



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, December 12, 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 7:03 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
Executive Dir. of Develop. & Community Services, Janet McPherson
Police Chief, Jeff Stapleton
Fire Chief, Rickey Bell
Director of Public Works, Dario Lopez
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. NEW EMPLOYEES

1. Dylan Wood – Public Works Laborer
Dario Lopez introduced Dylan Wood and gave a brief background on Dylan.
2. Tanner Dietz – Deputy Fire Marshal
Fire Chief Bell introduced Tanner Dietz and gave a brief background on Tanner.
3. Darnell Franklin – Police Officer
Police Chief Stapleton gave a brief background on Officer Franklin. Officer Franklin was unable to attend due to scheduling conflict.

D. CITIZENS PARTICIPATION

None

E. RECESS CITY COUNCIL MEETING AT 7:07 PM

F. 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 regarding screening wall in the Rolling Meadows subdivision.
2. Discussion regarding Verandah MUD Development Agreement.
3. Discussion regarding an agreement with Ridge Park.

G. CLOSE EXECUTIVE SESSION AT 8:18 PM

H. RECONVENE CITY COUNCIL MEETING AT 8:18 PM

1. Further discussion and possible action from Executive Session concerning Verandah MUD Development Agreement, and any matters related thereto.

Council Member Wheatley made a motion to approve the amendment subject to the approval of the Mayor, City Manager, and City Attorney. Council Member Crowley seconded the motion. **Motion passed 7-0.**

2. Further discussion and possible action from Executive Session concerning an agreement with Ridge Park, and any matters related thereto.

Carl Alsbrook stated there are three items for this agreement. The first being paying to extend the waterline to the south portion of their property, at \$2,000 a house, totaling \$172,000. The second item is to upsize the required 8 inch waterline to a 16 inch waterline for the buildout purposes of the south, for an amount not to exceed \$200,000. The final item is to waive sewer fees, as the houses will be on septic.

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

I. RECESS CITY COUNCIL MEETING AT 8:20 PM

J. PUBLIC HEARING

1. Take testimony regarding the service and assessment plan and assessment rolls for the Waterscape Public Improvement District relating to the construction and financing of certain authorized improvements, levying special assessments against property in the District and making certain findings and determinations relating to the District, and any matters related thereto.

No one spoke for or against.

K. CLOSE PUBLIC HEARING AT 8:21 PM

L. RECONVENE CITY COUNCIL MEETING AT 8:21 PM

M. CONSENT AGENDA

1. City Council Minutes: November 14, 2017

2. Approval of Fire Department opticom equipment and authorizing the City Manager to execute a purchase order to Consolidated Traffic Controls for \$29,045.00.
3. Approval of a sewer line construction project to abandon County Line Sewer Lift Station and authorizing the City Manager to execute a purchase order to KCK Utility Construction for \$34,945.00.

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

N. BUSINESS

1. Consider and act concerning the adoption of an Ordinance Accepting and Approving a Service and Assessment Plan and Assessment Rolls for the Waterscape Public Improvement District relating to the construction and financing of certain authorized improvements, levying special assessments against property in the District and making certain findings and determinations relating to the District, and any matters related thereto.

Jason Day stated that this is a slight amendment from the original Service and Assessment Plan that was approved at the last meeting. Corey Admire, attorney for the developer, stated this will repeal and replace the prior ordinance.

Council Member Crowley made a motion to approve an Ordinance Accepting and Approving a Service and Assessment Plan and Assessment Rolls for the Waterscape Public Improvement District relating to the construction and financing of certain authorized improvements, levying special assessments against property in the District and approving all matters related thereto. Council Member Houk seconded the motion. **Motion passed 7-0.**

2. Consider and act concerning the adoption of an Ordinance Approving the Issuance and Sale of "City of Royse City, Texas, Special Assessment Revenue Bonds, Series 2017 (Waterscape Public Improvement District Improvement Area #1 Project)" and approving various documents related to such bonds, and any matters related thereto.

Jason Day introduced Steven Adams, with Specialized Public Finance Inc. Steven reviewed the bonds for this agenda item and the next agenda item. This agenda item is for a bond in the amount of \$3,425,000 and the next agenda item is for a bond in the amount of \$5,150,000. The bonds are scheduled to close on December 28, 2017. This Improvement Area #1 Bond (\$3,425,000) is at a true interest cost of 5.091% with a final maturity date of September 15, 2048. The Major Improved Area Bond (\$5,150,000) is at a true interest cost of 5.469% with a final maturity date of September 15, 2048.

Council Member Wheatley made a motion to approve an Ordinance Approving the Issuance and Sale of Area #1 Project Bonds. Council Member Houk seconded the motion. **Motion passed 7-0.**

3. Consider and act concerning the adoption of an Ordinance Approving the Issuance and Sale of "City of Royse City, Texas, Special Assessment Revenue Bonds, Series 2017 (Waterscape Public Improvement District Major Improvement Area Project)" and approving various documents related to such bonds, and any matters related thereto.

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

4. Discussion concerning monthly revenue and expenditure report for October 2017, and any matters related thereto.

Carl Alsbrook stated Shannon Raymond was unable to attend the meeting due to family illness. The finance report is in the packet and he will be happy to get any questions answered if there were any.

5. 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 1. Last month this plat was denied due to the amount of the Letter of Credit being insufficient for the work and potential easements needed. The original Letter of Credit is still in place which is \$141,587.50, which is the cost of the construction of the fence/wall plus 25%. Since the last meeting, the applicant's team has worked on agreements with the homeowners and as of right now, there is just one agreement that is not in place. It is just a matter of getting in touch with the correct person to get the agreement in place; it is with a joint venture group out of California. Therefore, owner/applicant is requesting the approval of the plat with an additional Letter of Credit to cover costs that could be associated with acquiring of easements, if necessary. Applicant is willing to provide a Letter of Credit in the amount of \$60,000 for such. The Planning & Zoning Commission took action on this item at the December 7, 2017 meeting, recommending conditional approval of the plat with the additional Letter of Credit. Condition is that the Letters of Credit and other financial obligations are reviewed by staff. Robbie Hale, the applicant stated that the materials for the fence has been ordered and will be in before Christmas. He feels that he will get the last agreement in place; he has been in touch with the group, just not the correct individual yet.

Council Member Houk confirmed with the applicant that he has the 19 executed agreements.

Council Member Houk made a motion to approve the final plat subject to a Subdivision Improvement Agreement for the wall to be entered into with the city within the next 30 days. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

6. Consider and act concerning Community Development Corporation (CDC) Incentive Request to Michael Holder, 1885 Barber Shop & Shave Parlor, to offset costs associated with plumbing and electrical upgrades to the building, not to exceed \$12,670.00, and any matters related thereto.

Larry Lott stated the CDC has approved an incentive request for an amount not to exceed \$12,760 for plumbing and electrical upgrades to the building located at 126 E. Main Street. This facility will be used for a downtown barber shop and shave parlor. This will be a reimbursement grant subject to a performance agreement. Larry introduced Michael Holder and gave a brief background. This was not a unanimous vote by the CDC Board. Michael originally requested an incentive in the amount \$23,727. That was for four items, a/c and heat for \$8,531; plumbing for \$7,500; electrical for \$5,170; and an environmental sealant to spray on the ceiling for \$2,500. After a substantial debate, the CDC Board voted for \$12,670, with is for plumbing and electrical. The CDC was not in favor of doing capital expenditures that should be borne by the building owner. The plumbing and electrical is mainly for the uniqueness associated with the barber shop. The vote was 5-2. This building is not

owned by Michael Holder. The City has had issues in that scenario. We upgrade the building for the building owner and the business doesn't last or the business doesn't stay and the building owner is left with the upgraded building, which they reap the benefit. By offering \$12,670, that will allow Mr. Holder to get his business downtown and get an upgrade to a building that hasn't been upgraded in 35 to 40 years. This building is only 15 feet wide and is limited as to what can go in there. Larry added that Council Member Houk and Council Member Ellis were the two no votes.

Council Member Houk stated that he is not against the business; he thinks that it will be great. If he makes it, he will probably end up buying that building and it will be great. If he fails, which we have seen in the past few years, then the landlord wins. They win with something that they should have been taking care of all along. We have had leaking roofs, buildings collapse, and probably 10-12 requests over the past 3-4 years on just trying to bring the building up to livability. Why aren't the landlords doing more? He feels that this business will be great; it just comes down to principal.

Mayor Pro Tem Ellis stated Council Member Houk said it very well.

Mayor Nichol asked if the building owner is going to put any money into the building. Mr. Holder stated that he met with the building owner after the CDC meeting. She is going to invest \$20,000 in addition to what is being asked. Larry added that she will be taking care of the back wall. Mr. Holder added she will be doing the heat and air as well. The permit has been filed for the back wall. They hope to start by December 26th. Mr. Holder further added that the building is actually 13 feet wide. There is not much that can go into the building. It's a prime location for him.

Mr. Holder added that currently he's in Deep Ellum and he would like to be in Royse City. Council Member Crowley asked how many barbers he would start with. Mr. Holder responded that he will have three chairs. Council Member Crowley also asked if there was to be an inspection today would there be Certificate of Occupancy issued. Janet McPherson stated no, there are structural engineering issues that they are being addressed. Mr. Holder stated that he is taken on like the general contractor role for her, the building owner. He has met with her numerous times and is comfortable working with her. She is putting money into the building now. He has entered into a lease agreement with an option to buy.

Council Member Branch asked Mr. Holder how he came to applying for a CDC Grant. Mr. Holder responded that he did his research. He researched the city, location, and the CDC. He scheduled a meeting with Larry Lott, Dave, and the City Manager. Council Member Branch asked what his business brings to downtown, is it a long term viable business. Mr. Holder responded that barber shops are on the rise. There has been a 10% growth and it will continue to grow over the next ten years. This is more than a barber shop; it's a shave parlor as well. He has done his research.

Council Member Crowley made a motion to approve the incentive request in the amount of \$12,670. Council Member Wheatley seconded the motion. **Motion passed 5-2**, with Council Member Houk and Mayor Pro Tem Ellis voting against.

7. Consider and act concerning a Resolution appointing four Board Members to the Cultural Arts Advisory Board (term Jan. 1, 2018 to Dec. 31, 2019) and one Board Member for an unexpired term (term December 13, 2017 to December 31, 2018), and any matters related thereto.

Carl Alsbrook stated there are four regular members whose terms expire 12/31/17. There are also two open positions on the board. Sandy Clinard, Susan Simon, Michael Morris, and Charles Carroll are willing to continue to serve. We also have an application from Loren Kelly, which the Board has recommended to serve. That position will expire 12/31/18; therefore Loren Kelly would serve an unexpired term if appointed.

Mayor Pro Tem Ellis made a motion to appoint Sandy Clinard, Susan Simon, Michael Morris, Charles Carroll and Loren Kelly to the Cultural Arts Advisory Board. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

8. Consider and act concerning a Resolution appointing five Board Members to the Parks & Recreation Advisory Board (term Jan. 1, 2018 to Dec. 31, 2019), and any matters related thereto.

Martin Torres stated there are four regular members whose terms expire 12/31/17; one is an open seat, in addition to the Council Liaison and RCISD Ex-Official. Bart Pearson, Cheryl Frye, Harvey Lossier, Janet Nichol, and Michael Summers are willing to continue to serve.

Mayor Pro Tem Ellis made a motion to reappoint Bart Pearson, Cheryl Frye, Harvey Lossier, Janet Nichol, and Michael Summers to the Parks & Recreation Advisory Board. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

9. Consider and act concerning a Resolution appointing four Board Members to the Zoning Board of Adjustment (term Jan. 1, 2018 to Dec. 31, 2019), and any matters related thereto.

Janet McPherson stated there are four Zoning Board of Adjustments positions that expire on December 31st. Robby McMillan and Scott Irby had provided applications as they are interested in reappointment to continue their service. Jennifer Satterfield is interested in staying on, as well. Doug Bostick is an alternate and has chosen to finish his term, but is not interested in reappointment.

Council Member Branch made a motion to appoint Robby McMillan, Scott Irby, and Jennifer Satterfield to the Zoning Board of Adjustments. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

10. Discussion concerning City Manager update: Development, Resignation of Jim Mellody from the North Texas Municipal Water District (NTMWD) Board of Directors, and any matters related thereto.

Carl Alsbrook gave an update on transportation in the area. Wood Street is a little over 1/3 done. FM 2642 project continues, it is 37% done. Its completion date is January 2019.

Strip Center, Kwik Kar, Arby's and Popeye's are still continuing.

Jim Mellody resigned from the NTMWD Board of Directors the end of November due to time restraints.

O. 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 wants recognize Jim Mellody at the first meeting in January.

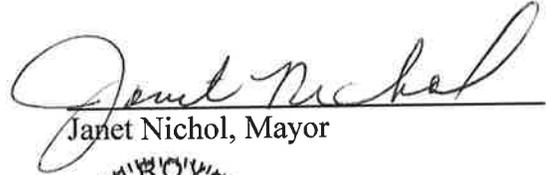
Mayor Pro Tem Ellis wants to readdress code enforcement on Main Street.

Council Member Crowley would like to have Council discussion on future Development Agreements specifically regarding the maintenance of the streets of subdivisions.

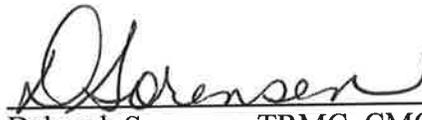
Council Member Branch further added that he would like to look at Main Street about what our requirements are. He would like to make sure that the owners have enough insurance on the buildings; if that is even enforceable.

P. ADJOURN AT 9:31PM

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


Janet Nichol, Mayor

ATTEST:


Deborah Sorensen, TRMC, CMC, City Secretary

