



**MINUTES-REGULAR
COUNCIL MEETING**

Tuesday, January 28, 2014 – 7:00 pm
Police and Courts Building, 100 West Main Street
Royse City, Texas

A. CALLED TO ORDER AT 7 PM BY MAYOR BALEY

Members Present: Mayor, Jerrell Baley
Council Member Place 1, Janet Nichol, Mayor Pro Tem
Council Member Place 3, Bill Bell
Council Member Place 4, Matt Wheatley
Council Member Place 5, James Branch
Council Member, Place 6, Tom Crowley

Member Absent: Council Member Place 2, Clay Ellis

Staff Present: City Manager, Carl Alsabrook
City Attorney, Jason Day
City Secretary, Brenda Craft
Ex. Director of Development & Community Services, Janet McPherson
Fire Chief, Richard Bell
Police Chief, Jeff Stapleton
CFO, Joe Stegall
HR Director, Tauna Ratliff
Director of HR, Tauna Ratliff
Ex. Director Community Development Corp., Larry Lott
Sr. Project Coordinator, Thomas Fry
Building Official, Pat Baugh
Municipal Court Administrator, Jacob Wetzel

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Mayor Pro Tem Nichol.

C. EMPLOYEE RECOGNITIONS

Brenda Craft – 20 years of service, recognized with plaque
Richard Bell – 30 years of service, Royse City Fire Department, recognized with plaque
Jacob Wetzel – new employee - Municipal Court Administrator
Pat Baugh – new employee – Building Official

D. TEXAS COMPTROLLER SILVER MEMBER CERTIFICATE

Mr. Stegall: On first submittal to state a silver or bronze were the two certificates that could be awarded. Royse City received the higher of the two being the Silver Certificate. This process indicates that the city’s transparency regarding financials is a big plus. Mr. Stegall thanked Maria Lucero and her staff for their hard work.

E. RECESSED REGULAR COUNCIL MEETING AT 7:10 PM

F. PUBLIC HEARING AT 7:10 PM

1. Take testimony concerning a Specific Use Permit application for a restaurant with alcohol sales to be located at 146 E Main Street, Royse City, Rockwall County (also known as Lot 43, Block F of the Business Addition).

Ms. McPherson: Property is the current Marisco's building, the building has not been sold only the business. Per Ordinance all restaurants require a Specific Use Permit (SUP). Planning and Zoning Commission recommended approval for the Specific Use Permit with no special conditions.

No citizens for or against.

2. Take testimony concerning a rezoning application by owner rezoning Tract 2-2 of the Richard Mead Survey, Abstract 141 (also known as 2812 FM 35), Royse City, Rockwall County, from Single-Family 2 to Commercial 1.

Ms. McPherson: BHP Water Supply owns the 5 acre property. The property will be used for offices/daily operations/back portion for maintenance for vehicles/drive through for payments. Front 300 feet of property is zoned Commercial 1 (C1), back portion is zoned Single Family 2 (SF2). The rezoning is to make the entire 5 acres zoned Commercial 1 (C1). Will return next month for SUP for the business.

No citizens for or against.

3. Take testimony concerning amending Royse City Zoning Ordinance (06-05-503), Chapter. 14 of the Royse City code of Ordinances, Section 2-5 Nonconforming Uses of Land, #3, increasing the time of vacancy allowed from three months to nine months.

Ms. McPherson: Currently non-conforming use vacancy regarding residential homes is three months. Planning and Zoning Commission discussed possible amendment at several meetings. P&Z recommendation is to change the time period to nine months with no variances.

No citizens for or against.

G. CLOSEED PUBLIC HEARING AT 7:18 PM

H. RECONVENED REGULAR COUNCIL MEETING AT 7:18 PM

I. CITIZEN PARTICIPATION - NONE

This Period is reserved for citizens to discuss items not listed on the listed Agenda, (persons may have three (3) minutes to address the council) however, by law, no action or discussion may be taken on these items.

J. CONSENT AGENDA (needed if items are moved to Consent) - NONE

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.

K. BUSINESS

1. Consider and act concerning a Resolution of support for Bonner Carrington regarding the proposed apartment homes for Cypress Creek at Parker Creek South or Cypress Creek at Parker Creek North, and any matters related thereto.

Mr. Alsabrook: The Resolutions are supporting the concept of Multi-Family proposed apartment homes. Location will be decided between properties located north and south of Interstate 30. Part of the property located south is currently out of the city limits. If chosen south property that is out of the city limits will be voluntarily annexed into the city before construction begins. City to pay to upgrade infrastructure. \$200,000 commitment of funds from Impact Fees. This commitment is an investment in the future to open up the whole area for future lines needed for development plus will open up areas on both sides of Wal-Mart.

Stewart Shaw, CEO Bonner Carrington: Apartment Homes to be an asset to the community, will serve the community well, for young and older families alike. Their building standards will exceed our building standards, will be here to serve Royse City. 2/3 of apartment homes affordable (low to moderate but on the moderate side) 1/3 market rate. These apartment homes are **not** Section 8 Housing. Renters: no felony convictions, must have job with decent credit. Management: highly intentional. Apartment home communities can change lives with a long lasting home environment.

Motion was made by Mayor Pro Tem Nichol, second by Council Member Wheatley to approve Resolutions of support for Bonner Carrington regarding the proposed apartment homes for Cypress Creek at Parker Creek South and Cypress Creek at Parker Creek North. Mayor Pro Tem Nichol amended her motion to include approving the changes made to the Resolutions received during the council meeting, second by Council Member Wheatley to approve Resolutions of support for Bonner Carrington regarding the proposed apartment homes for Cypress Creek at Parker Creek South and Cypress Creek at Parker Creek North with changes made to the resolutions received during the council meeting. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

2. Consider and act concerning an Ordinance for a Specific Use Permit for a restaurant with alcohol sales to be located at 146 E Main Street, Royse City, Rockwall County (also known as Lot 43, Block F of the Business Addition), and any matters related thereto.

Ms. McPherson: Restaurant to be Main St. Café and Grill. Beer to be sold at restaurant.

Motion was made by Council Member Crowley, second by Mayor Pro Tem Nichol to approve an Ordinance for a Specific Use Permit for a restaurant with alcohol sales to be located at 146 E Main Street, Royse City, Rockwall County (also known as Lot 43, Block F of the Business Addition). **Motion carried: 4 Ayes (Nichol, Wheatley, Crowley and Baley), 2 Nays (Bell and Branch), and 0 Abstentions.**

3. Consider and act concerning an Ordinance rezoning Tract 2-2 of the Richard Mead Survey, Abstract 141 (also known as 2812 FM 35), Royse City, Rockwall County, from Single-Family 2 to Commercial 1, and any matters related thereto.

Ms. McPherson: Property for BHP Water Supply offices/daily operations/back portion for maintenance for vehicles/drive through for payments too. Commercial 1 (C1) zoning is needed.

Motion was made by Council Member Bell, second by Mayor Pro Tem Nichol to approve an Ordinance rezoning Tract 2-2 of the Richard Mead Survey, Abstract 141 (also known as 2812 FM 35), Royse City, Rockwall County, from Single-Family 2 (SF2) to Commercial 1 (C1). **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

4. Consider and act concerning an Ordinance amending Royse City Zoning Ordinance (06-05-503), Chapter. 14 of the Royse City code of Ordinances, Section 2-5 Nonconforming Uses of Land, #3, increasing the time of vacancy allowed from three months to nine months, and any matters related thereto.

Ms. McPherson: Amendment gives residential owners more time if their property is vacant.

Motion was made by Council Member Bell, second by Council Member Wheatley to approve an Ordinance amending Royse City Zoning Ordinance (06-05-503), Chapter. 14 of the Royse City code of Ordinances, Section 2-5 Nonconforming Uses of Land, #3, increasing the time of vacancy allowed from three months to nine months. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

5. Discussion concerning financials of January 2014 Cash Flow/Debt Service and December 2013 Budget Variance Report/Expenditures/Revenue and Cash Analysis, and any matters related thereto.

Mr. Stegall: Will receive 90% of Property Tax by mid-March. 10% over on Sales Tax. General Fund revenue and expenditure is at 25%. Budget review - will not spend funds on any extras this quarter.

6. Consider and act concerning amending the Code of Ordinances by amending Chapter 3 Building Regulations, Division 3 Residential Code, adopting the 2009 Edition of the International Residential Code, with amendments, and any matters related thereto.

Mr. Day: City Attorney recommends tabling until next council meeting.

Motion was made by Council Member Branch, second by Council Member Bell to table until next council meeting. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

7. Consider and act concerning amending the Code of Ordinances by amending Chapter 3 Building Regulations, Division 9 Property Maintenance Code, with amendments, and any matters related thereto.

Mr. Day: Property Maintenance Code is not much used but fences and high weeds needed to be clarified. Amending Ordinance is the clarification.

Motion made by Council Member Branch, second by Council Member Crowley to approve concerning amending the Code of Ordinances by amending Chapter 3 Building Regulations, Division 9 Property Maintenance Code, with amendments. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

8. Discussion concerning 2005 Comprehensive Plan and addendums for Building Use Assumptions and Park Uses, and any matters related thereto.

Mr. Alsabrook: Council Members look over the 2005 revision of the Comprehensive Plan. Will discuss in two weeks. Council to relay their interests to add to the Comp Plan in two weeks. Sample – Facilities, Parks, etc.

9. Consider and act concerning rescinding Resolution 07-03-560R naming city facility Zaner Robison Museum, and any matters related thereto.

Motion was made by Mayor Pro Tem Nichol to **NOT** rescind resolution No. 07-03-560R naming city facility Zaner Robison Museum.

10. Consider and act concerning a Resolution naming a city facility Royse City Museum, and any matters related thereto.

Motion was made by Council Member Crowley, second by Mayor Baley to add Royse City to the museum name, “Royse City Zaner Robison Museum”. **Motion failed: 2 Ayes (Crowley, Baley), 4 Nays (Nichol, Bell, Wheatley, Branch), and 0 Abstentions.**

11. Consider and act concerning amending the Code of Ordinances by eliminating Article 1.04 Boards, Commissions and Committees, Division 6, Museum Advisory Board, and Article 1.09 Library, Division 2, Advisory Board, and any matters related thereto.

Council Member Branch: Friends of the Library and Friends of the Museum Boards take care of the Library and Museum therefore eliminating the need for Advisory Boards.

Mr. Stegall: Advisory Board fundraiser funds go to the city, Friends Boards keep their fundraiser funds.

Council Member Crowley: Any feedback from the Friends Boards?

Motion was made by Council Member Crowley, second by Council Member Wheatley to amend the Code of Ordinances by eliminating Article 1.04 Boards, Commissions and Committees, Division 6, Museum Advisory Board, and Article 1.09 Library, Division 2, Advisory Board. **Motion carried: 4 Ayes (Wheatley, Branch, Crowley, Baley), 2 Nays (Nichol, Bell), and 0 Abstentions.**

12. Consider and act concerning consolidating Library Advisory Board and the Museum Advisory Board to the Cultural Arts Advisory Board, and any matters related thereto.

Motion was made by Council Member Crowley to consolidate Library Advisory Board and the Museum Advisory Board to the Cultural Arts Advisory Board. **Dies for lack of a second.**

13. Consider and act concerning amending the Code of Ordinances, Division 2. Parks and Recreation and Arts Board, by naming the parks board the “Parks and Recreation

Advisory Board” and the parks director as the Parks Superintendent (removing the word “Arts”), and any matters related thereto.

No action.

14. Discussions concerning City Manager Carl Alsbrook update: Erby Campbell, Tree Limbs, Erby Campbell Interchange Groundbreaking, Road Repairs, Park Community Build, Winter Wonderland, and any matters related thereto.

Erby Campbell: Alsbrook, Lott and Nichol attended TxDOT meeting concerning one-way service roads and exit signage on I-30 for FM 548. March or April all service roads to begin one-way. Sound wall at Briarstone to add 6 months to project
Tree Limbs: City crews attempted to remove all limbs, job too big. Contracted out, city virtually cleared of limbs

Erby Campbell Interchange Groundbreaking: Friday at 2 pm Walker/Hawk, rainout location City Hall Melody Rm.

Road Repairs: Baldwin and Stedham have been milled. Lula, Lynn and Adams next

Park Community Build: Feb 7/8 (could change) – volunteers sign up with Parks

Winter Wonderland: Feb 15th 11am till 4pm

L. 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.

M. ADJOURNED AT 8:16 PM

Mayor Pro Tem Nichol moved Council Meeting Adjourn. Adjournment unanimous at 8:16 pm.

ATTEST:



Brenda Craft, City Secretary



Janet Nichol, Mayor Pro Tem