

ROCKWALL CITY COUNCIL MEETING

Monday, February 3, 2025 - 5:00 PM

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

I. Call Public Meeting to Order

Mayor Johannesen called the public meeting to order at 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif and Councilmembers Sedric Thomas, Mark Moeller, Anna Campbell, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza remotely participated in Executive Session by video teleconference (ZOOM) and was not present in person for the public meeting.

The mayor read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

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 mandated notifications to the community, pursuant to Section §551.071 (Consultation with Attorney).**

III. Adjourn Executive Session

Council adjourned Executive Session at 5:40 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 Moeller

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

VI. 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.

VII. Take Any Action as a Result of Executive Session

Councilmember Lewis moved to appoint Mary Jo Marvin to fill a vacant seat on the city's ART Commission for an initial term to run through August of 2026. Councilmember Thomas seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VIII. Consent Agenda

1. Consider approval of the minutes from the Jan. 21, 2025 city council meeting, and take any action necessary.
2. **Z2024-062** - Consider a request by Tzemach Moshe Kalmenson for the approval of an ordinance for a Zoning Change amending Planned Development District 50 (PD-50) [Ordinance No. 23-60] to incorporate an additional 0.2010-acre parcel of land and amend the land uses for the purpose of allowing the *House of Worship* land use by Specific Use Permit (SUP) within the district being a 21.467-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses and Single-Family 10 (SF-10) District, situated within the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [SH-205] north of Olive Street and south of Live Oak Street, and take any action necessary (**2nd Reading**).
3. **Z2024-064** - Consider a request by Inocencio Barron on behalf of Ariel Palacios for the approval of an ordinance for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 910-AO of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District, addressed as 178 Lynne Drive, and take any action necessary (**2nd Reading**).
4. Consider approval of a resolution fixing the rates to be charged for use of facilities at the city's municipal airport, and take any action necessary.
5. Consider approval of a resolution calling for a General Election to be held within the City of Rockwall on May 3, 2025 for the purpose of electing a mayor and city council members for Places 1, 3 and 5, each for two-year terms, and take any action necessary.

Councilmember McCallum moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Moeller seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL ORDINANCE NO. 25-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 23-60] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO INCORPORATE AN ADDITIONAL 0.2010-ACRE PARCEL OF LAND AND TO ALLOW THE CHURCH/HOUSE OF WORSHIP LAND USE TO BE PERMITTED BY A SPECIFIC

USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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. 25-08
SPECIFIC USE PERMIT NO. S-353

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [*ORDINANCE NO. 16-01*] 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 RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 910-A0 OF THE ROCKWALL LAKE ESTATES #2 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 to approve passed by a vote of 7 ayes to 0 nays.

IX. Public Hearing Items

1. **P2025-001** - Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of an ordinance abandoning public right-of-way and a *Replat* for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), and generally located at the terminus of Hail Drive and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information on this agenda item. On February 5, 2024, the City Council approved a motion directing staff to proceed with a Right-of-Way Abandonment Program that would abandon certain unimproved rights-of-way in the City of Rockwall, deeding these lands to the adjacent property owners at no cost. The basis of this decision was in accordance with Subsection 311.007, Closing of Street or Alley by Home-Rule Municipality, of Chapter 311, General Provisions Relating to Municipal Streets, of the Texas Transportation Code, which grants a home-rule municipality the power to vacate, abandon, or close a street or alleyway; and, in accordance with Subsection 272.001(b) of the Texas Local Government Code, which provides that land -- including streets or alleys -- owned in fee or used by easement by a political subdivision of the State, may be conveyed, sold or exchanged for less than fair market value with one (1) or more of the abutting property owners who owns the underlying fee. The right-of-way for Hail Drive was dedicated to the City of Rockwall in 1986 with The Meadows subdivision plat, and -- at the time of

dedication -- the property to the south of Hail Drive was vacant. As part of the approval of this subdivision plat, the City required that Hail Drive extend to the vacant property to provide future access; however, when Lynden Park Estates, Phase 1A (the property southeast of Hail Drive) was established on June 10, 1997, no access was provided to the existing Hail Drive, and Hail Drive currently dead ends into the rear yard of the residential property at 153 Southwood Drive. Since the access was never established, this right-of-way is not necessary for the function of the Rockwall Housing Development Corporation or the adjacent residential subdivision. In accordance with the City Council's direction, staff began the process of abandoning this right-of-way on May 29, 2024 by sending the Rockwall Housing Development Corporation a Letter of Intent. Staff received a signed letter of intent from Dennis R. Janssen on July 19, 2024. Once this letter of intent was received, staff engaged with Teague, Nall and Perkins, Inc. to prepare a subdivision plat for the lot entitled Greenbelt & Utility Easement, Block A, Meadows Addition on The Meadows subdivision plat and the abandoned right-of-way. Public notice has been properly given, including placement of this information in the Herald Banner. In addition, the city's Planning & Zoning Commission recently and unanimously recommended approval of this case / item.

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.

Mayor Pro Tem Jorif then moved to approve P2025-001. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 24-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. **P2025-002** - Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of an ordinance abandoning public right-of-way and a Final Plat for Lots 1-4, Block A, Fox-Harris Addition being a 1.124-acre tract of land identified as Lots 1 & 2, Block A, Fox Addition; Lot 3 of the Richard Harris No. 3 Addition; and Lot B, Block 48A, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 & 209 S. Clark Street and 206 & 210 Wade Drive, and take any action necessary (1st Reading)

Planning Director, Ryan Miller provided brief comments concerning this agenda item, which he explained is very similar to the agenda item just above. He shared that this is related to abandoning an unimproved right-of-way that extends from Clark Street to Wade Drive and incorporating the abandoned area into the adjacent properties. It's adjacent to four properties, three of which have single-family homes on them, and one is vacant. Staff has engaged these property owners, and all

four owners have submitted letters of intent agreeing to accept the property. The consulting firm working for the City has prepared appropriate paperwork for this purpose, including quit claim deeds that will be needed. Public notice has been properly given, including placement of this information in the Herald Banner. In addition, the city's Planning & Zoning Commission recently and unanimously recommended approval of this case / item.

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.

Mayor Pro Tem Jorif then moved to approve P2025-002. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
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PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE;
IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE**

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

X. Action Items

1. Discuss and consider a status update from the Rockwall Area Chamber of Commerce regarding Hotel Occupancy Tax ("HOT") funding received from the City and regarding programs offered through the Convention & Visitors Bureau on behalf of the City of Rockwall.

Jodi Willard, Director of Tourism with the Rockwall Area Chamber of Commerce came forth and briefed the Council on various events, conferences and marketing efforts, all of which have been aimed to promote tourism within the City of Rockwall and identifying it as a local travel / visitor destination. Council thanked Mrs. Willard for her report. No action was taken as a result of her briefing.

XI. 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
2. Fire Department Monthly Report
3. Parks & Recreation Department Monthly Report
4. Police Department Monthly Report
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

There being no questions concerning monthly reports, City Manager Mary Smith indicated that staff member, Laura Perez will be notifying Council members via email of various upcoming events. She asked that they each please watch their email and reply accordingly.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 6:17 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS
18th DAY OF FEBRUARY, 2025.**

TRACE JOHANNESSEN, MAYOR

ATTEST:

KRISTY TEAGUE, CITY SECRETARY

USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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.

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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.

Mayor Pro Tem Jorif then moved to approve P2025-001. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

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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.

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KRISTY TEAGUE, CITY SECRETARY

