not to exceed sixty thousand and eighty dollars (\$60,080).

This item was approved as RES-114-10 on the Consent Agenda.

- 7I. Consider signing a Memorandum of Understanding (MOU) between the City of Rowlett and Texas Department of Transportation (TxDOT), to adopt and operate under TxDOT's federally approved disadvantaged business enterprise (DBE), as defined by 49 CFR part 26.

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

Councilmember Kilgore read the item into the record.

Jeff Sheldon asked for an explanation of this item.

Staff stated the State bidding requirements are followed on each bid.

A motion was made by Councilmember Kilgore, seconded by Mayor Pro Tem Gottel, to approve the signing of the Memorandum of Understanding. The motion carried by the following vote:

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

- 7J. Consider a resolution authorizing the final acceptance of the Princeton Road Reconstruction and Water Improvements, approving reconciliation Change Order No. 7 in the amount of two hundred fifty-nine thousand one hundred sixty-four dollars and ninety cents (\$259,164.90), and the release of retainage for a final payment in the amount of one hundred seventy-seven thousand four hundred eleven dollars and sixty-three cents (\$177,411.63) plus the accrued interest on the retainage to Tiseo Paving, Inc.

This item was approved as RES-115-10 on the Consent Agenda.

- 7K. Consider a resolution awarding a bid for the purchase of four patrol vehicles to Dallas Dodge Chrysler Jeep in the amount of one hundred eight thousand seven hundred ninety-six dollars (\$108,796) for the Police Department through the Interlocal Cooperative Purchasing Agreement with the Houston-Galveston Area Council (H-GAC).

This item was approved as RES-116-10 on the Consent Agenda.

- 7L. Consider a resolution awarding a bid for the purchase of Microsoft Enterprise Software through the Interlocal Purchasing Agreement with the Texas Comptroller of Public Accounts and State of Texas Department of Information Resources (DIR) with Dell Marketing, LP contract DIR-SDD-1014 for software licensing in an amount of sixty-six thousand nine hundred forty-seven dollars and ninety-three cents (\$66,947.93) authorizing the City Manager, after City Attorney approval, to execute the necessary documents.

This item was approved as RES-117-10 on the Consent Agenda.

- 7M. Consider a resolution authorizing the creation of Municipal Management Districts (MMD) located at Pecan Grove Waterfront District, Downtown Rowlett, and Waterfront Entertainment District.

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

Mayor Harper read the item into the record.

Jeff Sheldon voice concerns regarding the value of a MMD to the City.

Staff stated two districts are City owned property and one district has three landowners who are in agreement to move forward with the creation of the MMD. Staff further explained that a MMD is an economic development tool that the Council and the developer may use in the future. This tool allows competition with those communities that have 4A and 4B Sales Tax. Further stated that City taxes would not increase if the MMDs are created.

A motion was made by Councilmember Phillips, seconded by Councilmember Gallops, to approve the item as read. This item was adopted as RES-118-10. The motion carried by the following vote:

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

- 7N. Consider a resolution appointing a chairperson for the Tax Increment Financing Reinvestment Zone Number One Board.

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

Mayor Pro Tem Gottel read the item into the record.

A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Davis, to appoint Jerry Berggren as Chairperson for the Tax Increment Financing Reinvestment Zone Number One Board. This item was adopted as RES-119-10. The motion carried by the following vote:

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

- 7O. Consider adopting a resolution to authorize condemnation proceedings for property described as 0.046± acres, part of Lot 1, Block 3 of the Rowlett Business Park No. 2, City of Rowlett, Dallas County, Texas.

This item was approved as RES-120-10 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Jackson, 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 Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

8. ITEMS FOR INDIVIDUAL CONSIDERATION

No items were for individual consideration.

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

There were no Executive Session items to be considered.

At this time, the City Council returned to the Conference Room to continue with the Work Session (8:38 p.m.).

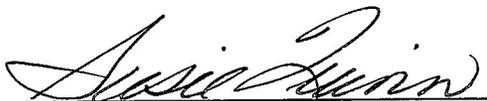
Mayor Harper was not present during this portion of the Work Session.

9. ADJOURNMENT

Mayor Pro Tem Gottel adjourned the meeting at 8:45 p.m.



John E. Harper, Mayor



Susie Quinn, City Secretary

Date Approved: January 4, 2011