



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, May 3, 2011

5:00 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 Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

1. CALL TO ORDER

Mayor Pro Tem Gottel called the meeting to order at 5:03 p.m.

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:03 p.m.

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

- 2A.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation with City Attorney) and §551.087 (Economic Development Negotiations) to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (60 minutes)
- 2B.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation with City Attorney) regarding the following pending lawsuit: United States of America and The State of Texas v. The City of Rowlett. (15 minutes)

- 2C.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation with City Attorney) to seek legal advice regarding lease agreements for the mobile cell tower at 8000 Princeton Road and the permits and equipment at the cell tower. (15 minutes).
- 2D.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation with City Attorney) and §551.072 (Real Property) regarding right-of-way acquisitions for Martin Drive Reconstruction Project. (15 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 5:18 p.m. for the Work Session for Item 3C.

Reconvened into open session at 7:03 p.m. for the Work Session for Item 3B.

3. WORK SESSION ITEMS (6:30 P.M.)

- 3A.** Hear Second Quarter Investment Report for March 31, 2011. (10 minutes)

This item was presented during the Presentation portion of the regular meeting, following Item 5E.

Staff presented the Second Quarter Investment Report for the period ending March 31, 2011.

Item 5F followed this item.

- 3B.** Discuss proposed revisions to Rowlett Development Code. (30 minutes)

This item was presented following Item 2D.

Reconvened into open session at 7:03 p.m. for the Work Session.

Staff spoke regarding proposed changes to the Rowlett Development Code (RDC) including Conditional Use Permits; abandonment use as it relates to determination of nonconforming status; building design standards, specifically roof drainage and landscaping provisions. Staff spoke at length regarding perimeter and internal landscapes.

Stated the proposed changes will improve the City's relationship with the development community.

Council suggested low maintenance and low water plants be added to the approved landscape plant list.

- 3C. Discuss calling a Special Election to fill the vacancy created by the resignation Mayor Harper.
(10 minutes)

This item was presented following Item 2C.

Reconvened into open session at 5:18 p.m.

Staff went over the Special Election calendar; stated by having the Special Election July 16th, this will allow the new councilmembers to participate in the budget process. Stated if a run-off election is needed, the candidates can sit in on the budget meetings. The run-off election day will be August 20th.

A member of Council asked if it would be wise to consolidate the Special Election Day voting polling places into one polling place.

Staff stated there will be a savings of \$15,000 by consolidating to one Election Day polling location.

A consensus was reached to save City funds by consolidating the Special Election voting polling places to one polling location, the City Hall Annex Building.

At this time, the meeting continued with Item 2A.

Convened into Executive Session at 5:29 p.m.

4. **DISCUSS CONSENT AGENDA ITEMS**

Item 7B was removed from the Consent Agenda to be considered individually.

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

Convened into the Council Chambers at 7:38 p.m.

INVOCATION

The invocation was led by Reverend Tom Hadley, Crown of Life Lutheran Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by a Boy Scout Troop.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Councilmember Kilgore.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing the week of May 15 – 21, 2011 as National Police Week.

Councilmember Gallops presented a proclamation recognizing National Police Week to Chief Walling, Lt. Ferrie, Sgt. Wade and Officer Coykendall.

5B. Proclamation recognizing the week of May 1 – 7, 2011 as National Detention Officers Week.

Councilmember Davis presented a proclamation recognizing National Detention Officers Week to Chief Walling, Detention Officers Burt and Aldridge.

Item 5D followed Item 5B.

5C. Proclamation recognizing May 5, 2011 as National Day of Prayer.

Deputy Mayor Pro Tem Jackson presented a proclamation recognizing National Day of Prayer.

Item 5E followed Item 5C.

5D. Proclamation recognizing the Hot Stuff award presented to the Rowlett Citizen Corps Council by the North Central Texas Council of Governments.

This item followed Item 5B.

Councilmember Phillips presented a proclamation recognizing the award received by the Rowlett Citizen Corps Council to Whitney Laning.

Item 5C followed Item 5D.

5E. Hear presentation of the Monthly Financial Report for the period ending March 31, 2011.

Staff presented the Monthly Financial Report for the period ending March 31, 2011.

Item 3A followed this item.

- 5F. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

This item followed Item 3A.

Member of Council and Management gave a brief update to the Council on the various activities in the City including the new format for Rowlett on the Water...On the Move; the Realize Rowlett 2020; the Realize Rowlett 2020 Charrette is scheduled for May 21st at 9am at the Community Centre; Early voting is at the Annex Conference Room from May 2-10; the Paddle Point Park trail opening is scheduled for May 10th at 1pm; the 7th Annual Bike Rodeo and Safety Fair will be held at the Rowlett High School east parking lot on May 21st at 10am; the next low cost vaccination clinics are scheduled for May 14th, 21st and 28th; the Wet Zone opens May 21st (weekends only in May); the Rowlett Road Construction Public Meeting is scheduled for May 26th at 7pm at the Community Centre; the Memorial Day Touch-A-Truck Event is scheduled for May 28th on Main Street beginning at 10am; City offices will be closed on May 30th; the upcoming My Community, My Money, My Choice meetings are scheduled for May 5th, 12th and 18th.

6. CITIZENS' INPUT

No one spoke during Citizens' Input.

7. CONSENT AGENDA

Item 7B was removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

- 7A. Consider approving minutes from the April 19, 2011 City Council Regular Meeting and the April 22, 2011 City Council Special Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider approving an ordinance calling a Special Election to fill the vacancy created by the resignation of the Mayor and to fill a vacancy in the office of a councilmember who may resign to run for the office.

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

A motion was made by Councilmember Phillips, seconded by Councilmember Davis, to approve the item as read with the following change that the precincts and polling

locations be consolidated so that the City Hall Annex be the one and only polling location on Election Day. This item was adopted as ORD-009-11. The motion carried by the following vote:

Ayes: 6 – Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

- 7C. Consider approving a resolution amending the Rules of Procedure Resolution Number RES-037-10.

This item was approved as RES-058-11 on the Consent Agenda.

- 7D. Consider a resolution amending the Boards and Commissions Handbook for the City of Rowlett.

This item was approved as RES-058-11 on the Consent Agenda.

- 7E. Consider a resolution amending the City's Financial and Fiscal Policies regarding the appointment of the Finance and Audit Committee.

This item was approved as RES-059-11 on the Consent Agenda.

- 7F. Consider an ordinance amending Ordinance Number ORD-004-11, representing the Five Year Capital Improvement Plan for fiscal years ending 2011-2015, by allocating funds with the CIP budget which is attached hereto and incorporated herein by reference as Exhibit A; and awarding the bid for Rowlett Road Phase II Project with a Base Bid 1 amount of two million seven hundred nineteen thousand eight hundred eighty-four dollars and sixty cents (\$2,719,884.60), a Base Bid 2 amount of four hundred eighty thousand one hundred fourteen dollars and forty cents (\$480,114.40) and the Bid Alternate 2 in the amount of seventy-six thousand five hundred seventy-five dollars and no cents (\$76,575.00) and approving a contingency amount of three hundred twenty-seven thousand six hundred fifty-seven dollars and forty cents (\$327,657.40) (10%) plus an early completion bonus in the maximum amount of forty thousand dollars (\$40,000.00) for a total project budget of three million six hundred forty-four thousand two hundred thirty-one dollars and forty cents (\$3,644,231.40) to Tri-Con Services, Incorporated for the reconstruction of Rowlett Road, Phase 2 from Century Drive to north of Miller Road and authorizing the execution of the necessary documents for said services.

This item was approved as ORD-010-11 on the Consent Agenda.

- 7G. Consider a resolution approving Task Authorization Number 4-PSI in the amount of eighty-three thousand three hundred fifty-nine dollars and zero cents (\$83,359.00) to the approved Professional Services Agreement with Professional Service Industries, Incorporated to provide construction materials and geotechnical testing and inspections for the 2009 Alley Reconstruction Project.

This item was approved as RES-060-11 on the Consent Agenda.

- 7H. Consider a resolution approving Task Order Number 18-GA to the approved Professional Services Agreement with Grantham & Associates, Incorporated to provide construction phase services associated with the Rowlett Road, Phase 2 Reconstruction Project in the amount of one hundred twenty-seven thousand five hundred fifty-five dollars and no cents (\$127,555).

This item was approved as RES-061-11 on the Consent Agenda.

- 7I. Consider a resolution to approve a Facilities Agreement by and between the City of Rowlett and Paul Taylor Homes, the developer of the Vineyards Subdivision.

This item was approved as RES-062-11 on the Consent Agenda.

Passed The Consent Agenda

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

Ayes: 6 – Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

8. ITEMS FOR INDIVIDUAL CONSIDERATION

There were no items for individual consideration.

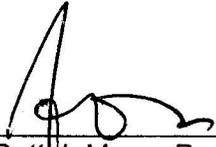
Following this section, the Council reconvened into the Executive Session at 8:32 pm.

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

No actions followed the Executive Session items.

9. ADJOURNMENT

Mayor Pro Tem Gottel adjourned the meeting at 10:00 p.m.



Todd Gottel, Mayor Pro Tem



Susie Quinn, City Secretary

Date Approved: May 17, 2011