



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, October 11, 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
Mayor Pro Tem, Council Member Place 2, Clay Ellis
Council Member Place 3, Bruce Bradley
Council Member Place 5, James Branch
Council Member, Place 6, Tom Crowley

Member Absent: Council Member Place 4, Matt Wheatley

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
Fire Chief, Rickey Bell
Director of Parks & Recreation, Brent Stowers
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. NEW EMPLOYEES

1. Jake Gossett, Crew Leader

Brent Stowers introduced Jake Gossett. Brent gave a brief background on Jake. Jake is looking forward to the experience he can gain in Royse City. He wants to build a long lasting career in Parks and Recreation and has plans to make it to the top in his profession.

D. CITIZEN PARTICIPATION

Chris Lynch, Rockwall County Election Administrator, spoke about the upcoming election. Early Voting starts on October 24th and goes through November 4th and of course Election Day is November 8th. They are trying to get as many people out to vote early versus waiting until Election Day. They have taken steps to mitigate some of the risks associated with heavy voter turnout, which they anticipate. They have increased

their inventory on the electronic side by 33% and have ordered over 33,000 ballots across the county.

He needs help to get the word out to vote early due to the anticipation of heavy voter turnout. They are being as aggressive as they can be with marketing and social media and are asking each City to help spread the word.

Jim Dunn, PO Box 835, Pastor at Quest Church, he is against the annexation of his church. They are currently negotiating the purchase of about 2.5 acres to the east of the church and are concerned how the annexation will impact the negotiations. They plan to build a building similar to what they have now as well as the type of parking they have as well. His information is that the annexation and the City's code would put a damper on everything and really put a hindrance on their church expansion that they are in the process of right now.

Michael Swiercinsky, 6131 I-30, he has questions about the annexation. He spoke to the City Secretary and understands that he is grandfathered with regards to building regulations as long as he doesn't change anything. He wants to know what happens if he has a new tenant.

E. PRESENTATION

1. Presentation from Atmos Energy of a \$1,500 check to the Fire Department for the purchase of fire helmet lights, and any matters related thereto.

Eva Hummel, Manager of Public Affairs for Atmos Energy, presented a check in the amount of \$3,000, which is more than what was anticipated, to Fire Chief Rickey Bell for the purchase of fire helmet lights. Atmos also provided natural gas safety training last week.

F. RECESS REGULAR CITY COUNCIL MEETING AT 7:17 PM

G. PUBLIC HEARING

1. Take testimony in accordance with Chapter 372 of the Texas Local Government Code, concerning the petition filed by Parker Creek Estates, L.P., a Texas limited partnership on September 1, 2016 requesting that the City create a public improvement district to include the property consisting of 310.202 acres and located within 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.

No one spoke for or against.

2. Take testimony concerning a request by owner for zoning change from Agriculture to Commercial 1 for the property described as Tract 13-02 of the JWF Stone Survey, Abstract No. 198 (1.10 acres), Royse City, Rockwall County, Texas (also known as 127 FM 2453, Royse City, Texas). Property is located on the southeast corner of FM 35 and FM 2453.

No one spoke for or against.

3. Take testimony concerning an involuntary annexation of A1297 May James, Tract R500, 0.5 acres, more or less, situated along I-30, Hunt County, Texas.

No one spoke for or against.

4. Take testimony concerning involuntary annexations of A1297 James May, Tract 18-1, 0.45 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R11-1, 3.256 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R1-1, 1.3454 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-4, 8.589 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R9, 2.028 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R700, 1.0834 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R1-3, 5.0626 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-6, 3 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-3A, 9.099 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R3-2, 3.491 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R3-1, 3.003 acres, more or less, situated along I-30, Hunt County, Texas.

No one spoke for or against.

5. Take testimony concerning involuntary annexations of S3934 Magnolia Place, Lot 33, 2.99 acres more or less, situated along CR 2597, Hunt County, Texas; S3934, Magnolia Place, Lot 32, 1.91 acres more or less, situated along CR 2597, Hunt County, Texas.

No one spoke for or against.

6. Take testimony concerning involuntary annexations of A0946 Shelby County School Land, Tract 57-44, 12.5 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 57-100, 1.88 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 85-1, 3.4 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 69, 4.43 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 69-1, 2.93 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 3, 1.87 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 3-1, 1.6199 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 3-1A, 1.7401 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 53, 6.444 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 50-3, 3.5 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 50-1, 1.84 Acres, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 50, 4.6 Acres, more or less, situated along I-30, Hunt County, Texas; and A0946 Shelby County School Land, Tract 50-2, 6 Acres, more or less, situated along I-30, Hunt County, Texas.

Jim Dunn, PO Box 835, Pastor of Quest Church, spoke against the annexation. It will present significant challenges to expansion plans they have. He requested that they City consider removing them from the annexation, along with the tract of land to the east of them that they are in the process of purchasing.

Council Member Branch stated that he would like for Mr. Dunn, the City Manager, and City Attorney have some discussions with regard to the annexation.

Tom Fergus, 4495 CR 2509, spoke against the annexation. He is curious as to how he is in this annexation when one of his neighbors is not. He would like to know if

there is anything that he can do to change this. He wants to make sure that it will be classified as residential and not commercial since there are three families living there. He asked about procedures.

Mayor Nichol stated Mr. Fergus would need to sit down with the City Attorney and City Manager and have them look at it.

H. CLOSE PUBLIC HEARING AT 7:29 PM

I. PUBLIC HEARING #2 AT 7:29 PM

1. Take testimony concerning an involuntary annexation of A1297 May James, Tract R500, 0.5 acres, more or less, situated along I-30, Hunt County, Texas.

No one spoke for or against.

2. Take testimony concerning involuntary annexations of A1297 James May, Tract 18-1, 0.45 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R11-1, 3.256 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R1-1, 1.3454 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-4, 8.589 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R9, 2.028 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R700, 1.0834 areas, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R1-3, 5.0626 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-6, 3 acres, more or less, situated near I-30, Hunt County, Texas; A1297 James May, Tract R1-3A, 9.099 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R3-2, 3.491 acres, more or less, situated along I-30, Hunt County, Texas; A1297 James May, Tract R3-1, 3.003 acres, more or less, situated along I-30, Hunt County, Texas.

No one spoke for or against.

3. Take testimony concerning involuntary annexations of S3934 Magnolia Place, Lot 33, 2.99 acres more or less, situated along CR 2597, Hunt County, Texas; S3934, Magnolia Place, Lot 32, 1.91 acres more or less, situated along CR 2597, Hunt County, Texas.

No one spoke for or against.

4. Take testimony concerning involuntary annexations of A0946 Shelby County School Land, Tract 57-44, 12.5 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 57-100, 1.88 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 85-1, 3.4 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 69, 4.43 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 69-1, 2.93 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 3, 1.87 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 3-1, 1.6199 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 3-1A, 1.7401 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 53, 6.444 Acres, more or less, situated along CR 2509, Hunt County, Texas; A0946 Shelby County School Land, Tract 50-3, 3.5 Acres, more or less, situated along I-30, Hunt County, Texas; A0946 Shelby County School Land, Tract 50-1, 1.84 Acres, situated along I-30, Hunt County,

Texas; A0946 Shelby County School Land, Tract 50, 4.6 Acres, more or less, situated along I-30, Hunt County, Texas; and A0946 Shelby County School Land, Tract 50-2, 6 Acres, more or less, situated along I-30, Hunt County, Texas.

Jim Dunn wants to be on the record that he is against the annexation.

J. CLOSE PUBLIC HEARING #2 AT 7:36 PM

K. RECONVENE REGULAR CITY COUNCIL MEETING AT 7:36 PM

L. CONSENT AGENDA

1. City Council Minutes: September 27, 2016
2. Interlocal Agreement with Rockwall County for Fire Protection Services, authorizing the Mayor and Fire Chief to sign all documents related thereto.
3. General Certificate of the City of Royse City regarding the issuance of bonds styled "North Texas Municipal Water District Sabine Creek Regional Wastewater System Contract Revenue Bonds, Series 2016" by North Texas Municipal Water District, authorizing the Mayor to sign all documents related thereto.
4. Authorize the City Manager to sign letter engaging Rutledge Crain & Company, PC as the firm to conduct the City's audit for the fiscal year ending September 30, 2016, and any matters related thereto.

Council Member Houk made a motion to approve the Consent Agenda. Council Member Crowley seconded the motion. **Motion passed 6-0.**

M. BUSINESS

1. 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 Parker Creek Estates, L.P., a Texas limited partnership on September 1, 2016 requesting that the City create a public improvement district to include the property consisting of 310.202 acres and located within 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.

Jason Day explained that this is in reference to the 2002 original agreement that approved a MUD. By creating a PID, it will dissolve the MUD which is what the City Council wanted. The next will be that a service and assessment plan will be prepared. Shannon is engaging some consultants to do that. It is at no cost to the City; that is billed as a cost into the district.

Council Member Houk made a motion to approve the Resolution. Council Member Bradley seconded the motion. **Motion passed 6-0.**

2. Consider and act concerning an Ordinance regarding a zoning change from Agriculture to Commercial 1 for the property described as Tract 13-02 of the JWF Stone Survey, Abstract No. 198 (1.10 acres), Royse City, Rockwall County, Texas (also known as 127 FM 2453, Royse City, Texas). Property is located on the southeast corner of FM 35 and FM 2453, and any matters related thereto.

Mayor Pro Tem Ellis stepped down from the dais due to a conflict of interest.

Janet McPherson stated that this property is at the southeast corner of FM 35 and FM 2453. A short time ago, the corner to the west of the property was rezoned to Commercial 1. The Future Land Use Map identifies the area as commercial; therefore, the rezone would be in line with the Future Land Use Map. The Planning and Zoning Commission recommended approval.

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

Mayor Pro Tem returned to the dais.

3. Consider and act concerning an Ordinance regarding Final Plat of 1565 Hilltop Addition, 13.55 acres out of the Shelby County School Land Survey, Abstract No. 946, Hunt County, Texas, an addition in the Extraterritorial Jurisdiction of the City of Royse City, and any matters related thereto.

Janet McPherson stated this property is located on the east side of FM 1565, south of Interstate 30, at the northeast corner of FM 1565 and CR 2512. It is about 13.5 acres, outside the city limits but within the extraterritorial jurisdiction. This plat was originally submitted, but denied at the September 13, 2016 City Council Meeting due to changes not being made as recommended by the Planning and Zoning Commission. The applicant has resubmitted the final plat with the recommended changes. The Planning and Zoning Commission are recommending approval of the final plat.

Mayor Pro Tem Ellis made a motion to approve the Final Plat of 1565 Hilltop Addition. Council Member Houk seconded the motion. **Motion passed 6-0.**

4. Consider and act concerning the First Amendment to The Meadows Development Agreement, and any matters related thereto.

Jason Day stated that this is a minor amendment to The Meadows Development Agreement. The Meadows contacted him about a month ago regarding a typo. They are trying to lock in on some builders and recognized this typo. It is on item 16 (c) it is switching the 60 feet and the 50 feet. Part of the Meadows backs up to Veranda. Even though Verandah is not in our city, we are trying to make for a transition to not go with the high apartment buildings at first, so there would be a transition from smaller apartment buildings, and then as you got into development, the higher apartment buildings were there. For whatever reason, there was a typo that said the ones next to Veranda had to be the highest. This is just switching that.

Council Member Bradley made a motion to approve the First Amendment to The Meadows Development Agreement as submitted. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

5. Consider and act concerning a Resolution Setting the Date, Time, and Place for Public Hearings on Proposed Voluntary Annexation Located along CR 1031 in Collin County and CR 2552 in Hunt County, and any matters related thereto.

Deborah Sorensen stated that she had received a petition for a voluntarily annexation from Mary Ellen Boozer. A portion of her property in Collin County is already in the City Limits. She would like all of her property inside the City Limits.

Mayor Pro Tem Ellis made a motion to approve the Resolution. Council Member Houk seconded the motion. **Motion passed 6-0.**

6. Consider and act concerning a Resolution cancelling the November 22, 2016 and December 27, 2016 Regular City Council meetings, and any matters related thereto.

Carl Alsabrook stated that typically City Council cancels the second meetings in November and December due to the Thanksgiving and Christmas holidays.

Mayor Pro Tem Ellis made a motion to approve the Resolution. Council Member Branch seconded the motion. **Motion passed 6-0.**

7. Discussion concerning City Manager update: Development, Main Street Pumpkin Patch – October 12th thru October 31st, 111 E. Main Street, Trick-or-Treat on Main Street – October 26th 6:00-8:00 pm, Comp Plan Update – October 24th 6:30 pm at First Baptist Church, and any matters related thereto.

Carl Alsabrook reported that work has begun on Lot 10, which is a medical complex. The potential openings are as follows, October 17th for Whataburger, October 24th for Dairy Queen, October 31st for O'Reilly's, and November 5th is a soft opening date for Tractor Supply with the official grand opening on November 11th, Veteran's Day.

Old Greenville Road and Jones Street are complete and look great. He may have the figures for two more streets to be addressed soon.

Main Street Pumpkin Patch is October 12th through October 31st. The Mayor and Paula have done such a wonderful job of decorating.

Trick-or-Treat on Main Street, is October 26th, from 6:00 pm to 8:00 pm.

The Comprehensive Plan, that is going to be a community meeting, is October 24th, 6:30 PM at the First Baptist Church of Royse City. He encourages all to attend if able.

N. RECESS CITY COUNCIL MEETING AT 7:51 PM

O. EXECUTIVE SESSION

Recess into Closed Session in compliance with Section §551.001 etseq. Texas Government Code, to wit:

Section §551.071 - Private consultation with the City Attorney

1. Discussion concerning City's Motion to Intervene in Caddo Mills Application to Expand CCN pending before the Texas Public Utilities Commission.

P. CLOSE EXECUTIVE SESSION AT 7:54 PM

Q. RECONVENE CITY COUNCIL MEETING

1. Further discussion and possible action from Executive Session concerning the City's Motion to Intervene in Caddo Mills Application to Expand CCN pending before the Texas Public Utilities Commission, and any matters related thereto.

No action taken

R. 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.

Council Member Crowley would like to have an agenda item regarding future neighborhoods and development agreements on the next agenda.

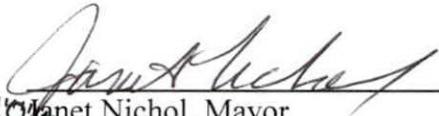
S. **ADJOURN AT 7:56 PM**

Mayor Pro Tem Ellis made a motion to adjourn. Council Member Bradley seconded the motion. **Motion passed 6-0.**

ATTEST:



Deborah Sorensen, TRMC, City Secretary



Janet Nichol, Mayor



The seal is circular with a double-line border. The outer ring contains the text "CITY OF ROSEBUD, TEXAS" in all caps. The inner circle contains the word "SEAL" in all caps.