



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, November 14, 2017 – 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 7:01 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 Alsabrook
 City Secretary, Deborah Sorensen
 City Attorney, Jason Day
 Director of Finance, Shannon Raymond
 Executive Dir. of Develop. & Community Services, Janet McPherson
 Police Chief, Jeff Stapleton
 Fire Chief, Rickey Bell
 Parks & Facilities Superintendent, Martin Torres, Jr.
 Main Street Manager, Paula Morris
 Executive Director of Community Development Corp., Larry Lott

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Bradley gave invocation and led the Pledge of Allegiance.

C. CITIZENS PARTICIPATION

None

D. RECOGNITION

1. Recognition of the 2017 Comprehensive Planning Award to the City of Royse City by the American Planning Association (APA), Texas Chapter, and any matters related thereto.

Janet McPherson stated Royse City was awarded the 2017 Comprehensive Planning Award by the American Planning Association (APA), Texas Chapter.

E. APPOINTMENT

1. Appointment with Russell Summers, Vice-Chair of the Rockwall CAD Board of Directors, to discuss renovation, repair, and construction to their existing property, and any matters related thereto.

This item was pulled from the agenda due to Vice-Chair Summers not being in attendance.

F. CONSENT AGENDA

1. City Council Minutes: October 24, 2017
2. Approval of an Interlocal Cooperative Purchasing Agreement with the City of Frisco, authorizing the City Manager to sign all documents related thereto.
3. Approval of an Ordinance removing Texas Municipal Retirement System (TMRS) Statutory Maximum Contribution Rate.
4. Approval of a Contract with Meals on Wheels Senior Services of Rockwall County for home delivered meals, authorizing the City Manager to sign all documents related thereto.
5. Approval of a Contract with Meals on Wheels Senior Services of Rockwall County to provide meals at the Senior Center, authorizing the City Manager to sign all documents related thereto.

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

G. BUSINESS

1. Consider and act concerning approval of Assignment, Assumption and Release of MUD operating agreement in connection with MUD dissolution.

This item was pulled from the agenda.

H. RECESS REGULAR CITY COUNCIL MEETING AT 7:06 PM

I. PUBLIC HEARING

1. Take testimony regarding levying of Phase I Assessments of Waterscape Public Improvement District (PID), and any matters related thereto.

Corey Admire spoke in favor of the levy on behalf of the developer.

J. CLOSE PUBLIC HEARING AT 7:07 PM

K. RECONVENE REGULAR CITY COUNCIL MEETING AT 7:07 PM

G. BUSINESS

2. Consider and act concerning an Ordinance Levying Phase 1 Assessments and Approving a Final Service and Assessment Plan, and any matters related thereto.

Jason Day stated this is for the Waterscape Public Improvement District (PID). This is being changed from a MUD to a PID. This is the first portion of the assessments. This portion is for the improvements.

Council Member Houk made a motion to approve the Ordinance Levying Assessments and Approving a Final Service and Assessment Plan. Council Member Bradley seconded the motion. **Motion passed 7-0.**

L. RECESS REGULAR CITY COUNCIL MEETING AT 7:10 PM

M. PUBLIC HEARING #2

1. Take testimony regarding levying of Road Maintenance and Public Safety Assessments of Waterscape Public Improvement District (PID), and any matters related thereto.

Corey Admire spoke in favor of the levy on behalf of the developer.

N. CLOSE PUBLIC HEARING #2 AT 7:11 PM

O. RECONVENE REGULAR CITY COUNCIL MEETING AT 7:11 PM

G. BUSINESS

3. Consider and act concerning an Ordinance Levying Assessments and Approving a Final Service and Assessment Plan for Road Maintenance and Public Safety Assessments, and any matters related thereto.

Jason Day stated this is the second portion of the assessments. This is for the road maintenance and public safety. The City will provide fire and police services. The assessment is for \$0.15 per \$100 valuation.

Council Member Crowley made a motion to approve an Ordinance Levying Assessments and Approving a Final Service and Assessment Plan for Road Maintenance and Public Safety Assessments. Council Member Houk seconded the motion. **Motion passed 7-0.**

4. Consider and act concerning a Release of Agreements Concerning the Parker Creek Municipal Utility District of Rockwall County, authorizing the Mayor to sign all documents related thereto, and any matters related thereto.

Jason Day stated that in agenda item #6, the Parker Creek MUD will be dissolved. The MUD has entered into various agreements with the City and we are now transferring all of those agreements to be between the City and the PID.

Mayor Pro Tem Ellis made a motion to authorize the Mayor to sign all documents related concerning the Parker Creek Municipal Utility District of Rockwall County. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

5. Consider and act concerning Resolution Approving PID Reimbursement Agreement, and any matters related thereto.

Jason Day referred this item to Shannon Raymond. Shannon stated the next step is to issue bonds on behalf of the PID. So far that developer has already paid around seven million dollars of his own money for this project. This secures the remainder of the agreed balances. A portion of that will be refunded by the bonds that will be at the next meeting. The remaining will be collected through levying assessments. Should future City Councils chose not to issue bonds, then the mechanism is there to continue to collect and reimburse as a cash flow basis.

Council Member Crowley made a motion to approve PID Reimbursement Agreement. Council Member Houk seconded the motion. **Motion passed 7-0.**

6. Consider and act concerning City Council acknowledgement of MUD Dissolution pursuant to Resolution approved by MUD Board on November 8th to become effective up on the levy of assessments for all Authorized Improvements, and any matters related thereto.

Jason Day stated the MUD passed the dissolution and is now dissolved based upon passing agenda items 3 and 5. Staff wants a public record of our side acknowledging the MUD is now dissolved.

Council Member Bradley made a motion to approve acknowledgement of MUD Dissolution. Council Member Houk seconded the motion. **Motion passed 7-0.**

7. Consider and act concerning an Ordinance regarding a Final Plat of Rolling Meadows Addition, Phase Two, 28.978 acres, situated in the William H. Kuykendall Survey, Abstract No. 513, Royse City, Collin County, Texas, and any matters related thereto.

Janet McPherson stated the property is located off of FM 1777, north of Rolling Meadows, Phase I. This item was recommended for approval by Planning & Zoning Commission on October 23, 2017 with the condition that an escrow letter/letter of credit be established for costs of construction of the masonry fence/wall along FM 1777, since the developer was not able to get all of the property owners, along the proposed fence line, to agree to build the fence/wall on their property line. There are just a few remaining property owners that are holding out. The letter of credit is for 125% of the cost to build the wall and an escrow of \$10,000 has been set up. The escrow is for any of the remaining easements that are required to finish the fence/wall.

Council Member Houk asked what if the homeowner's never agree. Janet responded that it would have to go back to Planning & Zoning Commission and ultimately it will be City Council's decision as to what to do. Council Member Branch confirmed that there isn't a HOA.

Council Member Crowley asked when the time begins for when the developer is responsible for the maintenance of roads prior to the city being responsible. Janet responded that there is a maintenance bond that is for two years. It starts once the City signs off on the acceptance of the road; basically when the final plat is approved. Council Member Branch is concerned that there have already been problems in the first phase of the same subdivision.

Council Member Branch asked if it was a majority of the homeowners not wanting the fence. Janet confirmed there are six out of nineteen homeowners holding out.

Mayor Nichol asked why this project would come back to City Council if the fence/wall isn't built. Janet stated that the zoning portion would come back to City Council because the wall is part of the PD. Janet explained that the final plat is different from wall. Mayor Nichol asked how is that the City's problem, it is not even the City's property. Janet replied if the developer can't complete the wall, then the developer hasn't met what he put in his planned development (PD), then they would have to bring back an alternative or the City can pull in the letter of credit to construct the wall. Jason stated that wall is in the original zoning and the City has the authority to make the wall happen. Mayor Nichol asked if we would have to buy the easements. Jason Day stated that is a possibility. Council Member Houk and Mayor Nichol stated that \$10,000 is not enough money for the process of acquiring easements.

Council Member Branch asked if it was the City's responsibility to acquire the easement from the remaining six homeowners. Janet responded not necessarily our complete responsibility but it is our responsibility to help.

Mayor Nichol asked if the City has to buy the easement. Jason Day stated yes since the City is accepting the letter of credit and escrow, however, that is all of the money that the city will have to do so.

Jason added that question one is do you think that the amount that has been pledged is sufficient to build the wall and obtain the easements. If not then deny the plat based upon insufficient funds. If it is sufficient, then put in the motion that the wall must be completed within six months; otherwise the City will start drawing on the letter of credit.

This item was postponed to allow City Attorney to discuss the issues with the developer.

8. Consider and act concerning an Ordinance regarding a Final Plat of Maverick Ridge Estates, 30.324 acres situated in the William C. Ward Survey, Survey No. 949, City of Royse City ETJ, Collin County, Texas, and any matters related thereto.

Janet McPherson stated the property is located on the north side of CR 590, east of CR 591 and west of CR 592, in Collin County. It is inside the ETJ. Owner/owner representative is attempting to subdivide 6 lots out of the larger tract. Each lot exceeds 5 acres. Anything less than 10 acres in the ETJ must be platted following City's regulations. The property is in Nevada Water Supply CCN and they will be placing a new water line along CR 591 with fire hydrants. There is a note on the plat reflecting this. They are proposing the lots be served by onsite sewage facilities. The road is maintained by Collin County. The County currently has a 55 foot easement along CR 590. The Planning & Zoning Commission recommended approval on October 23, 2017.

Council Member Houk made a motion to approve the Final Plat of Maverick Ridge Estates. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

9. Consider and act concerning an Ordinance regarding a Final Plat/Development Plat of Anytime Fitness Addition, Lot 1, Block A, 4 acres, situated in the E. Gossett Survey, Abstract No. 86, Royse City, Rockwall County, Texas, and any matters related thereto.

Janet McPherson stated the property is located on the northeast corner of Rustic Meadow Drive and SH 66. The property is zoned Commercial 1. The owner/applicant intends to construct a multitenant building on the site. The land has not been platted previously; therefore, a final/development plat is required. The Planning & Zoning Commission recommended approval of the plat on November 8, 2017 with the condition that staff and applicant had addressed the right-of-way dedication along SH 66 appropriately. Because SH 66 is on the Future Thoroughfare Plan, right-of-way dedication is required at time of platting. Surveyor added it to the plat, but it is overlaying a sewer line easement and TP&L easement. The right-of-way has now been addressed correctly.

Council Member Branch made a motion to approve the Final Plat/Development Plat of Anytime Fitness. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

10. Consider and act concerning an Ordinance regarding a Re-Plat of Erby Campbell Retail Two Addition, Lots 5R and 6R, 1.998 acres out of the J. Stephenson Survey, Abstract No. 188, Royse City, Rockwall County, Texas, and any matters related thereto.

Janet McPherson stated this re-plat is only for lots 5 and 6 of the Erby Campbell Retail Two subdivision. The lot line between the two lots is moving, resulting in a smaller Lot 5 and larger Lot 6. Lot 5 will be Popeye's. We do not have anything on Lot 6 at this time. Staff recommends approval of the re-plat.

Council Member Wheatley made a motion to approve the Re-Plat of Erby Campbell Retail Two Addition. Council Member Branch seconded the motion. **Motion passed 7-0.**

11. Consider and act concerning a Resolution regarding the elevation/materials for a remodel as it relates to Chapter 14 Zoning, Section 5-3 Interstate 30 Corridor Overlay District (I30 COD) for the property described as Lot 1 of the Erby Campbell Retail Center development, also known as Wal-Mart, located at 494 E. Interstate 30, and any matters related thereto.

Janet McPherson stated Wal-Mart will be adding a pick-up area, which requires remodeling. Most of the remodel is to occur on the interior, but does consist of some minor changes to the exterior. On the west side of the building, they are proposing to paint the corner orange. Additionally there is a door that will be painted orange. There will be "pick-up" signage added and some of the parking space lines painted orange to identify pick-up areas. The Planning & Zoning Commission recommended approval of the submitted changes as presented on November 8, 2017.

Janet McPherson showed the revisions to the painting of the corner of Wal-Mart. Instead of painting the entire corner, she has requested that they paint in between the two strips near the top of the building.

Council Member Wheatley made a motion to approve the Resolution regarding the elevation to change the paint is in between the two strips. Council Member Crowley seconded the motion. **Motion passed 7-0.**

12. Consider and act concerning a Resolution Approving the Purchase of Real Property located at 3301 Ridgecrest Road, Greenville, Texas by the Hunt County Appraisal District and the Sale of the Real Property located at 4801 King Street, Greenville, Texas, and any matters related thereto.

Carl Alsabrook stated Brent South, Chief Appraiser of Hunt County Appraisal District, spoke to City Council at a meeting several weeks ago regarding needing more office space. They are proposing to build a building and to sell their current building. This is a Resolution supporting this action.

Mayor Nichol asked how much it would cost the city. Carl responded that it would be \$209,48.

Council Member Crowley made a motion to approve the purchase of real property and the sale of real property. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

13. Consider and act concerning Community Development Corporation (CDC) Incentive Request to Clarence Jorif, The Compound-Royse City, to offset costs associated with building a segment of East County Line Road, not to exceed \$322,415.40, and any matters related thereto.

Larry Lot stated the CDC Board approved this request unanimously and recommends City Council approve as well. This incentive request is for The Compound-Royse City, which is a 60,000 square foot facility that will be used as a state of the art training facility for law enforcement, civilians, and the public. It is a large incentive

but it is for a unique project. The incentive will be used to build a road to the facility. The road is currently impassable. It is to build 1,350 feet, two lane concrete road. Mr. Jorif has spent 34 years in the military and law enforcement, with the last several years with the Secret Service Agency. He has tremendous amount of specialized training. This will be in three phases. There will be six 100 yard rifle ranges, eighteen 25 yard indoor ranges, seven classrooms, six virtual tactical simulation theatres, tactical training building, conference room, retail area and more. He will also sponsor sanctioned shoots by the National Rifle Association. This facility will be totally enclosed. He plans to open the facility in a year with 24 jobs and then 41 jobs within the first year. These will be part-time and full-time positions. As to sales tax, he is averaging \$44,000 to \$52,000 a year, over the first 10 years. The facility will be valued at 9 million dollars and that will create approximately \$41,000 in ad valorem taxes.

Clarence Jorif gave a brief background of his experience and a presentation of his project.

Mayor Pro Tem Ellis made a motion to approve the CDC Incentive Request to Clarence Joriff, the Compound-Royse City, not to exceed \$322,415.40. Council Member Crowley seconded the motion. **Motion passed 7-0.**

7. Consider and act concerning an Ordinance regarding a Final Plat of Rolling Meadows Addition, Phase Two, 28.978 acres, situated in the William H. Kuykendall Survey, Abstract No. 513, Royse City, Collin County, Texas, and any matters related thereto.

Jason Day stated staff is recommending denying without prejudice due to it not complying with underlying zoning and inadequate security being posted and for this item to be reheard on December 12th. During the interim, they will see if they can get the wall issue taken care of, if not then staff will look at the numbers and make sure that there are enough funds to take care of the matter.

Mayor Pro Tem Ellis made a motion to deny the plat without prejudice based on zoning and inadequate security. Council Member Crowley seconded the motion. **Motion passed 7-0.**

14. Consider and act concerning a Resolution appointing three Board Members to the Community Development Corporation Board (term Jan. 1, 2018 to Dec. 31, 2020), and any matters related thereto.

Larry Lott stated that Dena Elder, Charles Houk, and Bobby Gladu have submitted their application to be reappointed to the CDC Board. The CDC Board of Directors has recommended reappointment of all three board members.

Council Member Branch made a motion to appoint Dena Elder, Charles Houk, and Bobby Gladu to the CDC Board. Council Member Bradley seconded the motion. **Motion passed 7-0.**

15. Consider and act concerning a Resolution appointing three Board Members to the Main Street Advisory Board (term Jan. 1, 2018 to Dec. 31, 2021), and any matters related thereto.

Paula Morris stated there are three board members whose terms expire 12/31/17. Amanda Mangrum, Candace Middleton, and Shelia Whitney have all shown interest in continuing to serve and have submitted their applications to be reappointed. These are three year appointments.

Council Member Branch made a motion to reappoint Amanda Mangrum, Candace Middleton, and Shelia Whitney to the Main Street Advisory Board. Council Member Crowley seconded the motion. **Motion passed 7-0.**

16. Consider and act concerning a Contract between 4B Web Design and the City of Royse City for the Management and Maintenance of the City's Website, for a period of November 15, 2017 through November 30, 2021, and any matters related thereto.

Carl Alsabrook stated that the current contract with 4B Web Design expired on November 13, 2017. This contract is for five years and is for the management and maintenance of the City's website. There is a 4% cost escalation for each proceeding year in the contract.

Council Member Branch made a motion approve a five year contract with 4B Web Designs. Council Member Crowley seconded the motion. **Motion passed 7-0.**

17. Discussion concerning City Manager update: Development, Abandoned building at 1016 I-30 Frontage Road, Clean-up of Industrial Park, Tree Lighting Ceremony on November 30th - 5:30 p.m. to 8:30 p.m. at City Hall, Movie at the Park on December 1st - 6:30 pm (Polar Express), Main Street Christmas Dinner on December 7th - 6:30 pm at Fellowship of First Baptist, Christmas Parade on December 9th - 6:30 p.m., and any matters related thereto.

Carl Alsabrook reported the repairs to Wood Street is progressing and is on schedule. Hwy 66's construction is east of downtown now. The FM 2642 project is progressing with an anticipated completion date of January 2019. Concrete repairs are being done in Hidden Creek. The main plat repairs on Colonial in Rolling Meadows are in the bid process.

Carl added that Council Member Crowley mentioned cleaning up Industrial Park. He has met with Danny Mims, Code Enforcement Officer, along with Jason Day to discuss areas of attack. High grass will be remediated right away. They are now working on finding the owner of a building that needs to be cleaned up.

Carl stated that he is working with Jason on the abandoned building on the service road. Jason stated that criminal charges have been filed against the corporation who owns the building. They were served with ordinance violations a few months ago.

The Tree Lighting Ceremony is on November 30th, from 5:30 p.m. to 8:30 p.m. at City Hall, The Movie at the Park is on December 1st, from 6:30 pm at City Lake Park. The movie is Polar Express. The Main Street Christmas Dinner is on December 7th at 6:30 pm at Fellowship of First Baptist. The Annual Christmas Parade is on December 9th at 6:30 p.m.

Paula Morris added the Main Street Dinner has been cancelled due to conflicts in scheduling.

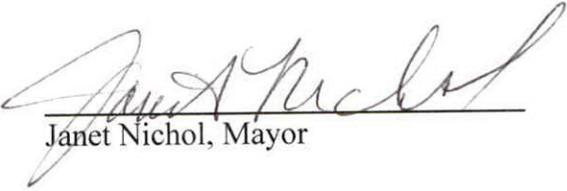
P. FUTURE AGENDA ITEMS

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

Q. ADJOURN AT 8:28 PM

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



Janet Nichol, Mayor

ATTEST:



Deborah Sorensen, TRMC, CMC, City Secretary

