

**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Tuesday, September 5, 2023 - 5:00 PM**

**City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

**I. Call Public Meeting to Order**

Mayor Pro Tem Campbell called the public meeting to order at 5:00 p.m. with the following council members being present: Mayor Pro Tem Anna Campbell and Councilmembers Sedric Thomas, Clarence Jorif, Dennis Lewis, Mark Moeller, and Tim McCallum. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. Mayor Trace Johannesen joined the meeting in Executive Session at 5:20 p.m. City Attorney Frank Garza participated in Executive Session via video teleconference ("ZOOM").

Mayor Pro Tem Campbell read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session.

**II. Executive Session**

**The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:**

1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)
2. Discussion regarding legal advice associated with The Shores on Lake Ray Hubbard homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal advice associated with the N. TX Municipal Water District (NTMWD) v. City of Heath, pursuant to Section 551.071 (Consultation with Attorney)

**III. Adjourn Executive Session**

Council adjourned from Ex. Session at 5:35 p.m.

**IV. Reconvene Public Meeting (6:00 P.M.)**

Mayor Johannesen reconvened the public meeting at 6:00 p.m.

**V. Invocation and Pledge of Allegiance - Councilmember Lewis**

Councilmember Lewis delivered the invocation and led the Pledge of Allegiance.

**VI. Proclamations / Awards / Recognitions**

1. American Legion Day

Mayor Johannesen read the proclamation into the record, and a member from the local American Legion chapter briefly shared a few words.

## VII. Appointment Items

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

This item was not addressed, as there was no need to do so.

## VIII. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

## IX. Take Any Action as a Result of Executive Session

Councilmember Thomas moved to appoint Wes Dalton and Taslow Roberts to the city's Architectural Review Board (to fill vacant seats and finish out (partial) terms through August of 2024). Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

## X. Consent Agenda

1. Consider approval of the minutes from the August 21, 2023 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the August 23, 2023 budget work session meeting, and take any action necessary.
3. **Z2023-032** - Consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) superseding Ordinance No. 22-02 [S-266] and allowing the expansion of an existing Motor Vehicle Dealership (i.e. Clay Cooley Hyundai) being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary (**2nd Reading**).
4. **Z2023-033** - Consider a request by Dennis and Melissa Cain for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* for the purpose of allowing the construction of a single-family home on a 12.00-acre tract of land identified as Tracts 8-01 & 8-02 of the W. T. DeWeese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 803 Dalton Road, and take any action necessary (**2nd Reading**).
5. **Z2023-034** - Consider a request by Dakota, Claire, Austen, and Sara Brewer for the approval of an **ordinance** for a Zoning Change from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1.5 (SFE-1.5) District for a 5.24-acre tract of land identified as a Tract 4-2 of the W. W. Ford Survey, Abstract No. 80 and a 2.41-acre portion of Tract 4-06 of the W.W. Ford Survey, Abstract 80, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 626 Cullins Road, and take any action necessary (**2nd Reading**).
6. **Z2023-035** - Consider a request by Renee Ward, PE of Weir & Associates, Inc. on behalf of Conor Keilty, AIA of Structured REA-Rockwall Land, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) amending *Ordinance No. 22-52 [S-287]* for a *Golf Driving Range* on an 7.955-acre tract of land being portions of a larger 18.131-acre

tract of land and a 12.868-acre tract of land identified as Tract 22 & 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located near the terminus of Fit Sport Life Boulevard, and take any action necessary **(2nd Reading)**.

7. **Z2023-036** - Consider a request by Richard Expo on behalf of Ryszard Waszczuk for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Carport* that does not meet the minimum requirements on an 0.3492-acre parcel of land identified as Lot 7, Block A, Solar Village Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 820 E. Heath Street, and take any action necessary **(2nd Reading)**.
8. **Z2023-037** - Consider a request by James and Mary Blocker for the approval of an **ordinance** for a Specific Use Permit (SUP) for an *Accessory Building* on a 0.1199-acre parcel of land identified as Lot 8, Block A, Newport Place Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 19 (PD-19), addressed as 1796 Mystic Street, and take any action necessary **(2nd Reading)**.
9. **P2023-023** - Consider a request by Rachel Reynolds for the approval of a Final Plat for Lot 1, Block A, Right at Home Healthcare Addition being a 0.23-acre tract of land identified as Lot 30, Block 22 Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 703 N. Goliad Street, and take any action necessary.
10. **P2023-024** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Howard Barrett for the approval of a Final Plat for Lots 1 & 2, Block A, Barrett Heights Addition being a 1.60-acre tract of land identified as Lots 1 & 2 of the Green Valley Addition and Tract 32 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1203 & 1205 S. Goliad Street [SH-205].
11. **P2023-025** - Consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Brad Helmer of Heritage Christian Academy for the approval of a Replat for Lot 2, Block A, Heritage Christian Academy Addition being a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street, and take any action necessary.
12. **P2023-026** - Consider a request by Robert Howman of Glenn Engineering on behalf of Brad Helmer of Heritage Christian Academy for the approval of a Replat for Lot 3, Block A, Heritage Christian Academy, Phase 2 Addition being a 6.626-acre parcel of land identified as Lot 2, Block A, Heritage Christian Academy, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 27 (PD-27) for Multi-Family 15 (MF-15) District land uses, located west of the intersection of Damascus Road and S. Goliad Street [SH-205], and take any action necessary.
13. **P2023-027** - Consider a request by Ariana Kistner of Meals on Wheels Senior Services of Rockwall and Christopher Touoboun for the approval of a Final Plat for Lots 1 & 2, Block A, Airport South Addition being a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall

County, Texas, zoned Light Industrial (LI) District, situated within the Airport Overlay (AP OV) District, addressed as 1780 Airport Road, and take any action necessary.

14. **P2023-028** - Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of Avaplast US, Inc. for the approval of a *Replat* for Lot 3, Block 1, Indalloy Addition being a 42.991-acre tract of land identified as Lot 2, Block 1, Indalloy Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 11480 Justin Road, and take any action necessary.

Item #13 was pulled to allow Councilmember Lewis to recuse himself. (He filed an affidavit of recusal with the City Secretary). Councilmember Lewis then moved to approve the remaining Consent Agenda items (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14). Councilmember Thomas seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 23-44  
SPECIFIC USE PERMIT NO. S-310**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 22-02 [S-266]* AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *NEW MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS, A MAJOR AUTO REPAIR GARAGE, AND OUTSIDE STORAGE* ON A 7.17-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK 1 , ROCKWALL RECREATIONAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL  
ORDINANCE NO. 23-45  
SPECIFIC USE PERMIT NO. S-311**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME AND GUEST QUARTERS/SECONDARY LIVING UNIT ON A 12.00-ACRE TRACT OF LAND, IDENTIFIED AS TRACTS 8-01 & 8-02 OF THE W.T. DEWEESE SURVEY, ABSTRACT NO. 71, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL  
ORDINANCE NO. 23-46**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE

IN ZONING FROM A SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR A 5.24-ACRE TRACT OF LAND IDENTIFIED AS A TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, AND A PORTION OF TRACT 4-06 OF THE W.W. FORD SURVEY, ABSTRACT 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 23-47  
SPECIFIC USE PERMIT NO. S-312

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 22-52 AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A GOLF DRIVING RANGE AND OUTDOOR COMMERCIAL AMUSEMENT/RECREATION ON A 9.942-ACRE TRACT OF LAND BEING A PORTION OF A LARGER 18.13-ACRE TRACT OF LAND AND A 12.868-ACRE TRACT OF LAND IDENTIFIED AS TRACT 22 & 22-2 OF THE R. IRVINE SURVEY, ABSTRACT NO 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 23-48  
SPECIFIC USE PERMIT NO. S-313

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A CARPORT THAT DOES NOT MEET THE MINIMUM REQUIREMENTS ON AN 0.3492-ACRE PARCEL OF LAND IDENTIFIED AS LOT 7, BLOCK A, SOLAR VILLAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 23-49  
SPECIFIC USE PERMIT NO. S-314

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 19 (PD-19) AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *ACCESSORY STRUCTURE* ON A 0.1199-ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK A, NEWPORT PLACE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE;

**PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

Regarding Consent Agenda item #13, Councilmember McCallum moved to approve this item. Councilmember Thomas seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Lewis).

**XI. Public Hearing Items**

1. Hold a public hearing to receive comments regarding the Proposed FY2024 City of Rockwall Budget and tax rate, and take any action necessary.

Mayor Johannesen opened up the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the public hearing. He called upon the city manager to provide brief comments.

Mrs. Smith, City Manager, provided brief comments, indicating that the budget being presented proposes a tax rate of 27.0245. In addition, staff is working on a couple of outstanding items that Council has requested before finalizing the budget. Those items will be brought forth at the next, regular meeting. Also, the Main Street Advisory Board has a project that just recently came to her attention related to speakers for music to be played downtown. So, more details about that will be forthcoming too.

Following brief additional comments, Councilmember Jorif moved to publish the new tax rate of 27.0245. Councilmember McCallum seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XII. Action Items**

1. Discuss and consider (re)appointments to the city's Youth Advisory Council (YAC) for the 2023-2024 school year, and take any action necessary.

On behalf of Mayor Pro Tem Campbell and himself, Councilmember Jorif briefed the Council on this agenda item. He expressed that each year, the applicants who present themselves are very impressive. He shared that interviews were held last Thursday with eleven applicants in order to fill four vacant seats. He went on to recommend eight reappointments to the YAC and four new appointments, as follows:

	<b>Youth Advisory Council (Grade / School)</b>	<b>First Name</b>	<b>Last Name</b>	<b>City of Residence</b>
1	<b>Senior (RHS)</b>	Miriam	Gamez	Fate
2	<b>Senior (RHS)</b>	Maddoc	Johnson	Rockwall
3	<b>Junior (RHHS)</b>	Keaton	Steen	Heath
4	<b>Senior (RHS)</b>	Emily	Nielsen	Heath
5	<b>Junior (RHS)</b>	Contessa	Barron	Rockwall
6	<b>Senior (RHHS)</b>	James	Martinez	Rockwall
7	<b>Junior (RHS)</b>	Kaylen	Pruitt	Rockwall
8	<b>Sophomore (RHS)</b>	Bethellen "Ellie"	McReynolds	Rockwall

9	<b>Sophomore (RHS)</b>	Vincent	Vento	Rockwall
10	<b>Junior (RHS)</b>	Evan	Haack	Fate
11	<b>Senior (RHHS)</b>	Ryker	Hayes	Fate
12	<b>Sophomore (RHS)</b>	Allison	Nielsen	Heath
<b>Gray = New 2023-2024 Students</b>				

Councilmember Jorif moved to make these (re)appointments to the city's YAC for the 2023-2024 school year. Mayor Pro Tem Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XIII. City Manager's Report, Departmental Reports and Related Discussions Pertaining To Current City Activities, Upcoming Meetings, Future Legislative Activities, and Other Related Matters.**

1. Building Inspections Department Monthly Report - July 2023
2. Fire Department Monthly Report - July 2023
3. Parks & Recreation Department Monthly Report - July 2023
4. Police Department Monthly Report - July 2023
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Regarding the City Manager's report, Mrs. Smith indicated that invitations will go out soon to board and commission members and other city volunteers for the annual appreciation event, which is slated for the evening of Wednesday, October 18 on the San Jacinto Plaza. In addition, Rib Rub is coming up on October 7, with the car show downtown and the barbeque at Harry Myers Park. Also, there will be three concerts by the lake at The Harbor in October, doing a fall (mini) music series of jazz, blues and symphony.

**XIV. Adjournment**

Mayor Johannesen adjourned the meeting at 6:19 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 18<sup>th</sup> DAY OF SEPTEMBER, 2023.**

  
TRACE JOHANNESSEN, MAYOR

ATTEST:   
KRISTY TEAGUE, CITY SECRETARY

