

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

MINUTES
ROCKWALL CITY COUNCIL

February 3, 2003
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

Mayor Jones called the meeting to order at 6:00 p.m. Larry Dobbs, appointed as Councilmember Place 2, gave his oath before the City Secretary, Dorothy Brooks. Present were Mayor Jones and Councilmembers Cecil, Cotti, King, and Raulston. Councilmember Morris was absent. Mayor Jones led the invocation and the Pledge of Allegiance.

Proclamations

3a. Black History Month

Mayor Jones read the Black History Month proclamation and presented it to Thomas Roquemore.

Open Forum

The following persons appeared before the Council in open forum:

Sam Noel
1305 Champion Drive
Rockwall, Texas

Mr. Noel appeared before the Council to complain about the trees that were taken down at the Lakeshore development north of downtown. Mr. Noel advised that the hillside was now bare and stated that there should be something the City could do to prevent such clearing. Mr. Noel stated he had received many calls about this and wanted the Council to be aware of the problem so that this doesn't happen anymore.

Consent Agenda

- 5a. Consider approval of the Minutes of the January 6, 2003 City Council Meeting and the January 21, 2003 City Council Meeting and take any action necessary.
- 5b. Consider approval of a **Resolution** providing for the creation of a Rockwall Sesquicentennial Committee and take any action necessary.
- 5c. Consider approval of a **Resolution** calling a general election to be held on May 3, 2003, and take any action necessary.
- 5d. Consider approval of a **Resolution** urging the Texas Congressional Delegation to support funding for President Bush's \$3.5 Billion First Responder Initiative during the 108th Session of Congress and take any action necessary.
- 5e. **PZ-2002-99-RP-SP-BE-LP-CUP** -- Consider approval of a request from Allen Terrell with Half Associates for a replat, site (including building elevations) and landscape plans, and a conditional use permit to allow a

51 structure greater than 36 feet in height, for an office/retail development on
52 a single, 7.64-acre commercially-zoned tract being Lot 3-R, Block A,
53 Rockwall Towne Centre Phase 4, located on the southeast side of FM
54 740 (Ridge Road) and take any action necessary. **(2nd reading)**

55 **5f. PZ-2002-108-Amendment** -- Consider approval of a city initiated
56 amendment to the City of Rockwall Code of Ordinances - Subdivision
57 Regulations - Chapter 24 - Amending § 24-4 Definitions (Minor Plat,
58 Amending Plat, Research Technology Park), Amending § 24-8
59 Preliminary Plat (adding Item 12. Expiration of Dormant Projects),
60 Amending § 24-9 Final Plat (adding "Director's Signature" block and
61 changing filing date from "120-days" to "180-days"), Adding § 24-9.6
62 Administrative Approval and Amending §24-11 Industrial or commercial
63 subdivisions (excluding overhead electrical and telecommunication lines
64 from Research Technology Parks) and take any action necessary. **(2nd**
65 **reading)**

66 **5g. PZ-2002-109-Z** -- Consider approval of a request from Dwayne Cain for a
67 zoning change from SF-10 to Zero Lot-Line (ZL-5) residential and
68 General Retail on a tract of land known as Sanger Bros.; Block M; Lots 5
69 through 8 located on the east side of Alamo Road between Ross and
70 Bourne Avenues. Specifically the applicant is requesting that the
71 westernmost 120' (1.1019 ac.) of the subject lots be ZL-5 and the
72 remaining 55' (0.505 ac) be General Retail and take any action
73 necessary. **(2nd reading)**

74 **5h.** Discuss and consider approval of an **Ordinance** amending Article XI
75 Chapter 15 of the Code of Ordinances regarding False Alarm Notification
76 and take any action necessary. **(1st Reading)**

77 **5i.** Discuss and consider approval of an Ordinance amending the Code of
78 Ordinances by the addition of Article XII Retail Electric Providers and take
79 any action necessary. **(1st Reading)**

80 **5j.** Consider approval of holding the 2003 Hazardous Waste Day on April 26,
81 2003, and take any action necessary.

82 **5k.** Consider approval of the Lakeside Village Bridge re-bid award and take
83 any action necessary.

84 ~~**5l.** Consider approval of an Ordinance amending the existing electric~~
85 ~~franchise between the City and Oncor Electric Delivery Company to~~
86 ~~provide for a different consideration and take any action necessary. **(1st**~~
87 ~~**Reading) Pulled from Agenda**~~

88 **Councilmember Cecil made a motion to approve items 5b, 5c, 5d, 5e, 5f, 5g and 5i. Mayor**
89 **Jones stated that he wanted to pull item 5h and Councilmember Cotti stated he wanted to**
90 **pull items 5j and 5k. Councilmember King seconded the motion and the motion passed**
91 **by a vote of 6 ayes and 1 absent [Morris].**

92
93 **Councilmember Cecil stated he had pulled item 5a because Councilmember Dobbs was**
94 **not present at the prior meetings and made a motion to approve item 5 a.**
95 **Councilmember Raulston seconded the motion and the motion passed by a vote of 5**
96 **ayes, 1 abstain [Dobbs], and 1 absent [Morris].**
97

98 Councilmember Cotti advised the Council that Bob Wieneke, President of the Chamber of
99 Commerce, was present and wished to speak to the Council regarding item 5h. Mr.
100 Wieneke presented a comparison to the Council of the fines for residential fire alarms
101 and commercial/business fire alarms. Wieneke is looking for equitable treatment for
102 commercial vs. residential fines. Wieneke also stated that Section 15-239B should be
103 revised to apply not only to new alarm systems, but alarm systems that are being
104 replaced.

105
106 Councilmember Cotti stated he would like for Chief Mark Poindexter to review the
107 documentation and made a motion to table the request until the next regular meeting
108 scheduled for February 17, 2003.

109
110 Mary Smith, Director of Finance, discussed the background of the ordinance and the
111 setting of fees and that the fees were done pursuant to the Fire Code.

112
113 Councilmember King stated that Mr. Wieneke had appeared before the Council more
114 times in the short time he has been President of the Chamber of Commerce than the
115 whole time the two previous Presidents were in office and told Wieneke that he
116 appreciated his interest in the City.

117
118 Mayor Jones seconded the motion to table the matter until February 17, 2003, in order to
119 study the issues further. The motion passed by a vote of 6 ayes and 1 absent [Morris].

120
121
122 With regard to item 5j, Councilmember Cotti stated that the Hazardous Waste Day project
123 is important to all of Rockwall and he wanted to recognize the individuals who have been
124 involved with the project. Cotti thanked Kay Roberson and Kelly Allensworth for all of
125 their hard work on this project. Cotti then made a motion to approve the request and
126 Councilmember Raulston seconded the motion. The motion passed by a vote of 6 ayes
127 and 1 absent [Morris].

128
129
130 With regard to item 5k, the Lakeside Village Bridge re-bid, Councilmember Cotti stated he
131 wanted to know when the project would start and when it would be finished. Chuck
132 Todd, City Engineer, stated that the project should start in approximately three weeks
133 and that it would take less than a month to complete. Cotti then made a motion to
134 approve the request and Councilmember King seconded the motion. The motion passed
135 by a vote of 6 ayes and 1 absent [Morris].

136 137 Appointments

138
139 6a. Appointment with Mike Sealock regarding a sign variance request and
140 take any action necessary.

141 Jeffrey Widmer discussed the background of the request and Mike Sealock appeared
142 before the Council and gave them additional pictures of the area and where the sign
143 would be located. Councilmember Cecil stated that he had reviewed the matter and feels
144 it is a reasonable request and made a motion to approve the request. Councilmember
145 Dobbs seconded the motion and the motion passed by a vote of 6 ayes and 1 absent
146 [Morris].

147
148 6b. Appointment with Tony Rios regarding reaffirming commitment to housing
149 for the elderly and take any necessary action.

150 Tony Rios of the Rockwall Housing Authority appeared before the Council to ask for
151 endorsement for the proposed elderly apartment project for the Housing Authority. Dan
152 Allgeier, President, Alpha Construction Company, 17103 Preston Road, Suite 190, Dallas,
153 Texas 75248, made a short presentation and described the process they have to go
154 through with the Texas Department of Housing & Community Affairs in order to apply for
155 a grant. It is a very complicated process, they were not approved last year and it is a
156 long-shot for this year. The proposed project will house residents age 55 and over and
157 will be deed restricted to provide for the age requirement. The property located on
158 Renfro is currently zoned SF-7 and they will be requesting rezoning of the property. If
159 they are not successful in obtaining the grant, the property will retain its SF-7 zoning.

160
161 Councilmember Cotti asked what else they needed from the City to help in the process of
162 applying for the grant. Allgeier gave a short list of documentation that will be needed.
163 Councilmember Dobbs asked what the age range would be. Allgeier stated that it would
164 be 55+. Typically residents are over 70, single females. Their income can not be over
165 \$28,000 per year, which is 60% of the median income for the City. The project will have
166 only one and two bedroom units. The residents will be self-sufficient, but all services will
167 be available on-site.

168
169 Councilmember Cecil asked if there was any maximum on the number of individuals who
170 could reside in a unit. Allgeier stated that there can be no more than 2 persons per
171 bedroom, that this is not a HUD project. There can be no permanent residents under age
172 55. This will be a public-private partnership.

173
174 Councilmember Cotti stated that there is still a lot that has to happen before the end of
175 February and asked if they could get their zoning. Robert LaCroix, Director of Planning,
176 stated that they were on the Planning & Zoning Cycle and that their request would be
177 heard before the end of February.

178
179 Councilmember Dobbs asked if a floodplain study had been completed. Allgeier stated
180 that the property was not in the floodplain. Dobbs asked how residents were chosen and
181 Allgeier stated they were chosen on a first come first serve basis.

182
183 Councilmember Cotti made a motion to approve a resolution in support of the project.
184 Councilmember Cecil seconded the so the project could move forward, with the
185 stipulation that there were several major developmental issues to include roads and
186 accessibility that would need to be resolved before the project could be approved. The
187 motion passed by a vote of 6 ayes and 1 absent [Morris].

188 189 Public Hearing

190
191 7a. Hold a public hearing to declare the structure at 1105 S. Goliad
192 dangerous and order demolition of same and take any action necessary.

193 Jeffrey Widmer, Building Official, discussed the background of the request. Widmer
194 asked the Council to declare the structure to be demolished and stated that this matter
195 was brought to the Council because the owner of the property was deceased and a
196 public hearing was necessary. Widmer stated that the City would contract out the
197 demolition at a cost of approximately \$3,200 and would file a lien on the property for that
198 amount.

199
200 Councilmember Raulston stated that he had looked at the property and he agreed that
201 the building needed to be demolished.

202
203 **Mayor Jones opened the public hearing and the following persons appeared before the**
204 **Council:**

205
206 **Sam Buffington**
207 **509 Bourn**
208 **Rockwall, Texas**

209
210 **Mr. Buffington stated that Thomas Roquemore is the grandson of the**
211 **owner and that he is the rightful heir. Buffington stated they are willing**
212 **to have the debt, but asked that no interest be assessed on the lien**
213 **amount.**

214
215 **Thomas Roquemore**
216 **601 Storrs**
217 **Rockwall, Texas**

218
219 **Mr. Roquemore reiterated Mr. Buffington's statements and stated that he**
220 **and Cliff Griffin of Code Enforcement had played phone tag. Roquemore**
221 **stated he worked for TXU and was not usually near a phone.**
222 **Roquemore asked for a chance to make payments on the lien.**

223
224 **Councilmember Dobbs asked Roquemore if it was better if the City tore**
225 **it down. Roquemore stated yes, that he had checked into having it torn**
226 **down, but that everyone wanted the money up front and he does not**
227 **have that kind of money. Roquemore stated he would like to build**
228 **another house there in the future. Robert LaCroix stated the property**
229 **was zoned commercial and that a house could not be built on the**
230 **property. Mr. Buffington stated that the property was in the Overlay**
231 **District.**

232
233 **Councilmember Cotti asked if it was possible for Mr. Roquemore to enter**
234 **into a payment schedule with the City. Julie Couch stated that he could**
235 **enter into an agreement.**

236
237 **There being no other persons to appear before the Council, the public hearing was**
238 **closed.**

239
240 **Councilmember Raulston made a motion to have the building demolished and to allow**
241 **Thomas Roquemore to enter into an agreement to pay it out. Councilmember Dobbs**
242 **seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Morris].**

243
244
245 **Action Items**

246
247 **8a. Discuss and consider recommendations of the EMS Task Force and take**
248 **any action necessary.**

249 **Julie Couch, City Manager, discussed the recommendations and the revisions to the**
250 **Bylaws and Articles of Incorporation made since the last meeting. The revisions**
251 **included qualification issues and non-director officers and voting issues. Couch stated**
252 **that the two initial directors will be Mayor Jones and Councilmember Cecil. Mayor Jones**
253 **stated he commended Julie and Councilmember Cecil for their work on the committee.**

254 Councilmember Cotti asked if all of the members were going to have the same term of
255 office. Couch stated that the initial terms would be for approximately 9 months.
256 Councilmember Raulston wanted to know when the terms started. Couch replied they
257 would start after the Articles of Incorporation were filed. Couch stated that the next
258 meeting of the EMS Task Force would be held on February 26, 2003, and that it looked
259 like it would be the middle to the end of March before the Articles were filed.
260 Councilmember Raulston asked if the election in May would have any affect on the
261 members we appoint. Couch stated that the members are chosen as an individual, not a
262 councilmember, so there is no problem. Councilmember Raulston then made a motion
263 to proceed, approve the Articles of Incorporation and Bylaws, and appoint members
264 (Mayor Jones and Councilmember Cecil). Councilmember Cotti seconded the motion
265 and the motion passed by a vote of 6 ayes and 1 absent [Morris].
266

267 **8b.** Consider authorizing the City Manager to enter into an agreement with
268 the Hunt County Committee on Aging for public transportation and social
269 and nutritional services to the elderly and take any action necessary.

270 Brad Griggs, Parks Director, discussed the contract with the Hunt County Committee on
271 Aging. Councilmember Cotti stated that this is truly a win-win situation and is excited
272 about bringing these two organizations together. Cotti made a motion to authorize the
273 City Manager to execute the agreement with the Hunt County Committee on Aging and
274 Councilmember Cecil seconded the motion. The motion passed by a vote 6 ayes and 1
275 absent [Morris].
276

277 **8c.** Discuss and consider use of Fire Station #2 as the south side Police
278 Substation and take any action necessary.

279 Police Chief Mark Moeller discussed the recommendation. Councilmember Raulston
280 stated that he thought it was a great move and made a motion to approve the request.
281 Councilmember Dobbs seconded the motion.
282

283 Councilmember King asked if there would be a penalty for withdrawing from the contract
284 with Comcept. Julie Couch, City Manager, stated there was not.
285

286 Councilmember Cecil stated that he had brought this matter forward and had talked
287 extensively with Ms. Couch and Chief Moeller. Cecil stated that we have an ear to our
288 citizens and we should listen when they speak. Cecil stated that Chandlers had asked
289 for more presence there and there would have been no cost to the City. Cecil stated that
290 he believes a good faith effort should be made and that he could not support this
291 recommendation.
292

293 The motion passed by a vote of 5 ayes, 1 nay [Cecil], and 1 absent [Morris].
294

295 **8d.** Discuss and consider Industrial Development Process Report prepared
296 by Doug Hamilton and take any action necessary.

297 Doug Hamilton, 1774 Bay Watch Drive, Rockwall, Texas, discussed his report and
298 showed a short Power Point presentation. Hamilton stated he wanted to take the
299 opportunity to pass along his compliments to Staff: Rick Crowley, Jeffrey Widmer, Chuck
300 Todd and Mark Poindexter. Hamilton stated everyone was open, supportive and gave
301 suggestions. Hamilton stated that according to the 2010 Plan, industrial development
302 should take priority. There were lessons learned – (1) that the greatest impact on
303 development is the Council, how they decide on zoning; and (2) preliminary plating.
304

305 Councilmember Cotti stated that with regard to the suggestion that ordinances under
306 review be online, that he had a problem with documents not approved by the Council
307 being presented to the public that they could be misinterpreted as approved documents
308 and wanted to know if there was a provision for this. Hamilton stated there was and that
309 the request for such documents was mainly from engineering firms. Hamilton stated that
310 part of his recommendations included a mandatory pre-application conference and that
311 this is where they will lean about items being addressed.

312
313 Councilmember Cecil wanted to know if the 8 hour response time recommended, applied
314 to the customer. Hamilton stated no. Cecil wanted to know if the software already
315 purchased would support the recommendations. Hamilton stated that he had not
316 personally looked at the software, but that he has been told it has real time interaction.
317 Jeffrey Widmer advised the Council that the software has the capability. Cecil stated that
318 he was still going back to not having a requirements document and asked Hamilton for
319 his opinion. Hamilton stated he was a firm believer in them.

320
321 Councilmember King told Hamilton that it was a good report, but that he had a question
322 for Staff. For the requests received before 7:30 a.m. to be handled that same day, would
323 that cause a bottle neck? Widmer advised that this recommendation was for industrial
324 customers only and did not feel that it would be a problem.

325
326 Councilmember Dobbs wanted to know if a \$3 million retail project, a \$3 million
327 residential development, or a \$3 million commercial project were equal to an industrial
328 project. Hamilton stated that right now tax revenues were being carried by rooftops.
329 Industrial property brought in more tax revenue and will relieve the tax burden on
330 residential property. Hamilton stated that industrial development is extremely
331 competitive and it is important to be able to balance the tax burden.

332
333 Councilmember Cotti asked Hamilton what the Council needed to do and what time
334 frame. Hamilton stated there was wrap up time for Staff and that Staff was eager to get
335 this implemented. The final plan will be read in a couple of weeks. Hamilton stated that
336 developers want cities to tell them the rules, don't change the rules, and abide by the
337 rules.

338
339 Councilmember Cecil asked what happens if fast track comes up when you are working
340 on a deadline for other developments. Hamilton stated it is a Staff issue – balancing of
341 the workload. Cecil asked if the City currently had time constraints which we were
342 required to meet and Widmer replied yes. Cecil asked if all of the various developments
343 came down to the same date and time, who would take priority. Hamilton stated that
344 according to his proposal, industrial developments would take priority. Cecil stated that
345 when Staff offers comments and/or observes inconsistencies with code requirements
346 that they should let the developer know immediately. Cecil also wanted to know if we are
347 referencing code sections. Robert LaCroix stated that we are currently doing this.

348
349 Councilmember Dobbs wanted to know if were creating new zoning to take priority.
350 Hamilton stated that new zoning will further define the allowed uses and that it is for tech
351 parks and does not apply to other industrial development that is out there.

352
353 Hamilton stated that when industrial development comes in everyone wins. The goal is
354 for high value, high quality industrial development.

355

356 Councilmember Cotti made a motion to proceed with implementation of Option 2 of the
357 plan and Councilmember Raulston seconded the motion. The motion passed by a vote
358 of 6 ayes and 1 absent [Morris]. Rick Crowley stated he wanted to express his
359 appreciation to Doug and the Council and thanked the Staff for their work on this project.

360
361
362 **City Manager's Report to discuss current City activities, upcoming meetings, future**
363 **legislative activities, and other related matters.**

364
365 9a. Departmental Reports

366 9b. City Manager's Report

367 Julie Couch stated that this was the first meeting since the decision was made to put the
368 City Manager's Report on the agenda of the first meeting of the month. Couch discussed
369 the upcoming citizen survey and recommend that the City use Turko & Associates again
370 and that she would like for him to talk with the Council. Couch advised the Council that
371 they would be contacted regarding Balanced Scorecard interviews with regard to the 7
372 focus points that had been chosen by the Council at their retreat.

373
374 Rick Crowley, Assistant City Manager, discussed obtaining proposals for the animal
375 shelter and suggested that the City use the same approach they used for the fire station.
376 Crowley also advised the Council that the municipal court/EOC site will be fully
377 functional in the next few weeks. Crowley advised that we will soon be able to implement
378 the Emergency Management Plan and will be working with the City of Mesquite on table
379 top and field training.

380
381 Crowley stated that shortly after the Columbia Shuttle tragedy, the City received many
382 calls and the Police and Fire Departments worked very well together. All EOC employees
383 were located but not activated. All City property has been inspected and all reports were
384 negative for debris from the shuttle.

385
386 9c. Appointment with Jeffrey Widmer regarding status update on bulk trash
387 efforts.

388 Jeffrey Widmer gave a brief update on the status of the bulk trash efforts. Widmer stated
389 that he has worked with Mary Smith and Kay Roberson on developing an education
390 program and as soon as that is complete he will do another study to determine if the
391 education program was successful.

392
393 Mayor Jones stated that the Council had a great lady with Nell and that Larry and Nell
394 bring something to the Council that the rest of them don't have.

395
396 Councilmember Cotti thanked the various departments for their time and effort on their
397 reports. He also thanked those that worked this weekend after the shuttle tragedy and
398 stated that although the system is working it is still under review and refinement. Cotti
399 welcomed Larry Dobbs to the Council.

400
401 There being no further business to come before the Council in regular session, the
402 meeting was adjourned at 8:44 p.m. to go into Executive Session.

403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429

Hold Executive Session under Sections 551.072, 551.074, and 551.086 of Texas Government Code to Discuss:

- a. Land Acquisition for City Facilities and Park Land.
- b. Personnel Issues, including Council, Board, Commission, and Committee Appointments, and Related Matters.

Take Any Action as Result of Executive Session

Councilmember King moved to appoint Stephen Straughan to the Planning & Zoning Commission to fill the unexpired term of Larry Dobbs. Councilmember Cotti seconded the motion and the motion passed by a vote of 6 ayes and 1 absent [Morris].

There being no further business to come before the Council, the meeting was adjourned at 9:30 p.m.

Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

MINUTES
ROCKWALL CITY COUNCIL

February 17, 2003
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

Mayor Jones called the meeting to order at 6:00 p.m. Present were Mayor Jones and Councilmembers Cecil, Dobbs, Cotti, Morris, King and Raulston. Councilmember Morris gave the invocation and led the Pledge of Allegiance.

Proclamations

3a. Absolutely Incredible Kid Day®

Mayor Jones read the proclamation and presented it to Connie Jackson.

3b. Amy Howerton Day

Mayor Jones read the proclamation and presented it to Amy Howerton.

Consent and Public Hearing

4a. Public Hearing Items – None

4b. Non-public Hearing Items

(1) Consider approval of the minutes of the City Council meetings held January 27, 2003, January 30, 2003, and February 3, 2003, and take any action necessary.

(2) PZ-2002-21-FP -- Consider approval of a request from Richard Hovas for a final plat of a 36.88-acre, 100-lot single-family residential subdivision known as Castle Ridge - Phase I located north of Dalton Road and west of SH 205 adjacent to Harlan Park and Heritage Heights subdivisions and take any action necessary.

(3) PZ-2003-4-FP -- Consider approval of a request from Michael Dowdey of Dowdey, Anderson and Associates, Inc., for a residential final plat for a 92.586-acre, 243 lot tract known as Hickory Ridge Phase 4, located on the northeast side of SH 205 south of the Mims Rd intersection and take any action necessary.

(4) Consider approval of an Ordinance amending the existing electric franchise between the City and Oncor Electric Delivery Company to provide for a different consideration and take any action necessary. (1st Reading)

(5) Discuss and consider approval of an *Ordinance* amending the Code of Ordinances by the addition of Article XII Retail Electric Providers and take any action necessary. (2nd Reading)

- 51
52 (6) Discuss and consider approval of an *Ordinance* amending Article XI
53 Chapter 15 of the Code of Ordinances regarding False Alarm Notification
54 and take any action necessary. (1st Reading)
55
56 (7) Consider approval of the purchase of a box truck through HGAC
57 Purchasing Cooperative and take any action necessary.
58
59 (8) Consideration approval of the purchase of two fire apparatus through
60 BuyBoard Purchasing Cooperative and take any action necessary.
61

62 **Councilmember Cotti requested that items 4b(5) and (6) be pulled. Councilmember Cecil**
63 **requested that item 4b(1) be pulled. Councilmember Cotti made a motion to approve all**
64 **the items on the consent agenda except those that had been pulled and Councilmember**
65 **King seconded the motion. The ordinance was read as follows:**

66
67 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE EXISTING
68 ELECTRIC FRANCHISE BETWEEN THE CITY AND ONCOR ELECTRIC DELIVERY
69 COMPANY TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN
70 EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY ONCOR ELECTRIC
71 DELIVERY COMPANY; FINDING AND DETERMINING THAT THE MEETING AT
72 WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY
73 LAW.
74

75 **The motion passed by a vote of 7 ayes and 0 nays.**

76
77 **Councilmember Cecil stated that he had asked that item 4b(1) be pulled because he had**
78 **requested revisions to the minutes. The City Secretary advised Council that the**
79 **revisions had been made. Councilmember Cecil then made a motion to approve the**
80 **minutes as corrected and Councilmember Raulston seconded the motion. The motion**
81 **passed by a vote of 6 ayes and 1 abstain [Morris].**
82

83 **Councilmember Cotti stated that he had asked that item 4b(5) be pulled because it had**
84 **come to his attention that the ordinance needed more work. Cotti then made a motion to**
85 **table the item until the next regular meeting of the Council and Councilmember Raulston**
86 **seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.**
87

88 **With regard to item 4b(6), Councilmember King stated that he had heard of and received**
89 **calls regarding the fines for businesses and that he was concerned. King stated that in**
90 **the spirit of compromise and fair dealing with businesses, that he felt the fines for**
91 **businesses should be reduced to \$250 for the 4th alarm and then increased by \$250 for**
92 **each subsequent alarm to the 11th alarm. The residential alarm fines would remain as**
93 **they are.**
94

95 **Councilmember Cotti stated that he had spoken with a number of business owners and**
96 **had the same thoughts as Councilmember King. Cotti further stated that Section 15-**
97 **239(B) should be revised to include replacement alarms and that he supported the fine**
98 **structure proposed by King.**
99

100 **Councilmember Morris thanked Bob Wieneke for his input. Morris stated that \$130,000 is**
101 **a lot of money to be paid by the taxpayers.**

102
103 Councilmember Cecil stated that he concurred with the statements by his fellow
104 councilmembers, but that he wanted to be sure that everyone realized that the fines were
105 not a revenue generator. The intent of the ordinance was to bring the knowledge to the
106 people about the cost to them because of the false alarms. Cecil stated he supported
107 King's recommendation.

108
109 Mayor Jones stated that he agreed and that he will also support King's recommendation.
110

111 Councilmember Raulston stated that he echoed his fellow councilmember's statements
112 and feels that we should treat businesses equally. Raulston stated that he would
113 support the issue.

114
115 Councilmember Cotti then made a motion to revise Section 15-239(B) to include
116 replacement alarms and that the fine schedule for businesses be restructured per
117 Councilmember King's recommendation. Councilmember King seconded the motion and
118 the ordinance was read as follows:

119
120 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
121 TEXAS AMENDING ARTICLE XI CHAPTER 15 OF THE CODE OF
122 ORDINANCES, ALARM SYSTEMS BY AMENDING SECTION 15-239 FALSE
123 ALARM NOTIFICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING
124 AN EFFECTIVE DATE.

125
126 The motion passed by a vote of 7 ayes and 0 nays.
127

128 Appointments

129
130 5a. Appointment with Planning and Zoning Chairman to discuss and answer
131 any questions regarding cases on the agenda and related issues and
132 take any necessary action.
133

134 Ross Ramsay, Chairman of the Planning & Zoning Commission, discussed the items on
135 the agenda. Councilmember Dobbs inquired about the exterior of the portable building
136 as requested by the Heritage Christian School and was advised that it was imitation
137 brick. Councilmember Morris suggested that there also be a façade required for the
138 storage buildings.

139
140 5b. Appointment with Youth Advisory Council to discuss implementing and
141 administering a program aimed at increasing voter participation and take
142 any action necessary.
143

144 Courtney Self, Chairman of the Youth Advisory Council (YAC), addressed the Council
145 regarding the project to get the youth vote that the YAC will be undertaking. Self stated
146 that she had conducted a staw poll and that 90% of the students she had talked to stated
147 that they would like to have a candidate come and speak to them regarding curfews and
148 speeding tickets. Self stated that the YAC will target 16 year old students. Self also
149 stated that the YAC thought the candidates should be more personalized with the
150 students.
151

152 Councilmember Morris stated he was glad to see youth taking an interest and thanked
153 Courtney for her update.

154
155 Mayor Jones also thanked Courtney and stated that he was proud of Courtney and her
156 associates.

157
158 **Public Hearing**
159

160 6a. PZ-2002-110-CUP -- Consider approval of an *Ordinance* for a request
161 from Robert Graham for a conditional use permit to allow a detached
162 garage exceeding the maximum size requirements on the subject lot
163 known as B.F. Boydston; Block 98D located on the east side of Clark
164 Street between Rusk and Kaufman and take any action necessary.
165 (1st Reading)
166

167 Robert LaCroix, Director of Planning, discussed the background of the request. Mayor
168 Jones opened the public hearing and the following persons appeared to address the
169 Council:

170 Robert Graham, Applicant

171 Mr. Graham asked that the Council approve his request.
172

173 There being no other persons to come before the Council, Mayor Jones closed the public
174 hearing.
175

176 Councilmember Dobbs made a motion to approve the request and Councilmember
177 Raulston seconded the motion. Mayor Jones told Mr. Graham that he appreciated the
178 way he handled this matter. The ordinance was read as follows:
179

180 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
181 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL,
182 TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE
183 PERMIT FOR A DETACHED GARAGE EXCEEDING THE MAXIMUM SQUARE
184 FOOTAGE AND HEIGHT REQUIREMENTS WITHIN THE "SF-7", SINGLE-
185 FAMILY RESIDENTIAL DISTRICT ON A 0.653-ACRE TRACT OF LAND KNOWN
186 AS GRAHAM ADDITION; BLOCK A, LOT 2, CITY AND COUNTY OF
187 ROCKWALL, TEXAS, FULLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL
188 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
189 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
190 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
191 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
192
193

194 The motion passed by a vote of 7 ayes and 0 nays.
195

196 6b. PZ-2002-95-Z -- Consider approval of an *Ordinance* for a request from
197 Pat Hughes for a zoning change from A, Agriculture to GR, General Retail
198 to be applied to a single, 1.18-acre lot known as Lot 26, Lakeridge
199 Estates, located at 2930 Ridge Road just north of Glen Hills Cemetery
200 Road and take any action necessary. (1st Reading)
201
202

203 Robert LaCroix discussed the background of the request. LaCroix stated that he
204 recommended approval and so did the Planning & Zoning Commission. Mayor Jones
205 opened the public hearing and the following persons appeared before the Council:

206
207 Pat Hughes, Applicant

208
209 Mr. Hughes requested that the council approve his request. That he
210 has had some interest in the property but until the zoning was changed
211 that no one was serious.

212
213 Councilmember Dobbs asked if the house was going to be torn down. Hughes stated
214 that he did not know that it would depend on the purchaser. The house is currently
215 leased. There being no other persons to address the Council, Mayor Jones closed the
216 public hearing.

217
218 Councilmember Cotti made a motion to approve the request and Councilmember Cecil
219 seconded the motion. Councilmember Morris stated that he was not going to support
220 the request because there was nothing to show what is going to be there. Morris stated
221 that he was going to stand firm and until he saw a concept plan he was not "buying."

222
223 Mayor Jones asked LaCroix if there was any protection for the City. LaCroix stated yes
224 because the property is in the I-30 Overlay. Jones stated that since the property is in the
225 Overlay, he would support the request.

226
227 The ordinance was read as follows:

228
229 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
230 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS
231 PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM "A"
232 AGRICULTURAL TO "GR" GENERAL RETAIL DISTRICT, FOR A TRACT KNOWN AS
233 2930 RIDGE ROAD AND CONTAINING 1.18 ACRES OF LAND; PROVIDING FOR
234 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED
235 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
236 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
237 CLAUSE; PROVIDING AN EFFECTIVE DATE.

238
239 The motion passed by a vote of 6 ayes and 1 nay [Morris].

240
241 6c. PZ-2003-1-Z-RP
242 (1) Consider approval of an *Ordinance* for a request from Douphrate and
243 Associates for a zoning change from A, Agricultural to C, Commercial for
244 a single, 0.207-acre tract of land that is a portion of a proposed replat for
245 Lot 1A, Block A, Lofland Industrial Park Addition, adjacent to Townsend
246 Drive southeast of Justin Drive and take any action necessary. (1st
247 Reading)

248
249 Robert LaCroix discussed the background of the request and stated that it is a piece of
250 property purchased by the Rockwall Appraisal District and there are two parts to the
251 request. The first part is the zoning request and the second part is a replat to put the two
252 pieces together. Mayor Jones opened the public hearing and the following persons
253 appeared before the Council:

254

255 Dub Douphrate, Applicant

256

257 Mr. Douphrate appeared and stated that he represented the Appraisal
258 District and asked the Council approve the request.

259

260 There being no other persons to appear before the Council, Mayor Jones closed the
261 public hearing.

262

263 Councilmember Cecil made a motion to approve the item 6c(1) and Councilmember
264 Dobbs seconded the request. The ordinance was read as follows:

265

266 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
267 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS
268 PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM "A"
269 AGRICULTURAL TO "C" COMMERCIAL DISTRICT, CONTAINING 0.207 ACRES OF
270 LAND; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF
271 A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)
272 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
273 FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

274

275 The motion passed by a vote of 7 ayes and 0 nays.

276

277 (2) Consider an approval of a request from Douphrate and Associates for a
278 commercial replat of a 1.707-acre tract of land being Lot 1A, Block A,
279 Lofland Industrial Park Addition, located on the southwest corner of
280 Townsend Drive and Justin Drive and take any action necessary.

281

282 Councilmember Cotti made a motion to approve the replat and Councilmember King
283 seconded the motion. Councilmember Dobbs asked if there would be access to
284 Townsend Drive and LaCroix advised that it is possible. The motion passed by a vote of
285 7 ayes and 0 nays.

286

287 6d. PZ-2003-3-CUP -- Consider approval of an *Ordinance* for a request from
288 Heritage Christian Academy for a conditional use permit to allow for
289 portable buildings to be used as temporary classrooms on a 5.0-acre tract
290 zoned (MF-15) Medium Density Multi-family and developed as the First
291 United Methodist Church addition, located southwest of S. Goliad St/SH
292 205 along Damascus Rd and take any action necessary. (1st Reading)

293

294 Robert LaCroix discussed the back of the request. LaCroix advised the Council that if
295 they approved the request, that the CUP should cover all the temporary buildings on the
296 project – 2 metal storage buildings in the rear and 1 metal portable building in the front.
297 The time limitation for these temporary buildings is five (5) years, the same as the RISD.
298 Applicant will use an imitation brick on the façade that will match the brick on the
299 building. There are some concerns with an increase in the traffic in this area. The
300 applicant will be discussing the phasing of the project.

301

302 Councilmember Morris asked if we had CUP reviews that fell through the cracks and
303 LaCroix stated that we did. The limitation on this CUP requires that it expires in 5 years.

304

305 Councilmember Dobbs asked if the ordinance required masonry and LaCroix stated no.

306

307 Mayor Jones opened the public hearing and the following persons appeared before the
308 Council:

309
310 **Blair Garrett**
311 **448 Chippendale**
312 **Heath, Texas**

313
314 **Mr. Garrett stated that they wanted to move all 14 grades to 1 location and**
315 **the new location will allow that and allow them to grow in the next couple**
316 **of years. Their current building is up for sale and if it is sold they will have**
317 **to relocate their students and they would like to avoid this. They need the**
318 **temporaries for school starting in August.**

319
320 **Councilmember Morris asked Mr. Garrett if he would have a problem with putting the**
321 **imitation brick on the storage buildings. Garret advised he would if it costs more than**
322 **the building is worth.**

323
324 **Councilmember Cotti asked Garrett why the storage buildings were located in what**
325 **appeared to be the middle of the field. Garrett stated that they needed the storage area**
326 **and space for expanding the existing building. Garrett stated that they would be putting**
327 **in fire lanes in the future and that these would be in the vicinity of the two portable**
328 **buildings. Cotti asked to what extent the portable classroom in the front would affect the**
329 **parking requirements and was advised it would not significantly reduce the amount of**
330 **parking, and certainly not below the required levels.**

331
332 **Councilmember Dobbs asked what the full masonry cost for the portable classroom**
333 **would be and what the cost of the imitation brick was. Garrett replied \$25,000 for full**
334 **masonry but that he didn't have the figures on the imitation brick. Dobbs asked Garrett if**
335 **screening could be used on the storage buildings and Garrett replied yes.**

336
337 **Steve Seitz – Planner**

338
339 **Mr. Seitz explained why they placed the portable classroom where they did**
340 **and showed the phases and expected growth of the school.**

341
342 **Councilmember Dobbs asked what the projected time for the completion of the whole**
343 **project was. Seitz stated it would be 5 – 7 years. Dobbs then asked how long they had**
344 **been open. Seitz replied 8 years and that they had a current enrollment of 335 students.**

345
346 **Kirte Kinser**
347 **4704 Greenbriar Circle**
348 **Rockwall, Texas 75032**

349
350 **Mr. Kinser stated that he was President of the Board of Trustees for the**
351 **school. Kinser stated that they don't want to be in portable buildings, but**
352 **that they are growing rapidly. They are teaching the students to be good,**
353 **responsible citizens. They do not receive money from any source except**
354 **their parents. Kinser thanked the Council for their consideration and**
355 **thanked the Staff for their diligence and courtesy.**

356

357 Councilmember Cotti stated that he was concerned about the 5-year term for the
358 temporary buildings and asked if they had looked at shortening this time. Kinser stated
359 that their goal is to be out of them as soon as possible and that they will move as
360 diligently as possible. Cotti asked Ross Ramsay if he knew anything about the imitation
361 brick. Ramsay stated that he is aware of the product, but that they has not used it.
362 Ramsay stated that it would satisfy the need and will be ok. Ramsay stated that the
363 request only required that two sides, not three, of the portable building be bricked and
364 that the buildings the third side faced were the oldest in the City and that they were not
365 2nd class citizens.

366
367 Councilmember Morris asked Ramsay if the storage buildings should be bricked or
368 screened. Ramsay stated that screening would be fine.

369
370 Rick Dirksey
371 3077 N. Goliad
372 Rockwall, Texas

373
374 Mr. Dirksey stated that Lakepointe Church had used portable buildings,
375 which allowed them additional growth and that the buildings came as result
376 of that growth. The RISD is doing the same thing. Heritage needs the
377 capacity. Our parents sacrifice to send their children to Heritage because
378 they believe that what is going on inside the building is more important
379 than the outside. This will be a long-term process. Dirksey asked the
380 Council to look at the inside and to treat them like they have the RIDS and
381 Lakepointe Church.

382
383 There being no other persons to address the Council, Mayor Jones closed the public
384 hearing. Jones stated that this Council had helped all churches and schools.

385
386 Councilmember Cotti made a motion to approve the request with Staff and Planning &
387 Zoning Commission recommendations and that the 3rd side of the portable building be
388 properly screened (additional imitation brick or through landscaping) and that the two
389 temporary storage buildings also be screened. Councilmember King seconded the
390 motion concurring with Cotti that plants and landscaping could be used to screen the 3rd
391 side of the portable building (if the imitation brick is not feasible) and must be used to
392 screen the two storage buildings. The ordinance was read as follows:

393
394 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
395 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS
396 PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR
397 PORTABLE BUILDINGS ON THE SAME LOT WITHIN THE "MF-15" MEDIUM
398 DENSITY MULTI-FAMILY DISTRICT ON A 5.00-ACRE TRACT OF LAND KNOWN
399 AS FIRST UNITED METHODIST CHURCH, CITY AND COUNTY OF ROCKWALL,
400 TEXAS, FULLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS;
401 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO
402 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
403 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING
404 FOR AN EFFECTIVE DATE.

405
406 The motion passed by a vote of 7 ayes and 0 nays.

407

408 6e. PZ-2003-7-CUP -- Consider approval of an *Ordinance* for a request from
409 Don Taylor for a conditional use permit to accommodate an accessory
410 use (an 1,800 square foot metal building) to the single-family dwelling on
411 a property less than 10 acres that has not been subdivided or sold off in
412 pieces since the effective date of this ordinance or the date of annexation,
413 whichever is later. The proposed building will be built on a single, 4.83-
414 acre, agriculturally-zoned tract (A-13; Tr. 1-02) located at 1050 East Quail
415 Run Road northeast of Phelps Lake and take any action necessary. (1st
416 Reading)

417
418 **Robert LaCroix discussed the background of the request and advised the Council that a**
419 **¾ vote was required. Mayor Jones opened the public hearing and the following persons**
420 **appeared before the Council:**

421
422 **Don Taylor, Applicant**
423 **1050 East Quail Run Road**
424 **Rockwall, Texas**

425
426 **Mr. Taylor appeared and requested that the Council approve his request.**

427
428 **Councilmember Dobbs asked if the building would have concrete floors and metal I-**
429 **beams. Taylor replied in the affirmative.**

430
431 **Councilmember Morris stated that he would support this request.**

432
433 **Doug and Veronica Utley**
434 **203 Rockbrook**
435 **Rockwall, Texas**

436
437 **Mr. Utley stated that they had purchased 2.3 acres from Mr. Taylor on**
438 **which they are going to build a house and the building will be seen from**
439 **their front windows. Utley stated that if Mr. Taylor will put it on the other**
440 **side of his property that they would have no other objections.**

441
442 **Councilmember Dobbs asked Mr. Taylor if would build on the other side of his property.**
443 **Taylor stated that he had not considered putting it on the other side. Dobbs asked if Mr.**
444 **Taylor would agree to screening of the building from the Utley's property. Taylor stated**
445 **that he did not think it would make any difference, but that he would do so. Dobbs asked**
446 **Ms. Utley if they had appeared before the Planning & Zoning Commission regarding this**
447 **matter. Ms. Utley replied that they had not because she made a mistake on the date.**

448
449 **Councilmember Morris stated that Taylor had the necessary protection for him to**
450 **support the request.**

451
452 **Mayor Jones stated that he would like to see a compromise.**

453
454 **Mr. Taylor advised that the Council that due to the topography of his property, the**
455 **current placement of the building was the best site. LaCroix asked Taylor if he was**
456 **willing to plant cedars or photenias for screening and Taylor said he was. LaCroix stated**
457 **that this screening requirement could be included in the conditions. Ms. Utley stated**
458 **that this would be sufficient.**

459
460 There being no one further to appear before the Council, Mayor Jones closed the public
461 hearing.

462
463 Councilmember Raulston stated that they did what needed to be done to reach a
464 compromise and made a motion to approve the request with Staff and Planning & Zoning
465 recommendations with the added condition that photenias be planted for screening
466 purposes. The motion was seconded by Councilmember Morris and the ordinance was
467 read as follows:

468
469 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
470 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS
471 PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR
472 AN ACCESSORY USE TO THE SINGLE-FAMILY DWELLING ON A PROPERTY LESS
473 THAN 10 ACRES WITHIN AN "A" AGRICULTURAL DISTRICT ON A TRACT KNOWN
474 AS 1050 EAST QUAIL RUN ROAD, MORE FULLY DESCRIBED HEREIN; PROVIDING
475 FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO
476 EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
477 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
478 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

479
480 The motion passed by a vote of 7 ayes and 0 nays.

481
482 **Action Items**

483
484 7a. Discuss and consider the process for conducting the City survey and take
485 any action necessary.

486
487 Julie Couch, City Manager, discussed the process for the citizen survey and introduced
488 Ray Turco, who did our last two surveys. Mr. Turco gave a Power Point presentation and
489 told the Council it was up to them to decide what the best methodology would be –
490 telephone or mail. A telephone survey would take 8-12 weeks. Councilmember Cotti
491 asked if the information we are looking for would best come from a telephone survey or
492 could it be derived from a mail survey. Turco advised that statistically it would be better
493 to use the telephone survey. A mail survey would take longer – 12-16 weeks.

494
495 Councilmember Dobbs asked if Turco would use a Rockwall number. Turco advised no –
496 that is why they make 6000-8000 telephone calls. Dobbs asked about the validity of a
497 one-on-one survey and Turco advised that there is no scientific validity to such a survey
498 and it is more difficult to conduct. Dobbs wanted to know if Rockwall citizens would be
499 more likely to answer a call from a Rockwall number. Turco replied no.

500
501 Councilmember Cecil stated that we want a customer satisfaction survey, but that we
502 have a lot of different customers. Cecil stated he preferred the telephone survey. Cecil
503 asked how we would establish the demographics for each type of customer. He is trying
504 to mix multiple customers and get a satisfactory survey. Turco advised that in this
505 instance two surveys should be conducted – (1) residential by telephone and (2)
506 commercial – but they would be harder to contact (who are you going to talk to). There
507 would be questions that would be the same for both. Cecil stated his interest is in all
508 customers. I'm looking at a rainbow of information. It may not be practicable. Cecil
509 asked Turco how you assure demographics. Turco stated that he divides the City into 3-

510 4 regions and from that list they sort numbers into the region. Geography is a more
511 reliable guide.

512
513 Councilmember Morris asked if the calls were computer generated. Turco replied no.
514 That he had a staff that made calls from 6 p.m. to 9 p.m. Monday through Friday and 9:00
515 a.m. to 5:00 p.m. on Saturday. Morris stated that he does not do surveys. It ticks him off
516 to buy a product and then get a four page survey. Morris asked Turco how many people
517 are out there that won't do a survey. Turco advised that to have statistical validity they
518 must have 400 responses in order to have $\pm 5\%$ validity.

519
520 Councilmember Raulston stated that he did not like surveys either and wanted to know if
521 it would be just as efficient to put a survey in the water bill. Turco responded that if we
522 want a survey that accurately reflects citizen opinions, that kind of survey would be a
523 biased survey. There are inherent problems with this kind of survey.

524
525 Councilmember Cotti stated that results of the last survey were close between the written
526 and telephone surveys. Cotti stated that he was more in favor of allowing all citizens to
527 participate in a written survey. He would like to give everyone a chance to speak. Turco
528 stated that it was the Council's decision that he is here to table about the types of
529 surveys and what his recommendations are. Turco stated females are more likely to do a
530 mail survey and it could skew the survey.

531
532 Councilmember Dobbs stated that he agreed with Councilmember Cotti. Turco stated
533 that he believed that what the Council wanted is scientific data.

534
535 Mayor Jones stated that he wants input from all citizens, not an invasive telephone
536 survey. Fifteen minutes is too long and it's rude. People do not like to be harassed at
537 home. Turco responded that out of the 8000 calls there are a significant number who
538 won't even know they were contacted.

539
540 Councilmember Cotti asked Julie Couch what her perspective is on the survey – the
541 survey is very important. Couch stated that it was the Council's decision. She
542 recommends the telephone survey. It comes down to what the Council is comfortable
543 with and what it wants to put before the citizens. Cotti stated he was not in favor of the
544 telephone survey. Turco stated there is no statistical validity in a mail survey.

545
546 Rick Crowley, Assistant City Manager, stated that if we do a survey, we need to
547 determine who we are going to survey – voters, water customers, etc. Turco stated a
548 mail survey could be sent to the voters.

549
550 Councilmember Morris stated that the Council wants to be a Council that is responsive to
551 all citizens. He is in favor of a mail survey. He does not like calls at the times Turco has
552 stated.

553
554 Councilmember Dobbs asked about personal surveys at a booth somewhere. Turco
555 advised that it would be difficult to conduct such a survey and it would be as invasive as
556 a telephone survey. Telephone surveys have been used for years and should be used if
557 one is to establish objective benchmarks.

558
559 Councilmember King stated that Turco has a tough job. King stated that he distains
560 telemarketing – he just doesn't answer the calls, but he has to set aside his personal
561 dislikes. As much as he hates telephone surveys, statistically we may have to do the
562 telephone survey – he is going to go along with the professional.

563
564 Councilmember Cotti made a motion to proceed with a written survey to everyone who
565 pays taxes within the City.

566
567 Councilmember Raulston stated he would not support a telephone survey, but he would
568 support a mail survey to the voters.

569
570 Councilmember Dobbs asked if the time for the telephone survey could be pushed back
571 to 7:00 p.m. to 9:00 p.m.

572
573 Councilmember Morris seconded Cotti's motion. Councilmember Cecil asked how much
574 money the mail survey would cost. Turco stated that he could say off the top of his
575 head. Cecil stated that he could not support spending taxpayers' money when he did not
576 know what the final cost would be and/or the completed project would not produce the
577 desired outcome. Cecil further stated that he has some of the same concerns regarding
578 telephone surveys but it is the only meaningful way of getting the valid data we need, but
579 if the Council wants to utilize another so be it, but he could not support spending the
580 taxpayer's money on a survey that is invalid and will not produce the desired outcome.

581
582 Councilmember Cotti asked Turco how long it would take to get the figures on the cost.
583 Turco advised that it would take a couple of days. Some the cost would include the
584 mailing fees – pre-sorted @ 27½¢; bulk rate @ 15¢; postage paid return @ 97¢; or put a
585 stamp on it @ 37¢.

586
587 Julie Couch stated that Staff could put together some alternatives for the Council – that it
588 did not have to make a decision tonight. Cotti stated that he withdraws his motion and
589 requested that Mr. Turco prepare the cost information and return to the Council at the
590 earliest opportunity. Morris concurred. Turco stated that a self-administered mailed
591 survey is not statistically valid.

592
593 Councilmember Dobbs asked if changing the times on the telephone survey would
594 increase the costs. Turco advised that it would not, it would just increase the length of
595 time it takes to conduct the survey.

596
597 Mayor Jones stated that the other Councilmembers could do whatever they wanted, but
598 that he was not going to support a telephone survey.

599
600 7b. Discuss and consider the Downtown Plan and take any action necessary.
601

602 Robert LaCroix discussed the background of the Downtown Plan. LaCroix stated they
603 are 75% complete on the draft ordinance and that they are going to adopt the
604 Engineering Guidelines when they do the Subdivision Ordinance. Dennis Wilson
605 addressed the Council and addressed the scope of services for the Downtown Plan.
606 Councilmember Cotti asked if they were going to dress it up and make it more attractive.
607 Wilson replied yes. Cotti advised that we are preparing for our sesquicentennial next
608 year and wanted to know what the status of the Downtown Plan would be. Wilson stated

609 that it would take 6 months to draft a plan and then hold public hearings and meetings –
610 that we are looking at a 9 month range before completion. But that is not to say that
611 something would not be fast tracked.
612

613 Councilmember Cecil stated that the Downtown Plan is important, it goes with Hometown
614 2000 and the Historic District and it is well thought out. Cecil stated he would like to
615 favorably consider this and made a motion to move forward with the Downtown Plan as
616 presented – it is absolutely critical to Rockwall. Mayor Jones seconded the motion and
617 the motion passed by a vote of 7 ayes and 0 nays.
618

619 7c. Discuss report on state mandated report on racial profiling.
620

621 Police Chief Mark Moeller presented his report to the Council as per the State mandate.
622 Councilmember Cotti stated that he saw no problem with the report and that Rockwall
623 does not have a racial profiling problem.
624

625 Councilmember Morris stated he did not realize that “race” was on the form. Moeller
626 advised that the tickets will have to be revised. Councilmember Cecil inquired whether
627 or not a police officer could ask for “race.” Moeller advised that they could ask, but the
628 person did not have to answer. An officer will mark what he feels is correct. Cecil asked
629 how that affected the accuracy. Moeller advised that it could skew the information. Cecil
630 recommended that the statement be added to the tickets. Moeller advised the Council
631 that they should know that we did not get any complaints regard racial profiling.
632

633 There being no further business to come before the Council, the meeting was adjourned
634 into Executive Session at 9:29 p.m.
635

636 Hold Executive Session under Sections 551.072, 551.074, and 551.086 of Texas
637 Government Code to Discuss:
638

- 639 8a. Land Acquisition for City Facilities and Park Land.
640 8b. Personnel Issues, including Board, Commission, and Committee
641 Appointments, and Related Matters.
642

643 Take Any Action as Result of Executive Session
644

645 Councilmember King made a motion to appoint Dennis Dayman to the Sesquicentennial
646 Committee and Mike Lucas to the Park Board and Councilmember Cotti seconded the
647 motion. The motion passed by a vote of 6 ayes and 1 abstain [Dobbs]. Councilmember
648 Dobbs’ abstention was because he had not been present for the earlier interviews.
649

650
651
652 ATTEST: _____
653 Ken Jones, Mayor
654

655 _____
Dorothy Brooks, City Secretary