



City Council of Royse City, Texas

**MINUTES-REGULAR  
COUNCIL MEETING**

**Tuesday, May 26, 2015 – 7:00 pm**  
Police and Courts Building, 100 West Main Street  
Royse City, Texas

**A. CALL TO ORDER AT 7:03PM**

Announced the presence of a quorum.

- Members Present: Mayor, Janet Nichol  
Council Member Place 1, Charles Houk  
Council Member Place 2, Clay Ellis, Mayor Pro Tem  
Council Member Place 3, Bruce Bradley  
Council Member Place 4, Matt Wheatley  
Council Member Place 5, James Branch  
Council Member Place 6, Tom Crowley
- Staff Present: City Manager, Carl Alsbrook  
City Attorney, Jason Day  
Interim City Secretary, Kandi Jackson  
Fire Chief, Richard Bell  
Police Chief, Jeff Stapleton  
Public Works Director, Dario Lopez  
CFO, Shannon Raymond  
Main St Manager, Paula Morris

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation by Mayor Nichol.

**C. CITIZENS PARTICIPATION - none**

*This Period is reserved for citizens to bring forward to council items of interest, (persons may have three (3) minutes to address the council) however, by law, no action or discussion may be taken on these items. Council may only respond with specific factual information, recite existing policy, direct citizen to city staff or have the item placed on a future agenda.*

**D. RECESS REGULAR COUNCIL MEETING AT 7:06PM**

**E. PUBLIC HEARING AT 7:06PM**

1. Accept comments, in accordance with Chapter 372 of the Texas Local Government Code, to accept comments and discuss the petition filed by D.R. Horton-Texas, LTD., a Texas limited partnership on April 28, 2015 requesting that the City create a public improvement district to include the property consisting of 117.332 acres and located with the Extra-Territorial Jurisdiction of the City; regarding the advisability of the improvements to be made for the benefit of the property within the public improvement district.

**Mr. Day:** State law requires a public hearing before we form that public improvement district.

No citizens for or against.

2. Accept comments concerning a rezoning application by owner representative requesting the rezoning of Tract 2 of the J Thompson Survey, Abstract 229, Rockwall County, Royse City, Texas (also known as 501 E. Old Greenville Rd., Royse City, Texas) from Single Family 2 (SF2) to Commercial 2 (C2).

No citizens for or against.

3. Accept comments concerning a rezoning application by owner representative rezoning Tracts R3 and R3-2 of the Richard Mead Survey, Abstract 1226, Hunt County, Royse City, Texas, and Tracts 3, 3-2, 3-3 and 3-4 of the Richard Mead Survey, Abstract 141, Rockwall County, Royse City, Texas from Agricultural (AG) to Planned Development (PD) (based on Commercial 2 zoning) on 19.31 acres and Commercial 2 on 21.203 acres (located at the southwest quadrant of Interstate 30 and FM 2642).

**Ms. McPherson:** It is in conformance with future land use map. Property to the west requesting straight C2 zoning. The corner property would be PD based on C2 zoning.

No citizens for or against.

4. Accept comments concerning a development plan/rezoning application (complete rezoning) by owner for Planned Development (PD) (based on Single Family 2 Zoning) from Agricultural (AG) for the property described as tract 4 of the Turner Odell Survey (Abstract 0683) and tract 9 of the James McBride Survey (Abstract 0631), Royse City, Collin County, Texas.

**Ms. McPherson:** It would be zoned straight single family 2 with no alleys. Alleys are not in the ordinance but they are in the subdivision standards.

No citizens for or against.

**F. CLOSE PUBLIC HEARING AT 7:13PM**

**G. RECONVENE REGULAR COUNCIL MEETING AT 7:13PM**

**H. CONSENT AGENDA**

*All items under Consent Agenda Minutes are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

1. City Council Minutes: April 14, 2015 and April 28, 2015.

Motion was made by Council Member Branch, second by Council Member Wheatley to approve the Consent Agenda. **Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

**I. BUSINESS**

1. Discussion concerning monthly revenue and expenditure report for April 2015, and any matters related thereto.

**Ms. Raymond:** We're about 7 months into the budget year. Everything is on track expenditure wise. We're within the thresholds just or about 1% above right now. Streets and Parks both have additional funding requirements that will be covered by excess revenues. All revenues are on track or far above what was projected. Sales tax was 6.7% higher in April than it was the April prior.

2. Consider and act concerning a Resolution in accordance with Chapter 372 of the Texas Local Government Code, authorizing the creation of a Public Improvement District related to the petition filed by D.R. Horton, Ltd., a Texas limited partnership on April 28, 2015 regarding the property consisting of 117.332 acres and located with the Extra-Territorial Jurisdiction of the City; including, but not limited to, findings as to the advisability of the proposed improvement(s), the nature of such improvements, the estimated cost of such improvement(s), the boundaries of the public improvement district, the method of assessment(s) and the apportionment of costs between the district and the City, and any matters related thereto.

**Mr. Day:** This is the next step in bringing D.R. Horton into the city. It is currently in the Verandah MUD district. Once the Attorney General approves the public improvement district the city will annex the property. If the Attorney General does not approve the petition then the public improvement district dissolves.

Motion was made by Council Member Bradley, second by Council Member Ellis to approve a resolution in accordance with Chapter 372 of the Texas Local Government Code, authorizing the creation of a Public Improvement District related to the petition filed by D.R. Horton, Ltd., a Texas limited partnership on April 28, 2015 regarding the property consisting of 117.332 acres and located with the Extra-Territorial Jurisdiction of the City; including, but not limited to, findings as to the advisability of the proposed improvement(s), the nature of such improvements, the estimated cost of such improvement(s), the boundaries of the public improvement district, the method of assessment(s) and the apportionment of costs between the district and the City.

**Motion carried: 7 Ayes, 0 Nays, and 1 Abstention (Branch).**

3. Consider and act concerning an Ordinance rezoning of Tract 2 of the J Thompson Survey, Abstract 229, Rockwall County, Royse City, Texas (also known as 501 E. Old Greenville Rd., Royse City, Texas) from Single Family 2 (SF2) to Commercial 2 (C2), and any matters related thereto.

**Ms. McPherson:** It is conformance with the future land use map. AG property needs to be rezoned. Property on the west side is straight C2 zoning while corner property is PD based on C2 zoning.

Motion was made by Council Member Branch, second by Council Member Crowley to approve an Ordinance rezoning of Tract 2 of the J Thompson Survey, Abstract 229, Rockwall County, Royse City, Texas (also known as 501 E. Old Greenville Rd., Royse City, Texas) from Single Family 2 (SF2) to Commercial 2 (C2).

**Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

4. Consider and act concerning an Ordinance rezoning Tracts R3 and R3-2 of the Richard Mead Survey, Abstract 1226, Hunt County, Royse City, Texas, and Tracts 3, 3-2, 3-3 and 3-4 of the Richard Mead Survey, Abstract 141, Rockwall County, Royse City, Texas from Agricultural (AG) to Planned Development (PD) (based on Commercial 2 zoning) on 19.31 acres and Commercial 2 on 21.203 acres (located at the southwest quadrant of Interstate 30 and FM 2642), and any matters related thereto.

**Mr. Day:** If Buc-ee's doesn't go through then development agreement will expire and revert back to C2.

Motion was made by Council Member Branch, second by Council Member Houk to approve an Ordinance rezoning Tracts R3 and R3-2 of the Richard Mead Survey, Abstract 1226, Hunt County, Royse City, Texas, and Tracts 3, 3-2, 3-3 and 3-4 of the Richard Mead Survey, Abstract 141, Rockwall County, Royse City, Texas from Agricultural (AG) to Planned Development (PD) (based on Commercial 2 zoning) on 19.31 acres and Commercial 2 on 21.203 acres (located at the southwest quadrant of Interstate 30 and FM 2642. **Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

5. Consider and act concerning an Ordinance regarding development plan/rezoning application (complete rezoning) by owner for Planned Development (PD) (based on Single Family 2 Zoning) from Agricultural (AG) for the property described as tract 4 of the Turner Odell Survey (Abstract 0683) and tract 9 of the James McBride Survey (Abstract 0631), Royse City, Collin County, Texas, and any matters related thereto.

**Mr. Day:** This would be straight zoning with the exception of alleys.

Motion was made by Council Member Crowley, second by Council Member Branch to approve rezoning and modify the agenda from AG to SF2 **Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

6. Consider and act concerning a master plat of Ridge Park Estates, 100.3 acres of land of the James Rhodes Survey, Abstract No.872, Royse City, Hunt County, Texas, and any matters related thereto.

Motion was made by Council Member Branch, second by Council Member Bruce Bradley to table the item until June 9, 2015. Vote for motion was unanimous.

7. Consider and act concerning a preliminary plat of Highlands of McKamy, Phase 2, Tract 4 of the Turner Odell Survey, Abstract 0683 and Tract 9 of the James McBride Survey Abstract 0631, Royse City, Collin County, Texas, and any matters related thereto.

Motion was made by Council Member Houk, second by Council Member Branch to approve a preliminary plat of Highlands of McKamy, Phase 2, Tract 4 of the Turner Odell Survey, Abstract 0683 and Tract 9 of the James McBride Survey Abstract 0631, Royse City, Collin County, Texas, with the alley requirement being waived. **Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

8. Consider and act concerning a preliminary plat multi-family development to be located on the 28.97 acres of land situated in the Burrell B. Parker Survey, Abstract No. 176 and George M. Parker Survey, Abstract No. 177, Rockwall County, Royse City, Texas, and any matters related thereto.

Motion was made by Council Member Ellis, second by Council Member Bradley to approve a preliminary plat multifamily development to be located on the 28.97 acres of land situated in the Burrell B. Parker Survey, Abstract No. 176 and George M. Parker Survey, Abstract No. 177, Rockwall County, Royse City, Texas.

**Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

9. Consider and act concerning a Resolution regarding the site/design as it pertains to the Interstate 30 Corridor Overlay, Chapter 14, Zoning, Section 5-3 of the Royse City Code of Ordinances, for the future multifamily development (Cypress Creek at Park Boulevard), 28.97 acres of land situated in the Burrell B. Parker Survey, Abstract No. 176 and the George M. Parker Survey, Abstract No. 177, City of Royse City, Rockwall County, and any matters related thereto.

Motion was made by Council Member Branch, second by Council Member Crowley to approve a Resolution regarding the site/design as it pertains to the Interstate 30 Corridor Overlay, Chapter 14, Zoning, Section 5-3 of the Royse City Code of Ordinances, for the future multifamily development (Cypress Creek at Park Boulevard), 28.97 acres of land situated in the Burrell B. Parker Survey, Abstract No. 176 and the George M. Parker Survey, Abstract No. 177, City of Royse City, Rockwall County. **Motion carried: 5 Ayes, 0 Nays, and 0 Abstentions.**

10. Consider and act concerning a Resolution approving a negotiated settlement between the Atmos cities steering committee (“ACSC”) and ATMOS ENERGY CORP., Mid-Tex DIVISION regarding the company’s 2014 and 2015 rate review mechanism filings, and any matters related thereto.

Motion was made by Council Member Crowley, second by Council Member Bradley to approve a Resolution approving a negotiated settlement between the Atmos cities steering committee (“ACSC”) and ATMOS ENERGY CORP., Mid-Tex DIVISION regarding the company’s 2014 and 2015 rate review mechanism filings. **Motion carried: 7 Ayes, 0 Nays, and 0 Abstentions.**

11. Discussions concerning City Manager Carl Alsabrook update: Development, KIDFISH on Saturday, May 30<sup>th</sup>, and Hot Summer Nights at City Lake Park, any matters related thereto.

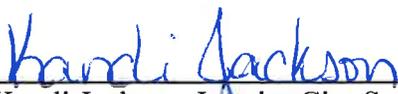
**J. FUTURE AGENDA ITEMS-none**

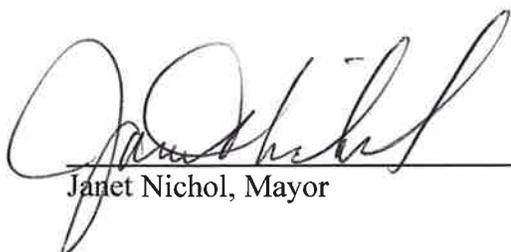
1. Consider and/or action to determine and direct City Staff in scheduling topics for discussion at future City Council Meetings, and any matters related thereto.

**K. ADJOURN AT 7:51PM**

Motion was made by Council Member Branch, second by Council Member Crowley to adjourn at 7:51pm. Vote for motion was unanimous.

**ATTEST:**

  
Kandi Jackson, Interim City Secretary

  
Janet Nichol, Mayor