



**MINUTES-REGULAR
COUNCIL MEETING**

Tuesday, May 13, 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.
* No action was taken at the social gathering.

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 2, Clay Ellis
Council Member Place 3, Bill Bell
Council Member Place 4, Matt Wheatley
Council Member Place 5, James Branch
- Member Absent: Council Member, Place 6, Tom Crowley
- Staff Present: City Manager, Carl Alsbrook
City Attorney, Jason Day
City Secretary, Brenda Craft
Asst. City Secretary, Julia Riley
Ex. Director of Development & Community Services, Janet McPherson
Ex. Director of Community Development Corp., Larry Lott
Sr. Project Coordinator, Thomas Fry
Fire Chief, Richard Bell
Police Chief, Jeff Stapleton
Main St Manager, Paula Morris
HR Director, Tauna Ratliff
Public Works Director, Dario Lopez
Chairman-Planning & Zoning, Jeff Hays

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Nichol

C. OATH OF OFFICE

Oath of Office administered by City Secretary Brenda Craft.

- Clay Ellis, Council Member Place 2
- Matt Wheatley, Council Member Place 4
- Tom Crowley, Council Member Place 6 – Absent due to illness

D. APPOINT MAYOR PRO TEM

1. Consider and act concerning appointment of Mayor Pro Tem, and any matters related thereto.

Motion was made by Council Member Branch, second by Council Member Bell to appoint Janet Nichol as Mayor Pro Tem. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

E. MOTORCYLCE SAFETY AWARENESS PROCLAMATION

Mayor Baley read and presented the Proclamation to Brandon.

F. MARKETING PREVIEW OF VIDEOS

City Manager and Ex. Director of Community Development Corp.

Audience viewed the marketing videos.
Marketing videos created through the Community Development Corp.

G. CITIZENS 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.

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. Minutes – Regular City Council: April 8, 2014 and April 22, 2014
2. Resolution denying the rate increase requested by Atmos Energy Corp., Mid-Tex Division under the company’s 2014 annual rate review mechanism; requiring the company to reimburse cities’ reasonable ratemaking expenses pertaining to review of the RRM; authorizing the city’s participation with Atmos Cities Steering Committee in any appeal filed at the Railroad Commission of Texas by the company; requiring the company to reimburse cities’ reasonable ratemaking expenses in any such appeal to the Railroad Commission.

Motion was made by Council Member Branch, second by Council Member Wheatley to approve the Consent Agenda. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

I. BUSINESS

1. Consider and act concerning an Ordinance approving voluntary annexation of 5.500 acres, more or less, in the J.W. Beckton Survey, Abstract No. 91, and any matters related thereto.

Mr. Day: Owner of the property requested voluntary annexation with the 5.500 acres zoning to be Commercial 2 (C2).

Motion was made by Council Member Branch, second by Council Member Bell to approve the Ordinance voluntarily annexing 5.500 acres, more or less, in the J.W. Beckton Survey, Abstract No. 91. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

2. Consider and act regarding Community Development Corporation Board recommendation to Council to accept Main Street Boutique and Shanon Zais Photography incentive in the amount not to exceed \$25,000, and any matters related thereto.

Mr. Lott: Community Development Corp. Board recommendation is to approve the incentive for Main Street Boutique (children's and women's clothing) and Shanon Zais Photography in the amount not to exceed \$25,000. Businesses have been established for four years with an established following. The retail building is in bad shape needing extensive amount of work. Business owners will spend \$20,000 of their own money for fix-up of the building. Building owner, Ms. Pauline Taylor will reimburse CDC \$5,000 during the first nine months.

Motion was made by Mayor Pro Tem Nichol, second by Council Member Bell to approve a Community Development Corp. incentive in the amount not to exceed \$25,000 for Main Street Boutique and Shanon Zais Photography. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

3. Receive and accept the Impact Fee Capital Improvements Advisory Committee's recommendation regarding the continuation of temporarily reducing a portion of the Impact Fees, and any matters related thereto.

Ms. McPherson: The Impact Fee Advisory Board met on May 5, 2014. The Board reviewed permits issued since the adoption of impact fee reduction ordinance and other information. The Board voted to recommend the ordinance to expire, as written.

J. RECESS REGULAR COUNCIL MEETING AT 7:27 PM

K. PUBLIC HEARING AT 7:27 PM

1. Take testimony regarding the continuation of temporarily reducing a portion of Impact Fees pursuant to Section 10.03.046(C) of the Code of Ordinances and adopting criteria to be used in determining whether particular new residential development is eligible for a waiver of Impact Fees.

Ms. McPherson: May 2012 impact fee reduction ordinance was passed by the council for existing platted lots with a home value minimum of \$170,000, with a plumbing ruff called in within 90 days. Impact Fee Advisory Board met and voted to recommend the ordinance expire, as written. **Mr. Lott:** In the past two years 178 permits with 78% \$170,000 or more, leaving only 22% under the minimum with five new builders. Mr. Lott believes reduction ordinance worked to a greater degree. His recommendation to council is to extend the ordinance until the end of the year. **Mr. Hays:** Commission took a conservative outlook on the issue with the loss of revenue of \$95,000 in the past two years. With the facts and figures Mr. Lott has presented he understands the good publicity of extending the reduction to the end of the year. **Mr. Alsabrook:** Currently the five-year impact fee study is on-going, should be late November or December before completed.

No citizens for or against.

L. CLOSE PUBLIC HEARING AT 7:42 PM

M. RECONVENE REGULAR COUNCIL MEETING AT 7:42 PM

4. Consider and act concerning An Ordinance regarding the continuation of temporarily reducing Partial Waiver of Impact Fees regarding land use assumptions in regards to the Capital Improvements Plan, and any matters related thereto.

Motion was made by Council Member Ellis, second by Council Member Bell, to extend the Impact Fee Reduction Ordinance until the first meeting of December 2014.

Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.

5. 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 **May 1, 2014 through May 31, 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.

Mr. Lopez: This item represents the month to month approval 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. Water from Lake Texoma will be treated and blended with the water from Lake Lavon, should come to us June 1, 2014. Lake Lavon down 11.39 feet.

Motion was made by Mayor Pro Tem Nichol, second by Council Member Branch to approve the 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 **May 1, 2014 through May 31, 2014**. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

6. Consider and act concerning a Resolution appointing a new member to the Parks and Recreation Advisory Board for an unexpired term ending December 31, 2015, for Place 4 (Council Member Wheatley) due to the resignation of Frank Nemeth, and any matters related thereto.

Motion was made by Council Member Wheatley, second by Council Member Bell to approve David Raglin for the unexpired term ending December 31, 2015 to the Parks and Recreation Advisory Board. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

7. Consider and act concerning an Ordinance amending the Code of Ordinances regarding Main Street District in the Heritage Preservation District Certificates of Appropriateness authority is directed to city staff and/or the Main St. Advisory Board, and any matters related thereto.

Motion was made by Mayor Pro Tem Nichol, second by Council Member Ellis to table this item till a future date to gather more information. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

8. Consider and act concerning the color scheme and design for the “Wayfinding Signs” to be placed throughout the city, and any matters related thereto.

Motion was made by Mayor Pro Tem Nichol to approve the sample with the dark background and white letters. **Motion carried: 5 Ayes, 1 Nays (Wheatley), and 0 Abstentions.**

9. Consider and act concerning a Resolution reviewing the Investment Policy for the 2013-2014 fiscal year, and any matters related thereto.

Mr. Stegall: This item is the annual review of the Investment Policy. No changes.

Motion was made by Council Member Branch, second by Council Member Wheatley to approve the Resolution reviewing the Investment Policy for the 2013-2014 fiscal year. **Motion carried: 6 Ayes, 0 Nays, and 0 Abstentions.**

10. Consider and act concerning a recommendation from the Parks and Recreation Advisory Board to designate the two lots west of the Mr. Royse House on N. Houston as a Heritage Park, and any matters related thereto.

Ms. McPherson: Two lots recommended by the Parks and Recreation Advisory Board to be designated as a Heritage Park with no particular plans at this time. **Mr. Day:** State law provides the voters must vote to un-designate park land.

Motion was made by Council Member Bell, second by Mayor Pro Tem Nichol to approve the recommendation of the Parks and Recreation Advisory Board to designate the two lots west of the Mr. Royse House on N. Houston as a Heritage Park. **Motion carried: 5 Ayes, 1 Nays (Branch), and 0 Abstentions.**

11. Consider and act concerning opening of State Highway 66 Splash Park on Memorial Day while under North Texas Municipal Water District water restrictions, and any matters related thereto.

Mr. Lopez: 2.9-2.7 million gallons of water used for the Splash Park from the summers of 2010 through 2012. Summer of 2013 only open for the month of June with the park using 621,000 gallons, leaving about 100 million gallons on the table for 2013. Currently at 62.3% for the take or pay. **Council Member Branch:** Has concerns opening the park but it would be nice to have the park open on the holidays. **Mr. Day:** Other communities have pools and more pools at residents homes too. The Splash Park is just about the only entertainment we have for the kids. **Council Member Branch:** If we vote to open the park I would like to see a detailed monthly percentage-wise on the number of gallons used. **Mr. Lopez:** Monthly reports are received on the percentages of water used. Reports can be supplied to the council in detail. **Mr. Alsabrook:** Reports will be sent to the council. Maintenance on the park surface is needed before the park is open to the public.

Motion was made by Mayor Pro Tem Nichol, second by Council Member Wheatley to open the Splash Park from Memorial Day through Labor Day. **Motion carried: 5 Ayes, 1 Nays (Ellis), and 0 Abstentions.**

12. Discussions concerning City Manager Carl Alsabrook update: Development, removal of islands and/or no parking on N. Houston St., Royse City’s Celebrate Freedom events, city picnic on May 18th, Car Show on Main St, Summer Parks Program, May Spring Clean-up, Rockwall County Radio Communications and Dispatch Center letter of intent, and any matters related thereto.

Development: Received final plans on Wal-Mart.

Removal of islands and/or no parking on N. Houston St.: Removal of islands estimated cost of \$75,000. No parking signs not recommended by traffic engineer. Chief Stapleton indicated no accidents on N. Houston. With no direction from council no future action to be taken.

Royse City's Celebrate Freedom events: Mark Chestnut to perform, vendors and games.

City picnic on May 18th: At Walker/Hawk with employees bringing food plus the annual baseball game.

Car Show on Main St: 7th Annual, 93 cars, fabulous 1st class event. \$3,127 profit.

Summer Parks Program: 6-12 through 8-14, family friendly events, Lego movie first.

May Spring Clean-up: In June, electronic recycler, controlled drop off.

Rockwall County Radio Communications and Dispatch Center letter of intent:

Rockwall County Commissioner David Magness met with Carl and Larry Lott.

Letter will be on the next agenda.

N. RECESS REGULAR MEETING AT 8:12 PM

O. EXECUTIVE SESSION AT 8:16 PM

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

Section 551.071. Consultation with City Attorney: Consultation with city attorney regarding Sabine Creek Wastewater System Contract with North Texas Municipal Water District.

P. CLOSE EXECUTIVE SESSION AT 8:33 PM

Q. RECONVENE REGULAR MEETING AT 8:33 PM

Action as a result of Executive Session. None.

R. 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.

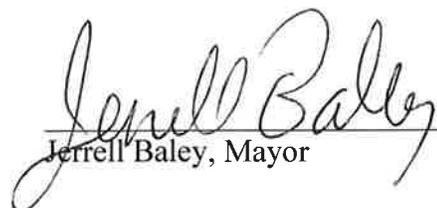
S. ADJOURN AT 8:34 PM

Motion was made by Council Member Bell, second by Council Member Branch to adjourn the Regular Council Meeting. Adjournment unanimous at 8:34 pm.

ATTEST:



Brenda Craft, City Secretary



Jerrell Baley, Mayor