



**MINUTES REGULAR  
COUNCIL MEETING**

**Tuesday, August 23, 2016 – 7:00 pm**  
Police and Courts Building, 100 West Main Street  
Royse City, Texas

**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 5, James Branch  
Council Member, Place 6, Tom Crowley

Staff Present: City Manager, Carl Alsbrook  
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 HR, Tauna Ratliff  
Main Street Manager, Paula Morris  
Executive Director of Community Development Corp., Larry Lott

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Ellis gave invocation and led the Pledge of Allegiance.

**C. NEW EMPLOYEES**

1. Troy Eavenson, Police Lieutenant

Police Chief Stapleton introduced the new police lieutenant, Troy Eavenson. Lt. Eavenson has been honorably serving as a police officer for 19 years in law enforcement. Lt. Eavenson began his career in 1997 with the City of Wylie where he served as a patrol officer and a school resource officer. In 1999, Lt. Eavenson left the City of Wylie and took a position with the City of Allen. Lt. Eavenson spent 17 years with the City of Allen where he worked as a patrol officer, a Field Training Officer, narcotics investigator, patrol corporal, crimes against persons, patrol sergeant, and support services sergeant, before accepting the lieutenant position with Royse City Police Department. Lt. Eavenson has been married for 23 years and has three children and two grandchildren.

2. Celina Ramirez, Animal Control Officer

Police Chief Stapleton introduced the new animal control officer, Celina Ramirez. Celina was born and raised in San Antonio, Texas. After high school, Celina joined the United States Marine Corps, where she became an administrative specialist. Celina served on a small base in Fort Worth, where she met her husband, Jonathan. In 2014, Celina honorably discharged and began to pursue a career with animals. Celina and Jonathan moved back to his hometown of Wylie. Since the move, Celina has had quite an exciting job history working as a dog trainer and everything in between. Celina worked three jobs at one point just to get as much experience with animals as she could get. Celina comes from the City of Garland Animal Control with some experience and cannot wait to learn everything there is to know about animal control.

**D. CITIZEN PARTICIPATION**

None

**E. PUBLIC HEARING**

1. Take testimony concerning a request to rezone property from Agricultural to Commercial 1 of the property described as: 0.115 acres of land in part of the James May Survey, Abstract No. 1297 (Verandah), Royse City, Hunt County, Texas. Property is 833 feet east of the intersection of Interstate 30 and FM 2642.

Janet McPherson explained that there is an agreement for Huffines Communities to have a billboard located on this piece of property. In order for Texas Department of Transportation, TxDot, to approve this billboard, it has to be zoned Commercial 1.

Council Member Branch stated he did not remember this being discussed in the Waterscape agreement. Jason Day explained it was part of the original agreement. It was one of the things they did amend. It gave the City ten percent of the advertising time for five years from the date of the agreement. When the agreement was amended, that date was extended out from the time the billboard is put up. So the City will get the full five years, ten percent of the advertising time.

Sue Blankenship with Huffines Communities was there to answer any questions. Council Member Crowley asked about the size and type of billboard. Ms. Blankenship responded that it would be 12x48 and it will not be electronic.

Council Member Crowley asked if there were any restrictions from the high school from cigarettes and things like that. Jason stated no, they do not regulate those types of things. Council Member Crowley asked about restrictions for being so many feet from a school.

Mayor Nichol asked Janet if it follows City guidelines. Janet said basically billboards are permitted, but it's based on the TxDot permit, so they have to follow the Federal Highway Administration rules that are handed down to TxDot to enforce. Janet further explained typically she cannot sign off on them, because typically the City does not allow them. Because there is nothing in the agreement that specifies size, any kind of look, masonry, additions, or anything like that, there really is nothing that she can do to enforce anything on the billboard itself. It's a zoning application. The application is to rezone the property commercial.

Jason said in the I-30 overlay it shows to be commercial in that area. So, that is what this application is for. They have to go through TxDot. And, those have to be regulated through TxDot. If TxDot states in its regulations, regarding alcohol and

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cigarette sales on those within certain distance of the school, then they would have to follow it.

Council Member Branch said they could rezone it commercial tonight; that does not mean they can put up a billboard tomorrow. Jason said they have already given them approval in the development agreement. They have to meet all the TxDot standards.

Mayor Nichol opened the Public Hearing at 7:11 p.m.

No one spoke for or against this item.

Mayor Nichol closed the Public Hearing at 7:12 p.m.

2. Take testimony concerning a request by owner for approval of development plan/final zoning of a Planned Development (concept plan previously approved – single-family and commercial zoning) of the properties described as: Tracts 15 and Tract 15-1 of the JB Ratliff Survey, Abstract 185, Royse City, Rockwall County, Texas. Property is located at the southwest corner of FM 35 and FM 2453.

Janet McPherson stated the concept plan was presented in June and conceptually approved. This is now being brought forth for the zoning change. Russell Phillips, developer, was there to answer any questions.

Council Member Branch asked if the property owner's, Jack Manowarren, issues were resolved with the developer. Jack Manowarren stated that they were.

Mayor Nichol opened the Public Hearing at 7:13 p.m.

No one spoke for or against this item.

Mayor Nichol closed the Public Hearing at 7:14 p.m.

3. Take testimony concerning a request to rezone property from Agricultural to Planned Development (concept and development plan) for single-family residential of the property described as: Tract 57 of the Shelby County School Land, Abstract 946 (Acres 206.749), Royse City, Hunt County, Texas. Property is located on FM 1565, south of Interstate 30.

Janet McPherson stated this property is the far east side of the City. Vista Oaks is about a mile south of Interstate 30 on FM 1565. It was annexed into the city this past February. They are proposing larger lots with septic, no alleys, 80% masonry, and minimum 2,400 square foot homes. The cul-de-sac exceeds the technical standards. Accessory buildings will be allowed and permitted to be 1/2 the size of the main dwelling. There will be a decorative metal open-type fencing at least six (6) feet tall, with softscape landscaping at the two main entrances off of FM 1565. The open type fencing is consistent with a rural community.

Council Member Crowley asked Janet if she have the signature on the recommendation from Planning and Zoning Commission Resolution, dated August 15, 2016. Janet said she did not get the signature yet. Janet explained a lot of the signatures do not get on those until after the fact due to if they change something we have to go back and change it the office, then we have to call to have someone come sign it. It will get signed prior to the Ordinance being signed.

Mayor Nichol opened the Public Hearing at 7:16 p.m.

No one spoke for or against this item.

Mayor Nichol closed the Public Hearing at 7:17 p.m.

## **F. CONSENT AGENDA**

1. City Council Minutes: August 8, 2016 and August 9, 2016

Council Member Branch made a motion to approve the Consent Agenda. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

## **G. BUSINESS**

1. Discussion concerning monthly revenue and expenditure report for July 2016, and any matters related thereto.

Shannon Raymond presented the monthly revenue and expenditure report for the month of July 2016. The budget is 83% (ten months) complete. Shannon further added the amended budget gets adopted on the 13<sup>th</sup> as well the new budget. There will be a separate ordinance for the amended budget.

2. Consider and act concerning an Ordinance regarding a rezoning application of the property described as 0.115 acres of land in part of the James May Survey, Abstract No. 1297 (Verandah), Royse City, Hunt County, Texas from Agricultural (A) to Commercial 1 (C1). Property is 833 feet east of the intersection of Interstate 30 and FM 2642, and any matters related thereto.

Council Member Houk made a motion to approve the Ordinance. Council Member Bradley seconded the motion.

Council Member Branch asked how long does it normally take for TxDot to approve. Jason was not sure, and Sue Blankenship, Huffines' representative, did not know. Council Member Branch went on to ask, if we vote to rezone this, it is out of our control now. Once it makes it past TxDot, they can do what they want to do. Jason said we already contractually agreed to this. This is just from our contractual commitment. The permit will be issued by TxDot at that time. At the last reiteration of the agreement we did renegotiate what we will be able to put, advertising for the school district, Fun Fest, things like that.

**Motion passed 5-2**, with Council Member Branch and Council Member Crowley voting against.

3. Consider and act concerning an Ordinance regarding approval of development plan/final zoning of a Planned Development of the properties described as: Tracts 15 and 15-1 of the JB Ratliff Survey, Abstract 185, Royse City, Rockwall County, Texas. Property is located at the southwest corner of FM 35 and FM 2453, and any matters related thereto.

Janet McPherson stated this is the Meadows at Morgan Creek. Russell Phillips is the developer. We have already done the conceptual plan. The development plan assigns the zoning. Once you approve the development plan, per ordinance, then the zoning goes into effect. This will set the zoning for that property. They are doing it as a Planned Development (PD), mainly the setbacks were a little bit different. They were still keeping all the lots the same size, at least a minimum of what we require, but they might be longer in depth and less wide than what our ordinance would require. There are no alleys. They are going to do the landscaping along the roadways instead of the hard masonry walls that the ordinance requires, which was discussed at the last City Council meeting.

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Mayor Pro Tem Ellis made a motion to approve the zoning change to a Planned Development. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

4. Consider and act concerning an Ordinance regarding Preliminary Plat of The Meadows at Morgan Creek, 105.928 acres, Tracts 15 and 15-1 of the JB Ratliff Survey, Abstract 185, Royse City, Rockwall County, Texas, and any matters related thereto.

Council Member Branch asked if there was a buffer between the commercial lot and lots 1-5 and 15-21. Janet confirmed there is per the City's Code of Ordinances.

Mayor Pro Tem Ellis made a motion to approve the preliminary plat of The Meadows at Morgan Creek. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

5. Consider and act concerning an Ordinance regarding a rezoning application of the property described as: Tract 57 of the Shelby County School Land, Abstract 946 (206.749 Acres), Royse City, Hunt County, Texas from Agricultural (A) to Planned Development (PD). Property is located on FM 1565, south of Interstate 30, and any matters related thereto.

Janet stated this is Vista Oaks, south of Interstate 30 off FM 1565, and it was annexed into the City. They are requesting a Planned Development (PD). They do not necessarily want to put sidewalks in, just because they want rural sites; the installation of the septic systems; and they are not doing alleys. One of our tech standards on our cul-de-sacs is that they are no longer than 600 feet, and Vista Oaks have a couple that exceed that, what they have done is proposed bump-outs, that will bump-out to the street so that people can turn around without having to go all the way down the cul-de-sac.

Council Member Crowley asked staff about the masonry fencing. The last property just discussed met had masonry fencing authorized, and this one here was a changed recommended by Planning & Zoning Commission, it says specify that the decorative metal open side fencing, six foot tall, will be installed instead of masonry wall. Janet said they had mentioned in their PD, it talks about the landscaping and the fence. Staff brought it up to make sure that the developer identified it, because if they did not identify the type of fence in PD, it would kick back to our ordinance, which says you build masonry wall up along FM 1565. Based on the rural type of development the masonry wall would not fit with the rural concept. It was amended to specify the type of fencing that would be up along FM 1565. It was not listed in the PD, and we wanted to clarify it so it would not have to come back if they needed to amend it later. It is recommended to do soft scape with open fencing so it looks a little bit more rural. They are going to be on City water, so they will be running water line per the Master Plan size from FM 2642 to south of Vista Oaks.

Council Member Houk made a motion to approve the Ordinance. Council Member Bradley seconded the motion. **Motion passed 7-0.**

6. Consider and act concerning an Ordinance regarding a Preliminary Plat of Vista Oaks Estates Addition, 206.65 acres, Tract 57 of the Shelby County School Land, Abstract 946, Royse City, Hunt County, Texas, and any matters related thereto.

Janet explained the developer submitted a preliminary plat based on the last zoning. Our engineer had reviewed it, had some comments that have been addressed.

Council Member Branch asked about sewer impact fees. Jason Day explained they will still pay sewer impact fees. There are some qualifications on that, since we are not the sewer provider. Generally, they still pay those, but if we do not have sewer service by a certain time they are entitled to a refund on those. We haven't discussed impact fees with them yet. If we do not plan on having sewer out there for a while, it may make more sense just not to collect them on the front end.

Council Member Wheatley made a motion to approve the preliminary plat of Vista Oaks Estates Addition. Council Member Houk seconded the motion. **Motion passed 7-0.**

7. Consider and act concerning a Resolution Setting the Date, Time, and Place for Public Hearings on Proposed Voluntary Annexation Located in Rockwall County, and any matters related thereto.

Jason Day stated that this property is owned by Bobby Crowell and it is located along Floyd Road.

Council Member Branch made a motion to approve the Resolution. Council Member Crowley seconded the motion. **Motion passed 7-0.**

8. Consider and act concerning correcting the number of Ordinance 10-10-1062 to Ordinance 14-10-1062, and any matters related thereto.

Jason Day stated when reviewing past ordinances, it was noticed that Ordinance 10-10-1062 should have been numbered 14-10-1062 since it was passed in October of 2014.

Council Member Crowley made a motion to change Ordinance 10-10-1062 to Ordinance 14-10-1062. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

9. Consider and act concerning continuation with the Roysel City Herald Banner or possible bid on the official newspaper, and any matters related thereto.

Deborah Sorensen stated per the City's Charter, City Council must name an official newspaper each year.

Council Member Crowley made a motion to accept Roysel City Herald Banner as the office newspaper of the City of Roysel City. Council Member Branch seconded the motion. **Motion passed 7-0.**

10. Consider and act concerning a contract with Community Internet Partners regarding putting a tower on the water tower, and any matters related thereto.

Jason Day stated that he and Shannon Raymond are working with Community Internet Partners on the contract. They will bring the contract back to City Council in September.

Scott McGriff, one of the owners of Community Internet Partners, gave background on their company. They provide internet starting close to Athens, Henderson County, Van Zandt County, and Hunt County, and this area. They are a bit unique. They are not a big internet provider like Time Warner. They provide internet to small rural communities. They provide service currently to the City of Canton, the City Wills Point, and the City of Edgewood, and a couple of water supply companies. They have a connection just outside our city limits; it is a fiber optics connection through AT&T. What that does is greatly improve the wireless connection for Roysel City's citizens. City of Wills Point and the City of Canton are

on their connection. They want to partner with cities the size of our city. The way they do that is a straight tower fee, such as they have in Canton. They put their equipment on a tower for a set fee. At the City of Wills Point they get a percentage, and this year, after two years, we will actually pay out more to the City of Wills Point because of the growth, as they did a matching six percent, in which the City of Wills Point gets six percent of the total gross revenue.

Mayor Pro Tem asked about dependability. Mr. McGriff said they have a 98 percent – 99 percent uptime. So, it is very reliable. They are prone just like any other utility to lightning strike or something like that, but they have been able to maintain a 99 percent uptime.

It is wireless the last mile. That is one of the differences; they want their customers to be no more than one to two miles from our fiber connection. You can buy internet cheaper in Downtown Dallas, and then back haul it. You might have to go through six or seven wireless routers to get to Royse City. You might go through ten or twelve to get to Canton. You can buy bandwidth cheaper, but every time you go through a hop, it slows down and the user feels that slow down. So, they choose to pay a little more to AT&T to buy it out here and other strategic places and they send it to your home wirelessly off of one of your water towers or another tower that they have available to them. Water towers are very stable.

Council Member Houk asked how many customers they have. They just expanded into Caddo Mills. They have about 400-500 in the Canton area and 600 in the Wills Point area.

11. Discussion concerning a road bond for Hunt County and its potential impact on Royse City, and any matters related thereto.

Carl Alsbrook stated that Hunt County Commissioners voted to approve a road bond for the November 8, 2016 election. They are proposing to reconstruct FM 2642 from FM 35 to Interstate 30. They are also proposing to make FM 2642 a four (4) lane divided road, with curb and gutter, from Interstate 30 to Highway 66.

12. Discussion concerning City Manager update: Development and any matters related thereto.

Carl Alsbrook reported there is a lot of construction going on in the city. After Labor Day, reconstruction of Old Greenville Road will start. October 6 is ICSC in Dallas. He would like to have one representative from City Council attend, so let him know if anyone is interested in attending. November 1<sup>st</sup>, the work on FM 2642 bridge will start.

## **H. FUTURE AGENDA ITEMS**

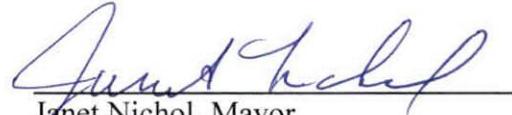
1. Consider and/or action to determine and direct City Staff in scheduling topics for discussion at future City Council Meetings, and any matters related thereto.

Mayor Nichol stated that the Rockwall County Elections Administrator, Chris Lynch, has been in contact with her requesting help notifying voters where to go vote. He would like for the City to do a banner or poster notifying voters of where to go vote in Royse City.

There will be a City Wide Picnic at New Hope Baptist Church on Saturday, August 27, 2016 from 12 p.m. to 5 p.m. New Hope Baptist Church wants to be more involved in the community.

**I. ADJOURN AT 7:57 PM**

Council Member Branch made a motion to adjourn. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

  
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Janet Nichol, Mayor

**ATTEST:**

  
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Deborah Sorensen, TRMC, City Secretary

