



City of Rowlett Meeting Minutes City Council

4000 Main Street
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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, February 17, 2009

5:30 PM

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.

1. CALL TO ORDER

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

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

CONVENE INTO EXECUTIVE SESSION

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

2. EXECUTIVE SESSION

- 2-A The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.087 to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (20 minutes)
- 2-B The City Council shall convene into executive session pursuant to the TEXAS LOCAL GOVERNMENT CODE, §551.074(a) (1), Personnel, regarding duties and functions of the City Manager. (20 minutes)
- 2-C The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 to seek legal advice from the City Attorney and discuss litigation related to GOFF vs. BICKERSTAFF and business regulations. (20 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:40 p.m.

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

- 3-A Conduct a joint Work Session with Keep Rowlett Beautiful. (10 minutes)

Mike Lancaster briefly gave an overview of Keep Rowlett Beautiful (KRB). Stated KRB coordinates community projects and community service workers for the City. With the use of the community service workers, the requirement for City employees to pick up refuse has been reduced. KRB has completed two (2) electronics cleanup events this year and has set up ink toner and cell phone collection boxes around the City. Also stated KRB will assist with Veterans' Park landscaping; assisted with graffiti reduction throughout the City and offers a \$500 reward for information leading to the conviction of anyone who is caught tagging. Other ongoing programs include neighborhood beautification grants, purchasing books for the Rowlett Library; continue with the Paul Brunelle Scholarship; and working with Schrade Middle School to provide students with community service hours. Stated KRB won the President's Circle Award from Keep America Beautiful. Stated the Lakes and Rivers Clean-Up event is scheduled for April 18, 2009; stated interest in working with the City in the completion of the Rowlett Environmental Learning Center.

- 3-B Hear report on the North Texas Housing Coalition. (10 minutes)

Councilmember Jackson presented a PowerPoint presentation on the North Texas Housing Coalition (NTHC). Briefly went over housing principles, the different types of housing within communities, the NTHC initiatives, and the NTHC accomplishments.

Council stated regional planning is important not only to transportation and emergency systems but also to housing in the community; a member spoke concerning low or no-interest loans for low income residents for home renovations or upgrades. Stated it is necessary to look into the use of Community Development Block Grant (CDBG) Fund for possibly helping low income residents.

- 3-C Presentation of the Police Department's Annual Traffic Contact Report for 2008. (10 minutes)

Staff gave a brief overview of the racial profiling data. Stated the data supplied in the report (tables) is from the 2000 Census.

Council questioned if future numbers may be skewed because of the possible transients from the east coming through the City to get to the tollway and that number may increase when the tollway opens through Rowlett.

Staff answered in the affirmative. Stated there was no value to the data in comparing it to either census data or to other traffic data. Stated the important items to look at are the individual traffic stops and the complaints; stated the departments training and audio/video recording capabilities prevent racial profiling.

3-D Update to the Five Year Capital Improvement Plan (CIP) Spending Plan.
(30 minutes)

Staff presented a PowerPoint presentation and gave a brief update of the Capital Improvement Plan and Project Update.

Council asked if the Garner Road project was cost-shared?

Staff stated it is cost-shared (50-50 split).

Council asked about signalization of Miller Road and Dexham Road. Stated money was spent to create a perpendicular junction between Miller Road and Dexham Road; asked how far out the bridge is with Dallas County as to when it will be completed; asked if there was better use of \$250,000 today than signalizing the intersection.

Staff stated the first step will be to see if it is warranted or not. Stated if the project does not meet one of the warrants, then there is better use of the money. Stated the money has not been committed for the design.

Staff briefly went over the Concrete Rehabilitation Program.

Council stated in the 2007 reallocation, there was a two-fold approach. The first approach was acknowledging that the middle category is matriculating every year into the replacement category; that adds to the overall burden of the CIP program long-term. The second approach was the bond program. If you could accomplish from 2007 - 2010 the complete removal of the 65 - 80 category the cash CIP could become the leveraging item for the bond program which would support moving through 2010 - 2013 with as little tax increase to property as possible. Asked if the projects lined up in 2009 - 2010, on a cost basis, can it be justified by not removing the middle category, it actually makes more money. Asked if the design money was beneficial to spend on the middle category projects or is it more beneficial to eliminate the middle category.

Council stated they would like to be committed to a CIP on September 30, 2009.

4. **DISCUSS REGULAR SESSION ITEMS (10 MINUTES)**

No items were removed from the Consent Agenda to be considered individually.

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

Convened into regular session at 7:56 p.m.

5. **INVOCATION**

The invocation was led by Mayor Pro Tem Todd Gottel.

6. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Boy Scout Troop 1020.

7. **TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by Mayor Harper.

8. PRESENTATIONS AND PROCLAMATIONS

- 8-A Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest.

Mayor Harper congratulated City Manager Lynda Humble and the Director of Financial Services, Brian Funderburk for being awarded a higher bond rating by Standards & Poor's despite the difficult economy.

Mayor Harper briefly spoke regarding the Council regarding the American Recovery and Reinvestment Act (Stimulus Plan); thanked the City of Garland for his being elected as the alternate member of the Regional Transportation Council; the next scheduled Town Hall meeting is set for June 4, 2009; will speak to the Rotary Club in Royse City on February 19, 2009 regarding Rail North Texas; and the Point Royal Estates Completion Ceremony will be held on February 28, 2009.

9. CITIZENS' INPUT

1. *Robert Potts - 5050 Boyd Boulevard - spoke concerning a traffic light at Boyd Boulevard and State Highway 66 and Agenda Item 10C.*
2. *Laurieann Dygowski - 7242 Liberty Grove - spoke concerning an upcoming membership meeting for Artists Round Texas.*

10. CONSENT AGENDA

Mayor Harper explained the procedure regarding the Consent Agenda and the rights of each Councilmember and each citizen to have any consent agenda item removed to be considered individually.

No items were removed from the Consent Agenda to be considered individually.

City Secretary read items into the record.

- 10-A Consider approving minutes from the February 3, 2009 Regular Council Meeting.

This Matter was approved on the Consent Agenda.

- 10-B Consider a resolution accepting the Police Department's Annual Traffic Contact Report for 2008.

This Matter was approved as RES-015-09 on the Consent Agenda.

- 10-C Consider a resolution approving a Façade Plan with alternative building materials for Store Décor located on .77 acres, being Block 1, Lot 7 of the Toler Industrial Park.

This Matter was approved as RES-016-09 on the Consent Agenda.

- 10-D Consider a resolution authorizing Task Order Number 5-TNP to the approved professional services agreement with Teague Nall and Perkins, Incorporated for the engineering design of the 2009-2010 Alley Reconstruction Projects in the amount of four hundred twenty-four thousand eight hundred twenty-five dollars and no cents (\$424,825.00).

This Matter was approved as RES-017-09 on the Consent Agenda.

Passed The Consent Agenda

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

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

11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11-A Consider an ordinance amending Chapter 10 of the Code of Ordinances by amending Article X Sexually Oriented Businesses, Sections 10-362 "Definitions", Section 10-363 "Classification", and Section 10-379 "Regulations pertaining to exhibition of sexually explicit films or videos", to provide additional regulations for the operation of sexually oriented businesses.

Mayor Harper read the item into the record.

Mayor Harper stated "Mr. Gottel, do you have a motion?"

Mayor Pro Tem Gottel replied "Yes, Mayor. I'd like to make a motion that we table this item."

Mayor Harper stated "There's been a motion made to table this agenda item, is there a second? Mr. Phillips offers a second. And we'll vote on that motion."

A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Phillips, that this matter be postponed. The motion carried by the following vote:

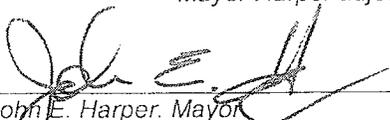
Ayes: 7 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

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

No action was taken following the Executive Session.

12. ADJOURNMENT

Mayor Harper adjourned the meeting at 8:19 p.m.


John E. Harper, Mayor


Susie Quinn, City Secretary

Date Approved: March 3, 2009