



City of Rowlett Action Minutes City Council

4000 Main Street
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City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, September 16, 2008

5:30 PM

Municipal Building - 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. CALL TO ORDER

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

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

CONVENE INTO EXECUTIVE SESSION

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

2. EXECUTIVE SESSION

- 2.-A.** The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.072 to seek legal advice from the City Attorney and to discuss the bid, auction, or sale of city owned property located between Kirby Road and Rowlett Road. (10 minutes)
- 2.-B.** The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071, legal advice, and §551.087, economic development, to seek legal advice from the City Attorney and discuss litigation regarding economic development issues and to discuss financial offers and incentives to business prospects. (10 minutes)
- 2.-C.** The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.072 to discuss with the City Attorney potential litigation, real property deliberations and acquisition of property to wit: Elgin B. Robertson Park. (5 minutes)
- 2.-D.** The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.072 to seek legal advice from the City Attorney and to discuss acquisition of real property in the area around Big A Road, Lakeview Parkway, and Industrial Drive for the extension of Freedom Drive. (5 minutes)

- 2.-E. 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. (5 minutes)

RECONVENE INTO OPEN SESSION

Convened into open session at 6:46 p.m.

3. WORK SESSION ITEMS (6:00 P.M.)

- 3.-A. Update from the Mayor. (15 minutes)
- 3.-B. Discuss and review a request for City participation in a Public Improvement District. (10 minutes)
- 3.-C. Discuss changes to the Youth Advisory Council. (5 minutes)
- 3.-D. Discuss resolution supporting the discontinuation of the diversion of transportation user revenues to non-transportation uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects. (10 minutes)
- 3.-E. Discuss transportation policy positions for the 81st Texas Legislature. (10 minutes)

4. DISCUSS REGULAR SESSION ITEMS

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

Mayor Harper called the meeting to order at 8:00 p.m.

5. INVOCATION

The invocation was led by Bishop Miller Johnson, New Life Fellowship Church of Rowlett.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Harper.

7. PRESENTATIONS AND PROCLAMATIONS

7.-A. Proclamation - Bobbie Jo Kelly

7.-B. Proclamations announcing the 2008 Rowlett Arts and Humanities Commission Photography Contest Winners.

7.-C. Proclamation - Relay for Life 2008

7.-D. Update from the Mayor.

8. CITIZENS' INPUT

1. *Don Moore - 7613 Amesberry Lane - Spoke regarding the budget.*
2. *Robin Simoneaux - Spoke regarding the budget.*
3. *Jeffrey Sheldon - 7242 Liberty Grove - Spoke regarding the budget.*
4. *Jerry Gossett - 3106 Suzanne Drive - Spoke regarding the budget.*

9. CONSENT AGENDA

9.-A. Consider approving minutes from the September 2, 2008 Regular Council Meeting.

This Matter was approved on the Consent Agenda.

9.-B. Consider a resolution authorizing and approving the City's Investment Policy and the Approved Brokers/Dealers List as presented by the City's Investment Advisors.

This Matter was adopted as RES-100-08 on the Consent Agenda.

9.-C. Consider a resolution approving a supplemental agreement to Task Order Number 1-FUG to the approved professional services agreement with Fugro Consultants, LP to provide construction materials quality control testing and inspections for the Kenwood Heights subdivision improvement project in the amount of twenty-nine thousand dollars and no cents (\$29,000).

This Matter was adopted as RES-101-08 on the Consent Agenda.

- 9.-D.** Consider a resolution supporting the discontinuation of the diversion of transportation user revenues to non-transportation uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects.

This Matter was adopted as RES-102-08 on the Consent Agenda.

- 9.-E.** Consider a resolution requesting an exception to Rowlett Development Code masonry construction requirements allowing the use of alternative building materials for proposed Lakeview Tower at 4001 Lakeview Parkway, located north of Lakeview Parkway and 1,065 +/- feet east of Rowlett Road.

This Matter was adopted as RES-103-08 on the Consent Agenda.

Passed The Consent Agenda

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

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

10. ITEMS FOR INDIVIDUAL CONSIDERATION

- 10.-A.** Consider an ordinance approving and adopting the budget for Fiscal Year 2008-2009.

A motion was made by Deputy Mayor Pro Tem Maggiotto, seconded by Councilmember Jackson, that this matter be approved incorporating Option 5 which provides a 3% increase for the employees beginning October 1, 2008 and implementing the Public Safety Tenure Plan on April 1, 2009. The motion carried by the following vote:

Ayes: 5 - Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Rushing and Councilmember Jackson

Noes: 2 - Councilmember Phillips and Councilmember Kilgore

- 10.-B.** Consider a resolution approving and ratifying the property tax increase reflected in the Fiscal Year 2008-2009 Adopted Budget.

A motion was made by Councilmember Rushing, seconded by Councilmember Phillips, that this matter be approved. 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

10.-C. Consider an ordinance approving and adopting the proposed ad valorem tax rate of \$0.747173 per \$100 of taxable value for FY 2008-2009.

A motion was made by Councilmember Phillips, seconded by Councilmember Jackson, that this matter be approved. 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

10.-D. Consider an ordinance amending the comprehensive plan, comprehensive zoning ordinance, and zoning map by amending Planned Development number 7-16-85 to allow for the installation of argon/neon lighting for the existing hospital located at 6800 Scenic Drive.

A motion was made by Deputy Mayor Pro Tem Maggiotto, seconded by Councilmember Rushing, that this matter be approved adopting the six recommendations from the Planning and Zoning Commission, as ORD-027-08. 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 Jackson and Councilmember Kilgore

10.-E. Consider appointments to all of the various boards and commissions as listed by Resolution No. RES-098-08.

Members were appointed to various boards and commissions.

10.-F. Consider a resolution appointing members to the Board of Directors of the Tax Increment Financing Reinvestment Zone Number One.

A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Jackson, that this matter be postponed until October 7, 2008. The motion carried by the following vote:

Ayes: 6 - Mayor Harper, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

Abstentions: 1 - Mayor Pro Tem Gottel

- 10.-G.** Consider a resolution appointing a chairperson for the Tax Increment Financing Reinvestment Zone Number One Board.

A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Jackson, that this matter be postponed until October 7, 2008. The motion carried by the following vote:

Ayes: 6 - Mayor Harper, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

Abstentions: 1 - Mayor Pro Tem Gottel

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

No actions were taken during the Executive Session.

11. ADJOURNMENT

Mayor Harper adjourned the meeting at 10:11 p.m.