



# City of Rowlett Meeting Minutes City Council

4000 Main Street  
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Tuesday, November 18, 2008

5:00 PM

Municipal Building - 4000 Main Street

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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 5:00 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 5:00 p.m.*

## 2. EXECUTIVE SESSION

**2A** The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.074(a)(1), Personnel, to deliberate the appointment of the City Manager and to consider City Manager search options. (1 hour)

**2B** 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)

**A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Phillips, that this matter be approved for a letter of intent between the City and the LSC Group LLC under the terms and conditions and with the amendments discussed in Executive Session and authorize the Mayor to sign the agreement on behalf of the City. 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

**2C**

GOVERNMENT CODE, §551.071 for consultation with the City Attorney and under §551.072 regarding possible right-of-way acquisitions for the President George Bush Turnpike. (5 minutes)

- 2D The City Council shall convene into executive session pursuant to § 551.071 of the TEXAS GOVERNMENT CODE to seek legal advice from the City Attorney and discuss pending litigation related to CITY OF ROWLETT vs. HUNTER AND ASSOCIATES, et al. (5 minutes)

### RECONVENE INTO OPEN SESSION

*Reconvened into open session at 6:59 p.m.*

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

- 3A Discuss the Proactive Code Enforcement Program. (15 minutes)

*Staff gave a brief presentation on the first year of the Proactive Code Enforcement Program.*

*The City is on schedule to complete the first sweep of all neighborhoods by December.*

*Spoke concerning Community Builders, an assistance program, which assists Rowlett residents with code violations; and Volunteers in Police Service (VIPS) reporting Tier 1 code violations.*

*Spoke concerning eviction issues with the economic situation; stated the Constable office is now contacting Code Enforcement before an eviction occurs and an officer is onsite during the eviction.*

*Council requested a work session item at the next Council meeting to discuss how to expand the program to get more coverage in less time.*

- 3B Discuss the water distribution system study, findings, and recommended improvements as an update to the City's Water Master Plan from the engineering firm of Freese & Nichols, Incorporated. (15 minutes)

*This item was moved to Individual Consideration.*

- 3C Discuss the hiring of a Drainage Engineer. (10 minutes)

*Item 3C followed Item 3A.*

*Council voiced concerns about the funding of the position coming from the Drainage Fund.*

*Council directed the City Manager stating the Drainage Engineer's pay will be from the General Fund.*

*Staff asked the Council for suggestions as to how to fund the position out of the General Fund.*

*Council asked that this be brought back on December 2nd and requested the City Manager and his staff to review the General Fund and the Drainage Fund*

**3D** Discuss the Public Works form agreement. (10 minutes)

*City Attorney spoke concerning the Public Works form agreement; stated the City's problems are not unique. Part of the problem is the City has an obligation to comply with the competitive bidding process imposed by State law. Stated the agreement may not solve all problems but should help with the construction issues. Stated penalties will be assessed if the project is not completed on time and rewards will assessed if completed on time; will require internal policies and procedures that will allow the City to look more closely at a bidder's financial soundness, their prior work history, and their record on other projects of a similar size.*

*Council stated this is a tool to provide proper accountability within the City.*

*A member of Council suggested the wording should be stricter in what constitutes an excuse for a delay.*

**3E** Discuss approving funding in the amount of thirty-one thousand five hundred dollars (\$31,500) as matching funds to the North Texas Soccer Association for a grant issued to the Rowlett Youth Soccer Association in the amount of thirty-one thousand five hundred dollars (\$31,500) to be used in the construction and development of one full sized league soccer field. (5 minutes)

*This item was moved to Individual Consideration.*

**4. DISCUSS REGULAR SESSION ITEMS**

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

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

*Convened into regular session at 7:45 p.m.*

**5. INVOCATION**

*The invocation was led by Reverend Steve Leatherwood, First Baptist Church of Rowlett.*

**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 to recognize National Home Care Month.

*Mayor Harper read the proclamation for National Home Care Month.*

**8B** Proclamation to recognize Cody Painter.

*Mayor Harper presented Cody Painter with a proclamation. Cody Painter thanked everyone for the proclamation.*

**8C** Proclamation to recognize Ken Middaugh.

*Mayor Harper presented Ken Middaugh with a proclamation. Mr. Middaugh thanked everyone for the proclamation and invited everyone to the next Senior Advisory Board meeting.*

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

*Mayor Harper updated the Council briefly regarding the City's financial situation; the President George Bush Turnpike Eastern Extension; Dallas Area Rapid Transit Blue Line Extension; Elgin B. Robertson Park; the search for a new City Manager; the Chaha Road Traffic Analysis and Traffic Study; the President George Bush Turnpike Eastern Extension Construction Project update on November 20th; the Main Street Holiday Parade on November 22nd; speaking at a recognition for Public Safety Officers in Hunt County on November 22nd; City offices will be closed on November 27th - November 28th; Volunteer Appreciation Banquet will be in January 2009; requesting a public hearing on January 6th regarding smoking in Rowlett; the State of the City Address will be on January 20th; and a Town Hall meeting will be on February 5th.*

**9. CITIZENS' INPUT**

- 1. Bruce Markham, 9005 Bayshore, spoke concerning code enforcement.*
- 2. Marvin Overstreet, 3009 Bois D'Arc Lane, spoke concerning senior meetings and activities.*
- 3. Tracey Wright, 3506 Lake Highlands, spoke during Item 10H.*

**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.*

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

*City Secretary read the items into the record.*

**10A** Consider approving minutes from the November 4, 2008 Regular Council Meeting.

**This Matter was approved on the Consent Agenda.**

**10B** Consider an ordinance amending the Fiscal Year 2008-2009 budget.

**This Matter was approved as ORD-052-08 on the Consent Agenda.**

**10C** Consider a resolution awarding the bid for annual maintenance for Cisco computer network hardware, software and services for Information Technology to NWN Corporation, formally known as Micro System Enterprises in the amount not to exceed thirty-one thousand two hundred forty-six dollars and eight cents (\$31,246.08); authorizing the City Manager to execute the necessary documents to acquire such services.

**This Matter was approved as RES-145-08 on the Consent Agenda.**

**10D** Consider a resolution indicating concurrence with the Dallas Area Rapid Transit organization to acquire necessary Rights of Way for the Blue Line extension of Light Rail Transit to Downtown Rowlett.

**This Matter was approved as RES-146-08 on the Consent Agenda.**

**10E** Consider a resolution authorizing the Mayor to execute documents necessary for the transfer of City owned property to the Dallas Area Rapid Transit authority for Rights of Way for the Blue Line Light Rail Transit extension into downtown Rowlett.

**This Matter was approved as RES-147-08 on the Consent Agenda.**

### **Passed The Consent Agenda**

**A motion was made by Councilmember Phillips, seconded by Councilmember Rushing, 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 Kilgore and Councilmember Jackson

10F

Consider a resolution accepting a water distribution system study, findings, and recommended improvements as an update to the City's Water Master Plan from the engineering firm of Freese & Nichols, Incorporated.

*Mayor Harper read the item into the record.*

*Patrick Baugh, Director of Public Works and Utilities stated "At your last meeting we had Freese and Nichols representatives present a slide show highlighting all the episodes and issues regarding the Water Master Plan Update. This Water Master Plan does pretty much what the 2003 Plan does with an additional focus on providing our existing customers with a little bit higher pressure with a goal of 60 PSI which is as much as we can get. Since that time, we've answered several questions. We've forwarded that information to you and it's in your information packet and if you have any questions, Shawn Poe and I are both here to answer those questions."*

*Mayor Harper asked "Any questions or comments from Council? Mr. Kilgore."*

*Councilmember Kilgore stated "I have one question, looking at the distribution system that we're talking about designing, looking at the population distribution chart which I don't have in front of me but you probably have on your computer. It shows the anticipated population growth for certain benchmarks and build out. And in that chart it shows a very small increase in population. For example, in the downtown area and the area immediately southeast of downtown, specifically addressing the Waterfront Entertainment District. We have fought and talked for actually several years about those being potentially mixed use developments which would include high density housing. So those two (2) areas are potentially in the distant future going to be our highest population density areas and the figures on the population density chart that's in the study are way off the mark if that's in fact the case. That being the situation, does that create any issues with the plan as designed since in fact it is a transmission plan?"*

*Mr. Baugh replied "No, sir. What municipality...probably what any company does or any supplier does is look at the model plans that we have. Our Comprehensive Plan outlines certain populations for certain areas. If we do have some explosive growth in a particular sector of the city, we'll go back and revise the Plan; either on a large scale or focused in that one area. And if there are any issues that come out of that modeling, then we'll go and address those issues at that time. I think it would probably be a lot of guess work to do anything more than what we've projected out at this time. And it's probably time that we did look at our Comprehensive Plan to incorporate some of those areas that you talk about, mixed use, like around transit-oriented development and maybe update the Comprehensive Plan as well. Then all the rest of the plans, whether it's the Transportation Plan or Parks Plan, would fall in line with that Comprehensive Plan for adjustments and capacity needs."*

*Councilmember Kilgore stated "Assuming high density developments at the rail head and or at the Waterfront Entertainment District, would that have a major impact on the cost of this plan or the nature of the plan, in your opinion."*

*Mr. Baugh replied "Not at this moment. Like any development, we would expect the developer to participate in some expansion of the system for capacity. So we would*

*look at that avenue first and then we'd make whatever other adjustments are necessary."*

*Mayor Harper stated "Mr. Maggiotto, let me make a comment and then I'll call on you sir. I want to go off of what Mr. Kilgore has said. The segue way is for the planning needs that we have. The Council leadership had been discussing the need for updating our Strategic Plan, updating the Comprehensive Plan, all of that is coming due if we're going to do it every three (3) to five (5) years, that cycle is about to get there. One of the issues that I have, the Option 2 is the one that's been recommended by Freese and Nichols and the one that is before the Council right now. Option 2 is the option that if we adopt it, it will meet the long-term goals of the water system, which include providing adequate storage and pumping, that neither exceed the Texas Commission on Environmental Quality requirements; it will provide storage and pumping for operational needs and provide sixty pound per square inch (60 psi) pressure to the majority of its customers. Those are great goals and that will be a tremendous improvement in our City system. The important thing though is that this is going to be done in twenty-three (23) separate projects. Of the twenty-three (23) projects, there are six (6) to be conducted between 2007 - 2012; nine (9) more between 2013 - 2017; and the remainder will be done for the years 2018 to build out. What I want to be sure that everyone in the audience knows and that Council knows is that the net charge to the spending plan which goes through the year 2010 is zero. We are going to revisit the spending plan with regard to water projects and substitute the higher priority projects for those that are either no longer needed or of lower priority so that for the years now through 2010 there is no additional funding. Now that's important to me because I don't want to commit to additional funding until we complete those plans that we just mentioned. The funding needs to be driven by an update of the Strategic Plan and the Comprehensive Plan. My only comment. Mr. Maggiotto."*

*Deputy Mayor Pro Tem Maggiotto stated "Thank you, Mayor. I think Mr. Baugh and Mr. Poe, our City Engineer, have done an excellent job in answering the questions. My only comment is that this plan, if you will, represents something that we can all identify with...a goal. We all understand water pressure; we all experienced the 2006 drought; we understood very, very clearly what water rationing was about and I think this is a very cohesive, easily understood effort on our CIP as opposed to a collection of discreet projects that you don't how it all commentates. So I commend staff and Freese and Nichols for, if you will, a plan. Thank you."*

*Mayor Harper stated "Any other comments? None. One last comment from me, Mr. Baugh. I can't let you go that quickly. The Princeton/Dalrock Road question. For the audiences sake, we're about to repair Princeton/Dalrock Road. We going to invest quite a bit of money in that effort and one of the recommendations made as part of this water update is to put a larger water line in there. Am I correct so far?"*

*Mr. Baugh answered in the affirmative.*

*Mayor Harper continued "At a cost of about \$2M. Now by approving this plan, do we approve that \$2M or is that still going to get more discussion?"*

*Mr. Baugh replied "It's in the plan but it would be discussed further as an individual project at your next Council meeting."*

*Mayor Harper replied "Okay. I really think we need to talk more about that Council. Not tonight but I think when we get down to making a final decision on that Pat, we need to decide is that extra \$2M need to be invested now or five (5) to seven (7) years from now. And I know all of the arguments but we need to sit and talk about that more before we make that decision. So if you'll hold that in advance and give me a second bite of that apple, I'll approve tonight."*

Mr. Baugh replied "That would be a good topic for discussion. Thank you, Mayor."

Mayor Harper stated "Thank you. Anybody else, Council? Do we have a motion?"

**A motion was made by Councilmember Rushing, seconded by Councilmember Jackson, that this matter be adopted as RES-148-08. 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 Kilgore and Councilmember Jackson

10G

Consider a resolution approving funding in the amount of thirty-one thousand five hundred dollars (\$31,500) as matching funds to the North Texas Soccer Association for a grant issued to the Rowlett Youth Soccer Association in the amount of thirty-one thousand five hundred dollars (\$31,500) to be used in the construction and development of one full sized league soccer field.

Mayor Harper read the item into the record.

Katie Corder, Assistant City Manager, stated "In 2006, the Rowlett Youth Soccer Association (RYSA) was granted funding from the North Texas Soccer Association (NTSA) for the amount of thirty-one thousand five hundred dollars (\$31,500) for building a full size soccer field. At that time, the City was enduring a drought and under water restriction. We decided it would be detrimental to any turf to move forward with the construction of the athletic field at that time. The NTSA did grant RYSA an extension to secure matching funds by the end of this calendar year. The item that is before you tonight is to approve matching funds in the amount of thirty-one thousand five hundred dollars (\$31,500) for construction of this athletic field. If the Council does move forward with that, our initial estimates are that the field construction will cost ninety-eight thousand dollars (\$98,000); that will leave a balance of about thirty-five thousand dollars (\$35,000) that would need to be funded from outside sources or we would need to look at construction options to decrease the cost of the project. There is ample funding in the Parks Pro Rata Fund to move forward with this project. I'll be happy to answer any question."

Mayor Harper stated "Council, any questions or comments? Ms. Rushing."

Councilmember Rushing stated "In the material that was presented to us, the shortfall on the difference between the matching funds and the estimated cost, the soccer association is at this time attempting to try to find a way to bridge that gap, are they not?"

Ms. Corder replied "That's correct with either finding another revenue source or there are a couple different things we can do with construction as far as the turf and the irrigation that may lessen the cost."

Councilmember Rushing stated "Thank you."

Mayor Harper stated "Other comments? Mr. Maggiotto."

Deputy Mayor Pro Tem Maggiotto stated "None except to add a little bit to Ms. Corder's response. I guess on the second page it talks to sod, you could hydromulch and be

patient and wait the year for the grass to come in as opposed to a very, very quick method. Irrigation, I think what the President of the RYSA is looking at is sweat-equity type avenues to get the irrigation in. I'm comfortable with our commitment, this represents a fifty-fifty (50-50) cost share between the RYSA and the City."

Mayor Harper stated "Am I correct, Mr. Maggiotto, that what we're approving is the match? We're not approving the project."

Deputy Mayor Pro Tem Maggiotto replied "That is correct, Mayor."

Mayor Harper stated "And that's an important distinction. What we're approving is the match which is needed by the end of the calendar year and we'll continue our discussion on the project. Any other questions? Mr. Phillips."

Councilmember Phillips stated "Just one clarification. I'd talked to a couple of people outside of this meeting that have expressed some concern about our budget situation and the fact that we're looking at committing this money when a lot of other things have been cut from the budget. So I just wanted to make sure that we emphasize that this is coming from the Park Pro Rata Fund and not from the General Fund."

Ms. Corder replied "That is correct."

Councilmember Phillips stated "Thank you."

**A motion was made by Councilmember Rushing, seconded by Deputy Mayor Pro Tem Maggiotto, that this matter be adopted as RES-149-08. 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 Kilgore and Councilmember Jackson

10H

Consider a resolution approving the use of alternate building materials for a 600± square foot accessory structure (detached garage) at 3506 Lake Highlands in Cambridge Meadows Estate Phase 2, Lot 16 Block B. [CUP08-391]

Mayor Harper read the item into the record.

Keri Samford, Director of Planning and Community Development stated "I don't know that we need a presentation on this. It's an issue here...a Conditional Use Permit (CUP) for an accessory building over five hundred (500) square feet. That was approved at the Planning and Zoning Commission; however, what's coming to you tonight is an alternate building materials request that was forwarded on from the Planning and Zoning Commission. The applicant is here. It was pulled off by a Councilmember so if you have any questions of me this evening, I'll be available."

Mayor Harper stated "Keri, while you're up here, what is the alternate building system that is being recommended or considered?"

Ms. Samford replied "What they're proposing is an all metal structure and the...our requirement is a masonry structure. I believe the Planning and Zoning Commission recommended that it be denied as a metal accessory building; however, if you were looking for something else that could possibly work a hardy plank-type material which is constructed out masonry is recommended."

Mayor Harper stated "So aesthetically it's a bit more acceptable. Is that what we're looking at?"

Ms. Samford replied "Yes, sir. Something that matches more with the neighborhood."

Mayor Harper stated "Mr. Wright, do you want to come forward? Thank you for your patience."

Tracey Wright, 3506 Lake Highlands, Rowlett stated "I'm fine with the hardy board plank...the hardy board siding and all. I understand all of that and if I can build a metal building, I'd be glad to do the hardy board siding on that. There was one (1) thing that they also said was the composition roof. I would like not to have to use the composition roof; I'd rather have a metal roof because its maintenance free. It's going to last longer, you know, years down the road it's not going to require maintenance."

Mayor Harper stated "Mr. Maggiotto has some thoughts on that. You want to share those, sir?"

Deputy Mayor Pro Tem Maggiotto stated "Thank you, Mayor. To defer to Ms. Samford who answered the question. Specifically the question had to do with what would be a legal description for a metal roof that we would currently allow on a home?"

Ms. Samford replied "I believe what you're talking about the official wording for that is a standing seam metal roof which is what we usually see placed on residential structures."

Deputy Mayor Pro Tem Maggiotto stated "Thank you, Mayor."

Mayor Harper stated "Council, more questions or more comments? Do we have a motion?"

Deputy Mayor Pro Tem Maggiotto stated "Motion, Mayor. The motion is to approve the alternate materials to include hardy plank siding which is a masonry product, in addition to the question of roofing material, I would add as an option to the owner. In addition to the composite shingle roof option, which the Planning and Zoning Commission recommended, to also include as an option a standing seam metal roof."

**A motion was made by Deputy Mayor Pro Tem Maggiotto, seconded by Councilmember Phillips, that this matter be adopted as amended as RES-150-08. 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 Kilgore and Councilmember Jackson

## 11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A Conduct a public hearing as required by law prior to establishing a Public Improvement District for a screening wall between Rowlett Road and Falcon Lane.

Mayor Harper read the item into the record.

George Harris, Interim City Manager stated "There was a City owned screening wall, one of the orphan walls that we called them along this area, it was destroyed by a wind storm

several years ago and replaced for safety reasons with a chain-link fence where the neighbors backed up to north Rowlett Road were exposed to the noise and traffic. They've come forth and under our PID Program and asked the City to establish a PID with eighty-two (80-20) participation with the residents. There are seventeen (17) homes affected right along the backside of Falcon Street there as it backs up to Rowlett Road. We had over fifty-one percent (51%) of the people in that area petitioned to establish a PID. We, as required by our ordinance, noticed this for a public hearing and we received seven (7) comments back from the people in that area. They were all positive and all in favor of the PID. So the only thing before the Council tonight is to hold the public hearing; no other action is necessary."

Mayor Harper stated "So, let me at this point in time open the public hearing (8:50 p.m.) and what that means is I will call for you to come forward and speak if you wish to speak for or against establishing a public improvement district for a screening wall between Rowlett Road and Falcon Lane. Is there anyone who wishes to speak either for or against? Please come forward, sir."

Jesse Foster, 6806 Falcon Street, Rowlett "Through working with Mr. Harris over the past year now, we've tried to get this fence replaced and we've moved along as we did last time in the Work Session and got to the this level. And now that we're here, I wanted to thank the Council for getting us to this point. I know this is a new thing for the City and we're hoping this could be a really good model for what a PID can do and how it can work between the residents, as well as, the City, to help beautify the City and make it a better place to live for all of us. I did want to recognize those neighbors that are here tonight if they would just stand if they are in support. These are our residents that live on the street with us."

Mayor Harper stated "May I say on behalf of the Council, thank you for your generosity. I genuinely mean that. Thank you very much."

Mr. Foster continued "And I just wanted to make one comment in going through all of this that Rowlett Road is now known as the toll way without a toll. And thanks to the Council and hopefully we will be able to continue moving along and move this thing forward and do whatever we need to do to get it done."

Mayor Harper stated "You all are pioneering this process, so thank you for doing that. And thank you for your good humor, as well."

Deputy Mayor Pro Tem Maggiotto stated "I know that we're going to talk to this at the next City Council session and I know that we currently have in place agreed to percentages but I'd like for that to come back up for discussion."

Mayor Harper stated "The percentages between City and residents?"

Deputy Mayor Pro Tem Maggiotto replied "Not having to do with this particular case, but looking at the future and the popularity, if you will, and some of the funds that we would be using. I think that's a concern shared by some Councilmembers."

Mayor Harper stated "Sure, you can build that in your presentation. I think let's just start with what we have Mr. Harris and then we can discuss the opportunity to change. My understanding for both Mr. Maggiotto and Mr. Harris is that each PID is case by case. And therefore, we can decide the percentages or recommend the percentages and then decide them case by case."

Mr. Harris stated "That's correct, Mayor. Of course, the establishment of the PID is dependent on the funding that's available but the presentation on December 2nd will be

a comprehensive look at the screening wall issue throughout the City along with all the options."

Mayor Harper stated "PID being one of those options. Fair enough? Let me formally close the public hearing."

Councilmember Rushing stated "Mayor."

Mayor Harpers replied "Did I go too fast?"

Councilmember Rushing responded "Yes."

Mayor Harper stated "Let me reopen the public hearing."

Councilmember Rushing stated "Again I just wanted to make one other statement similar to the soccer field situation. When we have a situation like this, it is a win-win situation. It helps your neighborhood and it also helps us as City Council people who are in charge of the funds for the City to distribute that money in a way where we can do more with it by having the help of the people in the neighborhood that choose to do something in their own particular neighborhood. And I hope this is only the first of many, many PIDs that we see before us. Thank you."

Mayor Harper stated "Thank you very much. Anyone else before I move to close. Let us close the public hearing (8:54 p.m.)."

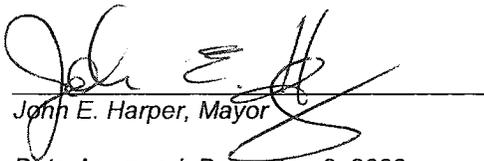
#### **TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS**

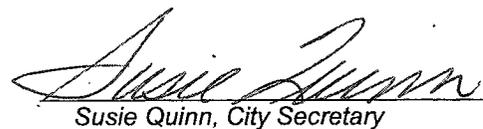
Action was taken on Item 2B (go to item 2B for the motion) and an announcement was made regarding Item 2A.

Mayor Harper stated "The Council, by unanimous consent, has established that Ms. Lynda Humble is the sole finalist to become the next City Manager of Rowlett."

#### **12. ADJOURNMENT**

Mayor Harper adjourned the meeting at 8:57 p.m.

  
John E. Harper, Mayor

  
Susie Quinn, City Secretary

Date Approved: December 2, 2008