



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, November 18, 2008

5:00 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 5:00 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)
- 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)
- 3C Discuss the hiring of a Drainage Engineer. (10 minutes)
- 3D Discuss the Public Works form agreement. (10 minutes)
- 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)

4. DISCUSS REGULAR SESSION ITEMS

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.

8B Proclamation to recognize Cody Painter.

8C Proclamation to recognize Ken Middaugh.

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

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 concerning Item 10H.*

10. CONSENT AGENDA

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.

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.

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]

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.

The public hearing opened at 8:50 p.m. with seven comments in favor for the PID. The public hearing closed at 8:54 p.m.

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

Action was taken on Item 2B (motion follows Item 2B) 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.