

ROCKWALL CITY COUNCIL MEETING

Monday, March 3, 2025 - 5:30 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 5:30 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif and Councilmembers Mark Moeller, Anna Campbell, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd, and City Attorney Frank Garza. Councilmember Sedric Thomas joined the meeting (in Executive Session) at 5:38 p.m.

Mayor Johannesen read the below listed discussion item into the record before recessing the public meeting to go into Executive Session.

II. Executive Session

1. Discussion regarding nomination for filling vacant seat on the Rockwall Central Appraisal District (CAD) Board of Directors, pursuant to Section 551.074 (personnel matters).

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:58 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 - Mayor Johannesen

Mayor Johannesen delivered the invocation and led the Pledge of Allegiance.

VI. Proclamations / Awards / Recognitions

1. Theater in Our Schools Month Proclamation

Mayor Johannesen called forth several high school students who are part of theater programs in our local schools. He then read and presented them with this proclamation.

2. American Red Cross Month Proclamation

Mayor Johannsen read and presented this proclamation to Katrina Gonzales, Red Cross' "Our Service to the Armed Forces and International Services Director."

VII. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX

Mr. Jeffus came forth and showed some slides on the overhead screen, indicating that he has some questions about the "Homestead" development, which has 50 acres that he understands will be given to the city so it can become a city park. He essentially expressed concern about density (490 lots on 196 acres, per Mr. Jeffus' slides he showed). He believes this development is actually 'high density,' even though the city council says it's 'low density.' Mayor Johannesen explained that it's not the city council who defines 'low vs. high density.' Rather, these terms are defined within the city's UDC / Comprehensive Plan. Mr. Jeffus shared that he does not understand the logic and the density-related calculations reflected in these documents.

There being no one else wishing to come forth and speak at this time, Mayor Johannesen closed Open Forum.

VIII. Take Any Action as a Result of Executive Session

No action was taken at this time.

IX. Consent Agenda

1. Consider approval of the minutes from the February 18, 2025 city council meeting, and take any action necessary.
2. **Z2025-002** - Consider a request by Lee Wickland of Wickland's Sweet Connection on behalf of Windy Busher of Revive for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a *General Retail Store* and *Limited Service Restaurant* on a 0.1617-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary (**2nd Reading**).
3. **Z2025-003** - Consider a request by Trenton Austin of GT Plumbing Services, LLC on behalf Tim Connolly of Connolly Squared, LLC for the approval of an **ordinance** for a Zoning Change to amend Planned Development District 46 (PD-46) [*Ordinance No. 21-32*] being a 47.37-acre tract of land situated within the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located at the northeast corner of Corporate Crossing and SH-276, and take any action necessary (**2nd Reading**).

4. **P2025-003** - Consider a request by Bowen Hendrix of DW Quail Run, LLC for the approval of a Replat for Lots 4 & 5, Block A, DuWest Addition, being an 8.62-acre tract of land identified as Lots 1, 2 & 3, Block A, DuWest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3000 & 3008 N. Goliad Street [SH-205], and take any action necessary.
5. **P2025-006** - Consider a request by Will Winkelmann of Winkelmann & Associates, Inc. on behalf of Kevin Gilbert of IKEA Property, Inc. for the approval of a Replat for Lots 2, 3, & 4, Block B and Lot 2, Block C, Rockwall Commercial Addition, being a 67.476-acre tract of land identified as Lot 1, Block B and Lot 1R, Block C, Rockwall Commercial Addition and a portion of Lot 1, Block D, Rockwall Commercial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 102 (PD-102) for Commercial (C) District land uses, situated within the IH-30 Overlay (IH30 OV) District, located at the northwest corner of the E. IH-30 Frontage Road and Stodghill Road (FM-3549), and take any action necessary.
6. **P2025-007** - Consider a request by Roy Bhavi for the approval of a Final Plat for Lot 1, Block 1, Flexspace Center Rockwall Addition, being a 5.874-acre tract of land identified as Tract 2-01 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 1760 Airport Road, and take any action necessary.
7. Consider approval of a resolution submitting City of Rockwall's nomination associated with filling a vacant seat on the Rockwall Central Appraisal District's Board of Directors, and take any action necessary.
8. Consider authorizing the City Manager to execute a Joint Election Agreement and Contract for Election Services with the Rockwall County Elections Administrator for conducting the City of Rockwall's May 3, 2025 General Election on the city's behalf, and take any action necessary.
9. Consider approval of a resolution repealing Res. No. 25-02 in its entirety and adopting a new (corrected) resolution and associated fee schedule fixing the rates to be charged for use of facilities at the city's municipal airport, and take any action necessary.
10. Consider the approval of an **ordinance** amending Article II, *Park Land Dedication*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances for the purpose of adopting updated *Cash-Lieu of Land* and *Pro-Rata Equipment Fees*, and take any action necessary.

Mayor Pro Tem Jorif moved to approve the entire Consent Agenda. Councilmember Moeller seconded the motion. Councilmember McCallum then requested to pull item #5 for further discussion. So, Jorif and Moeller amended their motion and second, moving to approve all items on the Consent Agenda except #5 (approving item #s 1, 2, 3, 4, 6, 7, 8, 9, and 10). The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 25-11
SPECIFIC USE PERMIT NO. S-354**

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) TO ALLOW A GENERAL RETAIL STORE AND LIMITED SERVICE RESTAURANT ON A 0.1617-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY 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. 25-12**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 46 (PD-46) [ORDINANCE NO. 21-32] 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 46 (PD-46), BEING A 47.37-ACRE TRACT OF LAND SITUATED WITHIN THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A' 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.

The motion then passed unanimously (7 ayes to 0 nays).

Regarding item #5, Mayor Johannesen moved to approve this item. Mayor Pro Tem Jorif seconded the motion, which passed by a vote of 6 ayes with 1 nay (McCallum).

X. Action Items

1. **MIS2025-004** - Discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a *Miscellaneous Request* for a *Variance* to the *Utility Placement* requirements of the *General Overlay District Standards* to allow overhead utilities along a portion of SH-276 between John King Boulevard and Rochelle Road and a portion of Corporate Crossing [FM-549] between the IH-30 Frontage Road and SH-276, City of Rockwall, Rockwall County, Texas, being right-of-way, and take any action necessary.

The applicant has requested this item be tabled. So it will come back before Council at the March 17 city council meeting. No discussion or action took place at this time.

2. Hear presentation of the City's Charter Review Commission and City Attorney regarding report and recommendations as a result of the Commission's review of the City Charter, and take any action necessary.

Chairman of the Charter Review Commission, Kevin Fowler, came forth and thanked the Council for forming the Commission and inviting its members to review the city's existing Charter. He explained that his peers elected him as "Chair" of this process, one that consisted of three meetings held. During said meetings, in addition to reviewing the Charter as a whole, the Commissioners discussed and considered topics submitted by city council members as well as one topic brought forth by residents. Regarding each topic discussed, a vote was taken by Commission members, and each topic voted on was unanimous and had no dissenting votes. He explained that the city attorney will brief the Council in more depth regarding the topics that were evaluated and discussed.

City Attorney, Frank Garza then came forth and provided a more extensive presentation to City Council regarding the various topics that were reviewed, discussed and debated as part of the review process. He shared that all recommendations being brought forth are ones that the Commission members have all unanimously agreed to. He went on to explain that topics were discussed but the Commissioners decided to leave 'as is' and put forth no recommendations for changes. One such topic is regarding 'plurality' versus 'majority' votes required during city council elections. The Commission is NOT recommending any change from the current plurality requirement because of the infrequency of more than two candidates running in a given race and the cost of runoff elections. He noted that when only two candidates run in any given position, there will naturally be one candidate who earns a majority of the votes. He went on to explain that smaller cities (usually considered "General Law" cities) use plurality voting; whereas, usually larger cities go to majority voting systems.

Another such topic discussed is if even numbered Council seats should be required to be "given up" (incumbents being required to 'resign to run') and placed on the ballot, along with odd numbered seats, in mayoral election years. The commission is NOT recommending this change at this time.

Also discussed by the Commission was the topic of doing away with appointments to fill vacant Council seats and, instead, require an election. The Commission is not recommending this change because of the potential for vacancies to be prolonged due to no ability to hold elections on dates other than Uniform Election dates, which are prescribed (only) by the State.

The topic that was discussed the most was the topic of possible creation of 'single member districts' in place of the current 'at large' election system that is in place. This topic was discussed (at length) at each of the three meetings held by the Commission. The Commission is NOT recommending a change to single-member districts at this time.

The Commission also agreed to put forth a recommendation for some non-substantive changes such as modifying language to be gender-neutral.

Mr. Garza also explained some of the recommended substantive (which would require stand-alone ballot propositions) changes, including modifications to 'terms' of city council members. The Charter Commission is recommending maintaining the three consecutive terms in the same Council position

but recommends revising to allow up to five consecutive terms in both Council and Mayor positions. This would allow a person to serve two consecutive terms in a different elected position.

An additional substantive change that is being recommended is for the timeframe associated with the City Secretary validating signatures on a petition. Current language allows for 21 calendar days. The Commission is recommending it be increased to 30 calendar days.

Mr. Garza also explained a recommendation of the Commission related to the timeframe a person has to file a claim with the city. He explained that case law has consistently shown that 180 days is considered a reasonable amount of time; however, current Charter language specifies 60 days. It's being recommended that this timeframe be increased to the 180 days.

He also shared that he is recommending that the Charter be amended to allow the Council, by ordinance, to update the Charter on non-substantive matters, such as correcting typographical errors, grammatical errors, references to laws which have been changed or which references are, for any reason, incorrect, and to neutralize all gender references, provided that no such amendment changes the meaning or substance of the Charter. He shared that many cities, statewide, are making these sorts of changes in their Charter so that minor, non-substantive amendments may be made without holding a charter election.

Councilmember Lewis thanked Mr. Garza and the Commissioners for their work on reviewing the Charter. Councilmember Thomas had brief dialogue with Mr. Garza concerning the timeframe associated with filing 'notices of claim' with a city in Texas.

Councilmember McCallum expressed that he is the one who put this topic on a past council meeting agenda and wanted a Charter Commission to be formed. He thanked the Commission for its work. He also expressed that he is not in agreement with some of the Commission's recommendations. He, for example, would like to see majority voting rather than plurality. He wonders how many other cities in Texas of our size have plurality voting instead of majority voting. Mr. Garza expressed he is unsure of that answer; however, he knows it is common for cities of a population of 100k or more to go to 'majority.' At the same time, though, there are still some very large cities that have stayed with 'plurality' voting. Chairman Fowler and Councilman McCallum had brief discussion about 'plurality' versus 'majority.' Commission Chairman Fowler came forth and shared that this topic was one that the members went back and forth on and it, perhaps, could have gone either way; however, historically the number of times that an election has come about in which 'plurality' versus 'majority' voting would have even mattered was very minimal. So it came down to the fact it hasn't really come up very often, and 'cost of an election' (financial cost) was also a consideration.

Councilmember McCallum indicated there have been two contested Council races in the last decade – one ten years ago and one four years ago. In the case of the one four years ago, regarding Councilmember Jorif's race, there would have been a need for a run-off election. That would have been the only run-off in the last decade, so – from that perspective – additional costs seem likely minimal. He believes the minimal cost would be worth it, especially considering – if the trend continues it won't happen very often – and he believes it's worth it to ensure that candidates elected to office have garnished a majority of votes.

Councilmember McCallum went on to share that he'd like to see the City Charter require a review of the Charter at least once every ten years.

Mayor Pro Tem Jorif thanked the Commissioners for their work.

Councilmember Campbell asked for clarification on election-related costs. City Secretary, Kristy Teague, mentioned that the estimated total for the city's portion is likely around \$14,000. The number quoted in the most current countywide, joint elections contract for the overall estimated cost of the May 3, 2025 General Election is estimated to be \$80,000 total.

Mayor Johannesen was glad to have the group of Commissioners that were put into place, as he views them as very knowledgeable, given that most of them are former council members. He is also pleased to know that citizens also attended, participated in the process, and gave input.

The Council took no action as a result of this discussion item.

3. Hear presentation from Leadership Rockwall Class of 2025 regarding their class and associated project, and take any action necessary.

Lindsay Lombard came forth and introduced herself, sharing that she is representing her Leadership Rockwall Class in speaking before the City Council this evening. She explained that this year's class will be raising funds and constructing a 'sensory garden' to benefit dogs who are in training at the local Patriot Paws, non-profit organization that helps provide service dogs to military veterans.

Councilmember Lewis expressed kind sentiments about Patriot Paws, indicating this is a very worthwhile project.

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

City Manager, Mary Smith indicated that City Secretary, Kristy Teague has been working with FEMA and with the State Division of Emergency Management to attempt to get reimbursement money associated with the May 28, 2024 storm-related clean up and related expenses. She has successfully secured reimbursement at 100%, which totals over \$400,000. She thanked Ms. Teague for her work in this regard.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 6:44 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 17th
DAY OF MARCH, 2025.


TRACE JOHANNESSEN, MAYOR

ATTEST:


KRISTY TEAGUE, CITY SECRETARY

