City Council of Royse City, Texas

MINUTES REGULAR COUNCIL MEETING

Tuesday, November 8, 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 7:00 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 4, Matt Wheatley Council Member, Place 6, Tom Crowley
Members Absent:	Council Member Place 5, James Branch
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 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. CITIZEN PARTICIPATION

None

D. RECESS CITY COUNCIL MEETING AT 7:01 PM

E. PUBLIC HEARING

1. Take testimony concerning a voluntary annexation of John Davis Survey, Abstract No. 244, Tract 12, 25 acres, more or less, situated along CR 1031, Collin County, and John Davis Survey, Abstract 1317, Tract R13, 60.07 acres, more or less, situated along CR 2552, Hunt County, Texas.

   No one spoke for or against.

F. CLOSE PUBLIC HEARING AT 7:02 PM

G. CONSENT AGENDA

1. City Council Minutes: October 25, 2016

   Council Member Wheatley made a motion to accept the minutes. Council Member Crowley seconded the motion. **Motion passed 6-0.**

H. RECESS CITY COUNCIL MEETING AT 7:05 PM

I. PUBLIC HEARING #2

1. Take testimony concerning a voluntary annexation of John Davis Survey, Abstract No. 244, Tract 12, 25 acres, more or less, situated along CR 1031, Collin County, and John Davis Survey, Abstract 1317, Tract R13, 60.07 acres, more or less, situated along CR 2552, Hunt County, Texas.

   No one spoke for or against.

J. CLOSE PUBLIC HEARING #2 AT 7:05PM

K. RECONVENE CITY COUNCIL MEETING AT 7:05 PM

L. RECESS CITY COUNCIL MEETING AT 7:05 PM

M. 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 a Development Agreement with Sky 202 E Rusk Series LLC.
2. Discussion concerning a Development Agreement with Quest Church INC.

N. CLOSE EXECUTIVE SESSION AT 7:17 PM

O. RECONVENE CITY COUNCIL MEETING AT 7:17 PM

1. Further discussion and possible action from Executive Session concerning a Development Agreement with Sky 202 E Rusk Series LLC, and any matters related thereto.

   Jason Day stated staff is recommending approval of the Development Agreement.

   Council Member Houk made a motion to approve the Development Agreement with Sky 202 E Rusk Series LLC. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

2. Further discussion and possible action from Executive Session concerning a Development Agreement with Quest Church INC, and any matters related thereto.

   Jason Day stated staff is recommending approval of the Development Agreement.

   Council Member Wheatley made a motion to approve the Development Agreement with Quest Church INC. Council Member Bradley seconded the motion. **Motion passed 6-0.**

P. BUSINESS

1. Consider and act concerning approval of a professional services contract with Birkhoff, Hendricks & Carter, LLP for $49,345.00 and authorize the City Manager to

execute associated documents for performing engineering services for I-30/FM 2642 utility relocations and any matters related thereto.

Shannon Raymond stated this is related to the overpass project. There are water and sewer lines that conflict with the overpass and service roads. Preliminary engineering was done to determine if in fact they were in conflict with the pillars; and, they were. This is for further design of the relocation. The project is intended to be reimbursed by TxDOT. Construction estimate is $650,000. Because it is a reimbursement project, we will be required to cash flow. Depending on the time for everything will determine if a short term loan is needed.

Council Member Wheatley made a motion to approve the contract with Birkhoff, Hendricks & Carter, LLP. Council Member Crowley seconded the motion. **Motion passed 6-0.**

2. Consider and act concerning authorization to award street repair of Lamar Street (from College to Elm) to APAC-Texas, Inc in the amount of $139,786.65, authorizing the City Manager to sign all documents related thereto, and any matters related thereto.

   Carl Alsabrook stated this is for the reconstruction of Lamar Street. Costs came in a little higher than anticipated because of curb and gutter that are located on portions of Lamar Street. Staff does recommend approval.

   APAC did not recommend reconstruction between College Street and the I30 North Service Road, as the quality of the street is still good. Reconstruction will be between College Street and FM 548.

   Dario stated once they receive approval, he will contact APAC tomorrow to get on the schedule. APAC will give him a timeline of when they can start.

   Carl further stated he does not anticipate a quick turnaround because of weather. The temperature has to be above 50 degrees for the whole day.

   Council Member Wheatley made a motion to award street repair of Lamar Street to APAC-Texas, INC. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

3. Consider and act concerning Public Improvement District Administration Services for Union Square and Waterscape PIDs, authorizing City Manager to sign all documents related thereto, and any matters related thereto.

   Shannon Raymond stated the City currently has one Public Improvement District in place; it is Union Square with over 500 homes under development, and another in the formation process, which is Waterscape with over a 1,000 homes. Part of those projects is having an administrator in place. She and Larry Lott, along with Specialized Public Finance, conducted the interviews. Staff recommend PIDWorks, LLC. PIDWorks works specifically for the cities, where some of the others work for the developers as well, which was one of the primary reasons we selected them.

   Council Member Crowley made a motion that the Public Improvement District Services be approved for Union Square and Waterscape PIDS, authorizing the City Manager to sign appropriate documents. Council Member Bradley seconded the motion. **Motion passed 6-0.**

4. Consider and act concerning approving an Ordinance regarding an Involuntary Annexation of A1297 May James, Tract R500, 0.5 acres, more or less, situated along I-30, Hunt County, Texas, and any matters related thereto.

Jason Day explained this was the piece of property just north of I30 and east of FM 2642. It is where the BHP water tower is located. This will bring that portion of the Interstate 30 corridor into the city limits.

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

5. Consider and act concerning approving an Ordinance regarding an Involuntary Annexation 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, and any matters related thereto.

   Jason Day stated this tract of land is situated between FM 2642 and FM 2648. Staff is recommending approval with four removals. Three of the removals are currently in the MUD. Our intentions were never to annex anything from the MUD. These are 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 R1-6, 3.0 acres, more or less, situated near I-30, Hunt County, Texas; and A1297 James May, Tract R1-3A, 9.099 acres, more or less, situated along I-30, Hunt County, Texas.

   Council Member Crowley made a motion to approve an annexation regarding an Involuntary Annexation to exclude 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 R1-6, 3.0 acres, more or less, situated near I-30, Hunt County, Texas; and A1297 James May, Tract R1-3A, 9.099 acres, more or less, situated along I-30, Hunt County, Texas. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

6. Consider and act concerning approving an Ordinance regarding an Involuntary Annexation 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, and any matters related thereto.

   Jason Day stated these are two areas located on the south side of Interstate 30. They abut the east side of Bearpen Creek and directly south of Shaw Drive. Staff is recommending annexation.

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

7. Consider and act concerning approving an Ordinance regarding an Involuntary Annexation 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, and any matters related thereto.

Jason Day stated these are the properties that include the two development agreements that we just passed. It is on the south side of the interstate, almost to FM 1565. This will complete this round of annexations. Staff is recommending approval of this.

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

8. Consider and act concerning a Resolution appointing four Board Members to the Community Development Corporation Board (term Jan. 1, 2017 to Dec. 31, 2018), and any matters related thereto.

   Larry Lott stated we have four members whose terms are up at the end of this calendar year. Those members are Mike Gilbert, Clay Ellis, Jesse Vaughn, and Richard Pense. All four members have volunteered to be re-appointed. The CDC Board is recommending to re-appointment those four members for a two-year term from January 1, 2017 to December 31, 2018.

   Council Member Wheatley made a motion to appoint the four Board Members. Council Member Crowley seconded the motion. **Motion passed 6-0**

9. Discussion concerning City Manager update: Development, Highway 66/Erby Campbell Project, Briarstone Estates Entry Lighting, and any matters related thereto.

   Carl Alsabrook stated the grand opening of Tractor Supply is Saturday, November 12, 2017, at 10:00 AM. They had their soft opening last Friday. Everybody that has been has really enjoyed the store. Work continues, as weather allows, on other projects.

   The Highway 66 and Erby Campbell Project was approved a traffic control light at the location. TxDot is unable to install it prior to the road rehabilitation project that is going to be done on Highway 66 that is starting in April. One thing we did do, a couple of weeks ago, in light of the fact that it was going to be a while before the traffic light went up, and safety is still a concern at that intersection, we asked if there was anything else that could be done. TxDOT suggested a formal request from the City for a four-way stop sign. If they received that request, they would take it under

consideration. They did receive that letter. Have not gotten an exact time on when the four-way stop will go up, but it should be forthcoming.

The Briarstone Estates entry lighting has been taken care of. Thanks to Dario for contacting his person at TxDOT and getting that handled so quickly.

Mayor Nichol mentioned this Friday, November 11, 2016, there will be a Veterans' Day event in the Wal-Mart parking lot from 3:00 PM to 6:00 PM. Wal-Mart is sponsoring this event. Carl will be cooking hotdogs. Funds raised will go to the RCHS Band for their trip. Lift 22 will be presenting fundraising proceeds to Royse City veterans. We will have the opportunity to donate to, or pay for, a gym membership for a veteran that lives here in Royse City.

Q. 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.

   None

R. ADJOURN AT 7:42 PM

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

Janet Nichol, Mayor

ATTEST:

Deborah Sorensen, TRMC, City Secretary

CITY OF ROYSE CITY SEAL TEXAS