



# AGENDA-REGULAR COUNCIL MEETING

**Tuesday, April 8, 2014 – 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 pre-council meeting social gathering. No action of the City Council will be taken at this gathering. Council Chambers will be open to the public.

- Jerrell Baley.....Mayor
- Janet Nichol..... Mayor Pro Tem, Place 1
- Clay Ellis.....Place 2
- Bill Bell.....Place 3
- Matt Wheatley.....Place 4
- James Branch.....Place 5
- Tom Crowley .....Place 6
  
- Carl Alsabrook..... City Manager
- Jason Day..... City Attorney
- Brenda Craft..... City Secretary

*The City of Royse City reserves the right to realign order of agenda at any time prior to adjournment. If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meeting Act, Texas government Code §551.001 et seq. (the "Act"), will be held by the City Council at the date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and all purposes permitted by the Act, including, but not limited to the following sanctions and purposes:*

- Texas Government Code Section
- §551.071 – Private consultation with the attorney for the City of Royse City
  - §551.072 – Discussing purchase, exchange, lease or value of real property
  - §551.074 – Discussing personnel matters
  - §551.073 – Discussing gifts and donations
  - §551.087 – Discussing economic development negotiations

The Mayor and Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Chambers to respond to a page or to conduct a phone conversation.

- A. CALL TO ORDER**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. PRESENTATION - TEEN COURT KIDS**
- D. RECESS REGULAR COUNCIL MEETING**

## **E. PUBLIC HEARING**

1. Take testimony concerning amending Royse City Ordinance Chapter 14 of the Royse City Code of Ordinances: Section 3-1: Use of Land and Buildings; Land Use Table, requiring Specific Use Permits in Commercial 1, Commercial 2, and Industrial for the use “Tobacco Shop”; Section 3-2: Special Conditions for Listed Uses, A. Description of Land Use Table Conditions and Special Regulations, adding: 26. Establishment must post signs prohibiting entrance of anyone younger than 18 years of age without being accompanied by a parent or legal guardian. Establishment must refuse entrance to anyone under the age of 18 without being accompanied by parent or legal guardian. 27. Establishment must meet distance requirements of a business that sales alcoholic beverages as outlined in Section 4.04.32 (a) – (c); and Section 3-4: Land Use Definitions and Explanations, amending the definition of “Tobacco Shop” to be: 1) A retail establishment who holds a permit from the State of Texas for retail sales of tobacco and whose display space and / or gross sales exceed 25% of tobacco, smoking products, electronic cigarettes, or any smoking paraphernalia; or 2) any person who does not hold a permit from the State of Texas for retail sales of tobacco and who sells electronic cigarettes or any smoking paraphernalia.

## **F. CLOSE PUBLIC HEARING**

## **G. RECONVENE REGULAR COUNCIL MEETING**

## **H. CITIZENS PARTICIPATION**

*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.*

## **I. 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 Regular Meeting Minutes: March 11, 2014 and March 25, 2014.
2. Ordinance, amending the Code of Ordinances by adding creating the Cultural Arts Advisory Board, setting powers and duties, terms and meetings. (Board creation approved at the Regular Council Meeting held March 25, 2014)

## **J. BUSINESS**

1. Consider and act concerning authorizing Mayor Baley to sign the “Letter of Intent”, regarding the county-wide radio communications and dispatch center, drafted by Rockwall County; within the next thirty days Judge Hogan or Commissioner Bailey would brief the council regarding the Interoperability Radio Network (IRN) and dispatch services, allowing for the letter of intent signed by the Mayor returned to the county within the next thirty days, and any matters related thereto.
2. Consider and act concerning an Ordinance amending the Code of Ordinance Article 3.02 Technical and Construction Codes and Standards Sec 3.02.051 and 3.02.052 adopting the 2009 Building Code with amendments, and any matters related thereto.
3. Consider and act concerning an Ordinance amending Royse City Ordinance Chapter 14 of the Royse City Code of Ordinances: Section 3-1: Use of Land and Buildings; Land Use Table, requiring Specific Use Permits in Commercial 1, Commercial 2, and Industrial for the use “Tobacco Shop”; Section 3-2: Special Conditions for

Listed Uses, A. Description of Land Use Table Conditions and Special Regulations, adding: 26. Establishment must post signs prohibiting entrance of anyone younger than 18 years of age without being accompanied by a parent or legal guardian. Establishment must refuse entrance to anyone under the age of 18 without being accompanied by parent or legal guardian. 27. Establishment must meet distance requirements of a business that sales alcoholic beverages as outlined in Section 4.04.32 (a) – (c); and Section 3-4: Land Use Definitions and Explanations, amending the definition of “Tobacco Shop” to be: 1) A retail establishment who holds a permit from the State of Texas for retail sales of tobacco and whose display space and / or gross sales exceed 25% of tobacco, smoking products, electronic cigarettes, or any smoking paraphernalia; or 2) any person who does not hold a permit from the State of Texas for retail sales of tobacco and who sells electronic cigarettes or any smoking paraphernalia, and any matters related thereto.

4. Consideration and action on final plat application for: Final Plat of the Kerala Christian Retirement Community, Phase 1 of Phase 1A, 38 Lots, 21.1422 acres (of the John Foote Survey, Abstract No. 333), Royse City, Collin County, Texas., and any matters related thereto.
5. Consider and act concerning a Resolution initially appointing the prior Library Advisory Board Members as members of the Cultural Arts Advisory Board, and any matters related thereto.
6. Consider and act concerning approval to implement continuation of North Texas Municipal Water District (NTMWD) Seasonal Watering as Part of Stage 3 of the Water Conservation and Drought Contingency and Water Emergency Response Plan beginning April 1, 2014 through April 30, 2014; landscape watering is allowed only once every two weeks with even addresses watering on Tuesday and odd addresses watering on Thursday, with subsequent month to month extensions considered, and any matters related thereto.
7. Consider and act concerning a recommendation from the Parks and Recreation Board, approving a Resolution naming a park and or water tower on Main Street in honor of Ouida Baley, and any matters related thereto.
8. Discussions concerning City Manager Carl Alsbrook update: Erby Campbell, April 11<sup>th</sup> Ribbon Cutting at City Lake Park for new playground, Car Show May 10<sup>th</sup>, Rough Riders Baseball Game on May 3<sup>rd</sup>, Spring Clean-up in May, street rehabilitation, any matters related thereto.

**K. RECESS REGULAR MEETING**

**L. EXECUTIVE SESSION**

Recess into Closed Session in compliance with Section the Texas Government Code, to wit:

- a. Section 551.074. Personnel Matters: Discuss personnel organization of the judiciary and the transference of duties between the judges. Discuss process for selecting new Associate Municipal Court Judge.

**M. CLOSE EXECUTIVE SESSION**

**N. RECONVENE REGULAR MEETING**

Action as a result of Executive Session.

**O. 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.

**P. ADJOURN**

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Public Meeting Notice was posted on the outside bulletin board, at the front entrance of City Hall of the City of Royse City, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

**Posted April 4, 2014 by 7:00 pm and remained so posted at least 72 hours before said meeting was convened.**

Brenda Craft, City Secretary

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS**

**Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 524-4825 or by FAX (972) 635-2434. BRAILLE IS NOT AVAILABLE.**

*NOTE:* The City of Royse City, Texas meets regularly on the second and fourth Tuesday night of each month at 7:00 pm. The Council follows a printed Agenda for official action. *Any individual desiring official action should submit his/her request to the office of the City Manager not later than fifteen (15) days prior to the Council Meeting.*

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the outside bulletin board in the front of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

Signature \_\_\_\_\_

Title \_\_\_\_\_