



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, June 14, 2016 – 7:00 pm

Police and Courts Building, 100 West Main Street
Royse City, Texas

- * Prior to the Regular Council Meeting, at 6:00 pm a quorum of Council Members may or may not attend a social gathering.
- * No action of the City Council will take place at this gathering. Council Chambers will be open to the public.
- * No action was taken

A. CALL TO ORDER 7:01 PM BY MAYOR NICHOL

Announce the presence of a quorum.

- Members Present: Mayor, Janet Nichol
 Council Member Place 1, Charles Houk
 Council Member Place 4, Matt Wheatley
 Council Member Place 5, James Branch
 Council Member, Place 6, Tom Crowley
- Member Absent: Council Member Place 3, Bruce Bradley
 Mayor Pro Tem, Council Member Place 2, Clay Ellis
- Staff Present: City Manager, Carl Alsabrook
 City Secretary, Deborah Sorensen
 City Attorney, Jason Day
 Director of Finance, Shannon Raymond
 Executive Dir. of Development & Community Services, Janet McPherson
 Police Chief, Jeff Stapleton
 Fire Chief, Rickey Bell
 Director of Public Works, Dario Lopez
 Director of HR, Tauna Ratliff
 Main Street Manager, Paula Morris
 Executive Director of Community Development Corp., Larry Lott

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Nichol gave invocation and led the Pledge of Allegiance.

C. PRESENTATION – TEEN COURT KIDS

1. Shelby Short
2. Zenia Jones
3. Noble Farr

Municipal Court Judge, Paul Liston, along with former Municipal Court Judge, Bonnie Goldstein, recognized three very distinguished students with scholarships. Judge Liston gave the history of teen court, which started five years ago under Judge Goldstein. The scholarships presented were the first time Teen Court has issued scholarships.

Teen Court was developed as a means of alternative sentencing for juveniles. There was a need that was not being met in this City, so for the first time in this City, and within Rockwall County, Teen Court was started. The Royse City Teen Court is still the only Teen Court to exist in all of Rockwall County.

Teen Court works because of individuals such as these three that volunteered their time, and they volunteered their effort, to make the program a success. These three come in and prepare, they study the material, they act as Teen Court attorneys, they act as defense attorneys, they don't get paid, and they do it to serve the community and the City. Whereas, teens are asked to give one school year; these three have done it much longer. Judge Liston and Judge Goldstein are very grateful to them for that.

Jason Day explained that Teen Court was implemented to try to make a difference with juveniles, to make sure crime was cut down, and to have Teen Court provide a learning experience to juveniles. He stated that in 2007 there were 217 cases, last year there were 82. A lot of kids are heard saying they do not want to go to Teen Court because they do not like to face their peers, and they do not like to be judged for their actions. The recidivism rate in Teen Court is really good. Even though the City's population is growing, juvenile crime is going way down. A lot of it is because of those like the three here today, that come every month and be volunteer attorneys that allows Teen Court to go on.

Judge Liston also recognized other students in the audience that are part of Teen Court by having them stand.

Mayor Nichol thanked the students for their participation.

D. CITIZEN PARTICIPATION

None

E. RECESS REGULAR COUNCIL MEETING AT 7:08 PM

F. PUBLIC HEARING AT 7:08 PM

Council Member Crowley stepped away from the dais and left the Council Chambers due to a conflict of interest.

1. Take testimony concerning a zoning change from Agriculture to Planned Development (approximately 105 acres of Single Family and 2 more or less acres of Commercial) on the properties described as: Tracts 15 and 15-1 of the JB Ratliff Survey, Abstract 185, Royse City, Rockwall County, Texas. Land is located at the southwest corner of FM 35 and FM 2453.

Janet McPherson advised that the applicant put in for a zoning change on the property, proposing a planned development primarily single-family, based on Single Family 2 zoning, per zoning ordinance, with some commercial on the hard corner. Planning & Zoning heard this earlier in the month during their regular meeting and their recommendation was to approve with a couple of conditions: commercial area would be classified as Commercial 1, which is the less intensive commercial; and an additional commercial area from 2.27 to 5 acres of commercial.

This is a two-step process. The first step is a conceptual plan, which is being presented tonight, and then the final development plan, with a preliminary plat.

Russell Phillips, developer, explained the commercial area was expanded down FM 35. He is proposing twenty-four acres to be designated as open space for the community, along with the tree-line area, across the creek, if the City would like that area, if it would help in a future trail system, or what have you.

A change was made to the side yard setback from five to eight feet, which is not an exception. One exception was to the maximum lot coverage, which is at forty-five percent instead of forty percent, which was done to encourage a larger home. A change is being requested for the side yard setback adjacent to a street to be twenty-five feet, which would be the ten foot setback from the curb, which is first for easement, and then an additional fifteen feet.

The City's subdivision regulations requires a brick wall, the developer is proposing an allowance for a softscape, rather than a hardscape. The softscape would be of wrought-iron fencing with stone columns every so often and a berm that would go behind the fencing, up a couple of feet, with scrubs and trees on top of the berm.

Mayor Nichol asked about the size of the houses. Russell explained the minimum is 1,800 square feet, but because they went with larger lots, they are anticipating the average being higher. They are looking at 2,500 to 3,300 square feet homes as being the majority, with possibly up to 4,200 square feet.

There will a lot of green space for the community itself, outside the area designated to the City. There will not be a club house to allow for the larger lots. They do not want to compete with DR Horton development across the street, and rather than have a community pool, they are hoping homebuyers will put a pool in their yard.

Council Member Branch asked about price point. Russell stated the homes would be from \$225,000 to \$375,000.

Mayor Nichol inquired about the commercial area along FM 35. Russell explained they tried to limit the amount of commercial area that went along FM 2453, as they are aware of the homes along there. Russell stated the commercial area would just be along the FM 35 area. The zoning for the commercial area would allow for offices, and the like, and not gas stations and such.

Council Member Branch asked about the time frame involved in getting started. Russell indicated as soon as they are approved, but their next step is the platting.

Russell stated there is a property owner next to the proposed development that they might dedicate a little bit of land to allow him to access his property, just as a help. There was another property owner who was concerned about a culvert in the area next to his proposed home, which they will handle in the platting process.

Council Member Wheatley asked about the commercial area. Janet stated there had originally been 6 acres designated as commercial zoning. Originally, there were six acres zoned as commercial, however, the concept plan reflects 2.27 acres of commercial. Planning and Zoning Commission recommended 5 acres and the developer agreed.

Steve Schulte, 9402 Spring Hollow Drive, Dallas, Texas, 76243 – He is here representing his client that the developer talked about, who has the property just immediately south. When he bought it, he knew he only had about twenty feet of frontage along FM 2453. He appreciates Russell working with him. What he

wants to get is maybe four feet so that they can get a driveway in there or something like this. But he has twenty acres back there and has known that he is going to have to work with the two property owners to try later on to get fifty feet to put in a roadway. He has always known that when he bought the property, but he also thought when he bought the property that he was going to have to stub out a road to the property to the north of him, the developer's property. Or, if that guy developed first, they would stub out a road to his property, so that you have inter-connectivity among neighborhoods. With the current development, and because it's a Planned Development, you're setting up how that layouts going to be defined when he comes over and brings in a final plat. He has been doing this real estate for thirty years and helped develop Veranda. You go through there and you look and there are six stub outs in there for future phases. Off of Rustic Meadows Drive there are two stub outs for future development. On Erby Campbell there are two more stub outs there. He doesn't know if the City required them or the developers did it. He went on to name a few more developments with stub outs. He is surprised that the City hasn't required, or asked, the developer to stub out a street to his client's property. The developer is going to have to put sewer from his property through home sites to that creek, right into his client's property. He's going to have to do storm sewer to go through there. If you look at it, you can do this all if you would stub a street out and then you don't have the City having to go between people's yards for sewer line, for water line, or sanitary sewer line, for getting into the trails that are at the creek. That is why you do these stub outs, so you eliminate all of that, and it goes where people want to go and goes where City staff goes, or where the City's employees would go. The other thing is, if you don't do a stub out, if you look at his client's property, just to the south of there, there is the old way of developing; they put in these long cul-de-sacs. They are probably 2000 feet long; there are two of them. Then there is a golf course that has a long cul-de-sac, one way in, one way out. So, that's why everybody is onto stub outs to get inter-connectivity. Even staff mentioned the last time that his client wouldn't be able to develop his property because the City doesn't allow long cul-de-sacs anymore. If the City does not require a stub out, his client will never be able, and doesn't have enough footage, to put two roads there. He would then not be able to develop the property, and that the City would then be without the benefit of developing some of its City, and to the use that is expected here, and typical, of what's out here in Royse City.

Brent Erikson, 2000 Fairway Lane – He is on one of those long cul-de-sacs. He would like to talk about hardscape and softscape. He have twenty-five, thirty, years in water/sewer. A hardscape is very difficult to deal with from the utility standpoint. Whether it's water/sewer, storm water, fiber, whatever you hid. The advantage to going to a softscape is you can get a backhoe in there.

Jack Manowarren, 4116 Black Pool Drive, Plano, TX, 75093 – He own the property on FM 2453 that was discussed earlier. He has a concern about fire and police access to what's purposed as HOA area in the back. There is about a ten acre piece that there is a stream that runs through there that is pretty steep on both sides. The only way, with the development plan as he sees it now, to access that property would be to come through his land. He knows from experience you wouldn't get any emergency vehicle in any kind of rain or storm water. So, he is concerned about that, and the access to the property. He has no real plans to develop it at any time; he didn't buy the property to develop it, or anything like

that. He bought the property with the intent of using it as agricultural land and hoping to eventually put a house out there. The reason he is looking into the development side at this point, is not for now, but is for the future development of the City. To land-lock this nineteen acres between two neighborhoods, you just have this nineteen acres of land that will be there forever. Yet, it's bordered one side by Ranch Road, which is a community that was built previous that has no access. On the front two sides it's bordered by, on FM 2453, it bordered by two privately owned houses, which are in the county. On the back it's bordered by Sabine Creek. So, there would be no development for that property ever again, if we don't stub out through the current development plan. He showed a layout plan.

Mayor Nichol asked him if he had talked to anyone at the City about the issues out there. He said they talked some about building plans and trying to get through to build a house out there. Primarily, he would like to build a house out there, but we come to the issue of the driveway being about 563 feet long, and it's only twenty feet wide. He's looking to resolve that issue with Russell. They've also talked about it, and he thanked Russell a lot for all they've done so far.

Mayor Nichol asked him what his plan was for your land if Russell wasn't developing the land. He was going to sit on it and see if he could work something out with the City over time. He purchased the property not thinking that they would be, a year down the road, looking at development. The place has blown up around him.

Mayor Nichol stated they could look at what he had. He presented a layout plan.

Russell stated there is enough area to access the property. Chief Bell stated that if there are areas where their vehicles cannot go, they have fire hoses that they can stretch out to the areas.

Russell then explained that there would be walkways to access any proposed trails.

G. CLOSE PUBLIC HEARING AT 7:40 PM

H. RECONVENE REGULAR COUNCIL MEETING AT 7:40 PM

I. CONSENT AGENDA

1. City Council Minutes: May 24, 2016 and May 31, 2016

Council Member Branch made a motion to approve the consent agenda. Council Member Wheatley seconded the motion. **Motion passed 4-0.** Council Member Crowley was not in the Council Chambers.

J. BUSINESS

1. Consider and act concerning an Ordinance regarding a Voluntary Annexation of A0185, JB Ratliff, Tract 15, 2.237 acres more or less, situated along FM 35 and FM 2453, Rockwall County, Texas, and A0185 JB Ratliff, Tract 15-1, 7.482 acres more or less, situated along FM 2453, Rockwall County, Texas, and any matters related thereto.

Council Member Branch made a motion to approve the Voluntary Annexation. Council Member Houk seconded the motion. **Motion passed 4-0.** Council Member Crowley was not in the Council Chambers.

2. Consider and act concerning a Resolution regarding a concept plan for the properties described as: Tracts 15 and 15-1 of the JB Ratliff Survey, Abstract 185, (approximately 105 acres of Single Family and 2 more or less acres of Commercial) Royse City, Rockwall County, Texas. Land is located at the southwest corner of FM 35 and FM 2453, and any matters related thereto.

Janet McPherson explained this is what was discussed in the Public Hearing. The lot dimensions were changed to allow for a deeper lot, with less frontage. They are now requesting the lots be shorter by five feet and the depth to be increased, but would maintain the required 8,000 square foot lot sizes.

Council Member Houk asked about hardscape vs. softscape. Janet explained this would be in the Planned Development. There are difficulties with hardscapes. There is a currently brick wall in the city that is crumbling.

Jason Day asked about the maintenance of the wall. Russell explained the HOA would fully maintain the property and entries. Russell stated there is an easement that includes the fencing that would be maintained by the HOA. Janet explained it was in the Planned Development for the HOA to maintain.

Council Member Branch asked Russell that when they come back with their plat, that all the issues with the property owner, and the road is listed on there the way it needs to be. Russell explained to the Council that he would like to help the property owner. Russell is helping with access for his home, if would be up to the Council if there is something else that should be done. Russell wanted the Council to understand he was not committing to a full-blown road.

Council Member Branch made a motion to accept the concept plan. Council Member Houk seconded the motion. **Motion passed 4-0.** Council Member Crowley was not in the Council Chambers.

Council Member Crowley returned to the Council Chambers and stepped up to the dais at this time.

3. Consider and act concerning a Resolution regarding Development Plat of Four Corners Addition, totaling 16.435 acres, situated in the Extraterritorial Jurisdiction of Royse City, Hunt and Rockwall Counties, being part of J.W.F. Stone Survey, Abstract No. 1332 (Hunt County) and part of the J.W.F. Stone Survey, Abstract No. 198 (Rockwall County), and any matters related thereto.

Janet McPherson explained this was the property off of FM 35 south of the Royse City High School, on the opposite side of the road, close to FM 2526. The property is not within the City Limits. The City has subdivision and platting regulations within the ETJ, and it is a commercial building, therefore the City is requiring a development plat. Planning & Zoning Commission heard this earlier in the month. There were a couple items the surveyor had not done at that time, but has all been done since then. The hold up on this one, not all of our subdivision requirements are necessary, including fire suppression. They are putting in a fire hydrant within 300 feet of where the commercial building is going to be. It is going to be on BHP, it is within our CCN. They will be adding the hydrant to the BHP line.

Council Member Crowley asked if there was a timeline as to when the hydrant has to be installed. Janet advised before the building it up and functional.

Council Member Branch a motion approving the Development Plat of Four Corners Addition. Council Member Crowley seconded the motion. **Motion passed 5-0.**

4. Consider and act concerning a Resolution regarding the site plan of future retail business with outdoor display area as is relates to Chapter 14 Zoning, Section 5-3 Interstate 30 Corridor Overlay District (I30 COD), for the property described as Block B, part of lot 1 and part of lot 6 of College, Royse City, Rockwall County, Texas, also known as 617 E. Interstate 30, and any matters related thereto.

Janet McPherson explained this was the property relating to the used car lot proposal that came up last year. Improvements have been done to the building. Tuff Shed is now going in to the location. This came before the Planning & Zoning Commission earlier this month. The property will have buildings on display, which will be sold within the year. Planning & Zoning Commission's recommendations were that the buildings be five feet off the fence, have at least five feet between the building displays, and should not extend over the driveway. They also requested minimal landscaping be done in the very west corner of the property. Also, they limited the number of building displays to seven at one time.

Jason Day addressed a concern of Council Member Branch, stating that staff made the distinction that this is outdoor display, as opposed to outdoor storage.

Council Member Crowley made a motion to accept the recommendation of the Planning & Zoning Commission on their setbacks to include within the motion that this be approved. Council Member Houk seconded the motion. **Motion passed 4-1**, with Council Member Branch against.

5. Consider and act concerning a Resolution Authorizing the City Manager to enter into a Local Project Advance Funding Agreement with the Texas Department of Transportation for improvements to Shaw Drive, and any matters related thereto.

This item was withdrawn for consideration. There may be a special meeting in the near future to consider this item.

6. Consider and act concerning approval of an Interlocal Cooperation Agreement for governmental services relating to a school resource officer program between the City of Royse City and the Royse City Independent School District, and any matters related thereto.

Jason Day explained this was an update to the previous Interlocal Cooperation Agreement with the school district.

Council Member Houk made a motion to approve. Council Member Branch seconded the motion. **Motion passed 5-0.**

7. Consider and act concerning appointing two City Council Liaisons to the PAWS Board of Directors, and any matters related thereto.

Mayor Nichol stated she had asked for this item to be put on the agenda to stay in close contact with PAWS. Mayor Nichol requested they change this from the PAWS Board to the Animal Shelter Advisory Board.

Council Member Bradley has agreed to be on the advisory board, as well as the Mayor herself, if no one else volunteered.

Council Member Branch volunteered to be on the advisory board, which is to meet quarterly.

Council Member Wheatley made a motion to for Bruce Bradley and James Branch to be on the Animal Shelter Advisory Board. Council Member Crowley seconded the motion. **Motion passed 5-0**

8. Discussions concerning City Manager update: Development, Hot Summer Nights, Celebrate Freedom, and any matters related thereto.

Carl Alsbrook stated there is activity in almost every sector that we have. Things are looking way up.

Hot Summer Nights is next Thursday, June 23, 2016, at City Lake Park.

Celebrate Freedom is July 1, 2016, at 6:30 PM, with the main musical act starting at 7:00 PM, and fireworks after dark. Carl thanked Council Member Houk for obtaining the talent for that night, which is Tracey Lawrence.

Council Member Crowley asked about Carl's visit to the senior center in Burleson. Carl, along with Mayor Nichol and Larry Lott, went to Mariposa, the senior living community that has been purposed to be here in our City. The grounds were beautiful, property was well maintained, and the pride of ownership in the property. Mayor Nichol stated the center was very, very nice. Everything asked of the representative backed up everything we have been told by Bonner Carrington. Council Member Crowley stated he was impressed with the fact that they plan on holding these structures for fifteen years, and not flipping them every three years.

Mayor Nichol also spoke regarding Hot Summer Nights. Brent and Janet did an excellent job. There were bounce houses and Royse City Dental furnished food.

K. FUTURE AGENDA ITEMS

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.

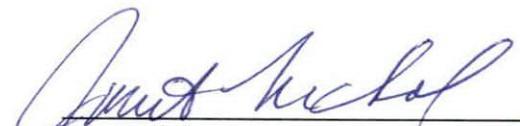
Mayor Nichol requested to have the Animal Shelter Advisory Board be on the next agenda.

L. ADJOURN AT 7:35 PM

Council Member Crowley made a motion to adjourn. Council Member Branch seconded the motion. **Motion passed 5-0.**

ATTEST:


Deborah Sorensen, TRMC, City Secretary


Janet Nichol, Mayor



The seal of the City of Royse City, Texas, is circular with a five-pointed star in the center. The words "CITY OF ROYSE CITY" are written around the top inner edge of the circle, and "TEXAS" is written at the bottom.