



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, April 25, 2017 – 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
Council Member Place 3, Bruce Bradley
Council Member Place 4, Matt Wheatley
Council Member, Place 6, Tom Crowley

Members Absent: Mayor Pro Tem, Council Member Place 2, Clay Ellis
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 HR, Tauna Ratliff
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. PROCLAMATIONS

1. National Day of Prayer

Mayor Nichol presented the Proclamation for National Day of Prayer to Chief Stapleton. Royse City will celebrate National Day of Prayer on Thursday, May 4th beginning at 7 pm at the police station.

2. Motorcycle Safety and Awareness Month

Mayor Nichol presented the Proclamation for Motorcycle Safety and Awareness Month.

D. CITIZEN PARTICIPATION

Russell Flanigan, 216 Welch – expressed concern about a spot in the alley that can cause tires to go down. He is requesting a temporary patch in the alley on Sandy.

E. RECESS CITY COUNCIL MEETING AT 7:09 PM

F. PUBLIC HEARING

1. Take testimony concerning a Specific Use Permit application for a Temporary/Seasonal Vegetable Stand to be located at the property described as Block 4, Lots 5-10 of the Jones Addition, Royse City, Rockwall County, Texas, also known as 208 S. Elm Street, Royse City, Texas.

No one spoke for or against.

2. Take testimony concerning amending the Royse City Zoning Ordinance, Chapter 14 of the Royse City Code of Ordinances; Section 3-1 Use of Land and Buildings, A. Land Use Table, adding an "x"/permitted use to the columns of Commercial 1 and Commercial 2 for the uses of "Restaurant" and "Restaurant, Drive-in/Drive-thru".

No one spoke for or against.

3. Take testimony concerning amending the Royse City Zoning Ordinance, Chapter 14 of the Royse City Code of Ordinances; Section 3-1 Use of Land and Buildings, A. Land Use Table, adding the condition number 24 (of Section 3-2 Special Conditions for Listed Uses of Chapter 14 Zoning of the Royse City Code of Ordinances) regarding drive-through sales of prepackaged beverages to the column of Special Conditions for the use of "Liquor Store, Packaging Sales,".

No one spoke for or against.

G. CLOSE PUBLIC HEARING AT 7:13 PM

H. RECONVENE CITY COUNCIL MEETING AT 7:13 PM

I. CONSENT AGENDA

1. City Council Minutes: April 3, 2017 and April 11, 2017

Council Member Wheatley made a motion to approve the minutes. Council Member Bradley seconded the motion. **Motion passed 5-0.**

J. BUSINESS

1. Discussion concerning monthly revenue and expenditure report for March 2017, and any matters related thereto.

Shannon Raymond presented the September monthly revenue and expenditure report. Sales tax represents 23% of General Fund revenues. March 2017 receipts are for January sales and were 6.40% compared to March 2016 receipts after 380 rebates. Sewer expenditures are ahead of the budgeted threshold because sewer treatment services/debt payments to NTMWD must be paid in advance (2 months). Additionally, lift station repairs have been higher than normal.

Shannon added that the budget amendments approved last month will be reflected in next month's financial report.

2. Consider and act concerning a Resolution of the City Council of the City of Royse City, Texas, Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation; and Resolving Other Matters Relating to the Subject, and any matters related thereto.

Steven Adams, with Specialized Public Finance Inc., gave a brief background of the proposed bonds. The first bond is a General Obligation Refunding Bonds in the amount of \$8,215,000. The second bond is a Combination Tax & Revenue Certificates of Obligation Bond in the amount of \$4,850,000. Closing is scheduled to occur on July 11, 2017. The purpose of the General Obligation Refunding Bonds is to reduce the interest rate, which will save the City approximately \$1,158,764.

Council Member Bradley made a motion to move forward with the publication of the Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation. Council Member Wheatley seconded the motion. **Motion passed 5-0.**

3. Consider and act concerning a Development Agreement for Public Improvements (Subdivision Improvement Agreement) with SEC ERBY I-30 LP regarding the Provident 30 Addition, and any matters related thereto.

Jason Day explained that this Subdivision Improvement Agreement is needed in order to approve a final plat of Provident 30 Addition due to the improvements not being completed. We have received a letter of credit in the amount of \$373,000 for improvements for the final plat. This agreement is between the City and two land owners. The agreement has been agreed to by all parties; however, we are currently waiting for signatures. Council Member Houk expressed concern about approving an agreement without it being signed. Jason explained that City Council can approve the agreement contingent upon getting all signatures within the next 30 days.

Council Member Houk made a motion to approve the Development Agreement contingent upon getting all signatures within the next 30 days. Council Member Wheatley seconded the motion. **Motion passed 5-0.**

4. Consider and act concerning approving an Ordinance regarding Final Plat of Provident 30 Addition, Lots 1, 2, & 3, Block A, being 9.511 acres of land situated in the William Love Survey, Abstract No. 135, City of Royse City, Rockwall County, Texas, and any matters related thereto.

Janet McPherson stated this is the final plat referred to on the last agenda item. The Planning and Zoning Commission has reviewed the final plat and recommended approval with the condition that any required escrow agreement and/or subdivision improvement agreement be finalized in place prior to City Council action. All of the conditions have now been met.

Council Member Wheatley made a motion to approve the final plat. Council Member Crowley seconded the motion. **Motion passed 5-0.**

5. Consider and act concerning an Ordinance regarding a Specific Use Permit application for a Temporary/Seasonal Vegetable Stand to be located at the property described as Block 4, Lots 5-10 of the Jones Addition, Royse City, Rockwall County, Texas, also known as 208 S. Elm Street, Royse City, Texas, and any matters related thereto.

Janet McPherson stated this property is located on the east side of S. Elm Street. Charles Grocery is located on the property and the owner has given permission for applicant to apply for the Specific Use Permit (SUP) on the property. The Planning & Zoning Commission recommended approval with conditions. The conditions are listed in the ordinance.

Council Member Crowley made a motion to authorize the Specific Use Permit for a Temporary/Seasonal Vegetable Stand to be located at 208 S. Elm Street. Council Member Wheatley seconded the motion. **Motion passed 5-0.**

6. Consider and act concerning an Ordinance regarding Amending of the Royse City Zoning Ordinance, Chapter 14 of the Royse City Code of Ordinances; Section 3-1 Use of Land and Buildings, A. Land Use Table, adding an "x"/permitted use to the columns of Commercial 1 and Commercial 2 for the uses of "Restaurant" and "Restaurant, Drive-in/ Drive-thru", and any matters related thereto.

Janet McPherson stated this is a housekeeping item. In July, 2015 City Council agreed to remove the SUP requirement for Restaurants in the C1 and C2 zoning. The intention was to make it permitted in the two zoning districts; however, it was left off of the ordinance. This will allow Restaurants in the C1 and C2 zoning. The Planning & Zoning Commission recommended approval.

Council Member Houk made a motion to amend the ordinance. Council Member Bradley seconded the motion. **Motion passed 5-0.**

7. Consider and act concerning an Ordinance regarding Amending of the Royse City Zoning Ordinance, Chapter 14 of the Royse City Code of Ordinances; Section 3-1 Use of Land and Buildings, A. Land Use Table, adding the condition number 24 (of Section 3-2 Special Conditions for Listed Uses of Chapter 14 Zoning of the Royse City Code of Ordinances) regarding drive-through sales of prepackaged beverages to the column of Special Conditions for the use of "Liquor Store, Packaging Sales," and any matters related thereto.

Janet McPherson stated that special condition number 24 was originally left off the ordinance. This prohibits drive-through sales for Liquor Store, Packaging Sales. The Planning & Zoning Commission recommended approval.

Council Member Wheatley made a motion to update the ordinance. Council Member Houk seconded the motion. **Motion passed 5-0.**

8. Consider and act concerning an Ordinance regarding the Preliminary Plat, Union Square, Phase 4, 21.789 acres out of the Richard Mead Survey, Abstract No. 141, Royse City, Rockwall County, Texas, and any matters related thereto.

Janet McPherson stated the property is located off of FM 2642 and FM 35. DR Horton is the developer and builder. The applicant has requested that the preliminary plat expire in 12 months instead of 9 months, which is standard. The Planning & Zoning Commission recommended approval with the 12 month expiration.

Council Member Houk made a motion to approve the preliminary plat with the 12 month expiration. Council Member Bradley seconded the motion. **Motion passed 5-0.**

9. Consider and act concerning an Ordinance regarding the Preliminary Plat, Woodland Creek, Phase 3, being 40.775 acres of land situated in the J.W.F. Stone Survey, Abstract No. 1332, Royse City, Hunt County, Texas, and any matters related thereto.

Janet McPherson stated this preliminary plat is the 3rd phase of Woodland Creek. The property is located off of FM 35. Originally the plat was submitted without the extra 10 feet of right of way along FM 35. It was caught at the last minute and the applicant was asked to add the extra 10 feet of right of way along FM 35. The applicant expressed concerned due to TxDot only needed 100 feet of right of way. This total amount of right of way should be 110 feet. The applicant has submitted a plat with only 100 feet of right of way along FM 35 and a plat with the required 110 feet of right of way. The City's thoroughfare plan calls for a total of 120 feet (which would be 10 feet on each side of FM 35). Staff recommends the requirement of the additional 10 feet of right of way. The Planning & Zoning Commission recommended approval with the condition that the applicant add the additional 10 feet of right of way along FM 35.

Council Member Wheatley made a motion to go with staff's recommendation to approve the preliminary plat with the additional 10 feet of right of way along FM 35. Council Member Crowley seconded the motion. **Motion passed 5-0.**

10. Consider and act concerning an Ordinance regarding the Final Plat, Verandah, Phase 2C, 10.464 acres situated in the J.W. Beckton Survey, Abstract No. 91, Verandah Municipal Utility District, Hunt County, Texas, and any matters related thereto.

Janet McPherson stated DR Horton bought this phase of Verandah and is developing the property. The Planning & Zoning Commission recommended approval.

Council Member Wheatley made a motion to approve the final plat of Verandah Phase 2C. Council Member Houk seconded the motion. **Motion passed 5-0.**

11. Consider and act concerning an Ordinance regarding the Final Plat, Erby Campbell Retail Two Addition, Lots 1-8, being 43.868 acres out of the J. Stephenson Survey, Abstract No. 188, Royse City, Rockwall County, Texas, and any matters related thereto.

Janet McPherson pointed out that the property is between Tractor Supply and Wal-Mart. Lots 1-7 are along the frontage road and lot 8 will be developed later. The Planning & Zoning Commission recommended approval of the final plat.

Council Member Houk made a motion to approve the final plat. Council Member Bradley seconded the motion. **Motion passed 5-0.**

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

Jason Day asked that this item be postponed until the next meeting.

Council Member Wheatley made a motion to postpone this item. Council Member Crowley seconded the motion. **Motion passed 5-0.**

13. Consider and act concerning a Resolution to Adopt the Hazard Mitigation Plan, and any matters related thereto.

Fire Chief Bell stated that Rockwall County has been working with the cities on this county wide Hazard Mitigation Plan for the past two years. Joe DeLane, Emergency Management Coordinator of Rockwall County, stated that members from every city in Rockwall County were part of the team. FEMA has approved the plan pending adoption by all of the cities in Rockwall County. This plan will be reviewed annually.

Council Member Bradley made a motion to approve the Hazard Mitigation Plan. Council Member Wheatley seconded the motion. **Motion passed 5-0.**

14. Discussion concerning City Manager update: Development, Candidate for Medical Director, Residential Spring Cleaning Event May 4th to May 6th at Walker Hawk Sports Complex, Main Street Car Show May 13th 10 am and awards presented at 2:30 pm, and any matters related thereto.

Carl Alsabrook reported there is still a lot of interest. Lot 4 of the Erby Campbell Retail Two Addition will be Quik Kar, pending the zoning approval.

We have been notified by TxDot that a portion of FM 548, just south of I-30, will be completely closed beginning this Friday at 8 pm and will re-open Sunday at 8 pm. The road closure is needed to install a new box culvert. Traffic may detour using State Highway 276 to FM 551. The detour will be marked.

Bonner Carrington, which is Mariposa Apartments, has withdrawn their application.

The Residential Spring Cleaning Event is May 4th to May 6th at Walker Hawk Sports Complex. Electronics will be accepted.

The Main Street Car Show is May 13th beginning at 10 am and awards presented at 2:30 pm.

Dr. Tim Swafford is willing to be the Medical Director for the City. Council Member Crowley stated that a process needs to be determined and inquired if there was a handbook for a Medical Director. Carl will get with Joe DeLane, with Rockwall County, and see if they have something that we can use.

TxDot will have an open meeting this Thursday at the Royse City High School from 5:30 pm to 8 pm, to discuss the I-30 project from Bass Pro to FM 2642. It is a come and go type of meeting.

M. 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 asked for an update on the sirens grant. Shannon Raymond gave an update. The grant application is at the FEMA level, it has passed through the state level. It is a 10% match grant.

N. ADJOURN AT 8:25 PM

Council Member Houk made a motion to adjourn meeting. Council Member Crowley seconded the motion. **Motion passed 5-0.**



Janet Nichol, Mayor

ATTEST:



Deborah Sorensen, TRMC, City Secretary

