



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, January 23, 2018 – 7:00 pm

Police and Courts Building, 100 West Main Street
Royse City, Texas

A. CALL TO ORDER 7:02 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 Attorney, Jason Day
City Secretary, Deborah Sorensen
Assistant City Secretary, Amy Dial
Director of Finance, Shannon Raymond
Interim Director of Develop. & Community Services, Rob Cooper
Police Chief, Jeff Stapleton
Fire Chief, Rickey Bell
Director of Public Works, Dario Lopez
Parks & Facilities Superintendent, Martin Torres
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. CITIZENS PARTICIPATION

None

D. NEW EMPLOYEE

- 1. Jason Saulters – Recreation Coordinator

Martin Torres gave a brief background on Jason Saulters. Jason is very excited about the opportunity with the City. Jason has already taken over registration for the Spring 2018 Youth baseball and softball season.

E. CONSENT AGENDA

- 1. City Council Minutes: January 9, 2018

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

F. BUSINESS

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

Shannon Raymond presented the December monthly revenue and expenditure report. Main Street purchased a large portion of their items early in the fiscal year for Christmas lighting and the new tree for City Hall. Animal Services received their new truck which was authorized in the prior year. Funding will need to be adjusted during mid-year amendments. Sales tax represents 23% of General Fund revenues. December 2017 receipts are for October sales and were 7.28% higher compared to December 2016 receipts after 380 rebates. Water/Sewer revenues and expenditures are within their budgeted thresholds.

2. Consider and act concerning the approval of the revised Thoroughfare Plan Map, and any matters related thereto.

Carl Alsbrook presented the revised Thoroughfare Plan Map. This was necessitated by the I-30 Expansion Project, some inconsistencies that came to light, particularly along FM 2453, and the addition of the outer-loop corridor. This was added so that we could start acquiring right-of-way's as things are platted. The outer-loop corridor proposed route will begin north of State Highway 66, come down Floyd Road, across Interstate 30, and head south where it will join with FM 548. Anyone who comes in to plat will be giving up a 500-foot right-of-way along this roadway.

We realized we were lacking in east-west transportation modes to the south of Interstate 30. We extended Erby Campbell Blvd. to Elm Grove Road. We extended Elm Grove Road southeast to FM 548, which will eventually join Crenshaw Road and Blockdale Road. This is going to allow another route, opposed to them just using the service roads and Interstate 30.

FM 2453 and FM 2642 were what pointed out some inconsistencies. Anyone along FM 2453, which is a Minor Arterial (4-Lane Divided or 5-Lane Undivided), was required to give up 120-foot right-of-way. Anyone along FM 2642, particularly north of Interstate 30 back to State Highway 66, was only requiring 100-feet of right-of-way. We had our transportation engineer look at it, and it has all been standardized to a 100-foot right-of-way.

Our engineer was able to draft a road extending FM 1777 to Interstate 30 to coincide with the FM 35 interchange.

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

3. Consider and act concerning an Ordinance regarding a Preliminary Plat of Stone River Estates Phase Three, 24.826 acres in the Juana Delgado Survey, Abstract No. 68, Ranson Norton Survey, Abstract No. 169 and James B. Ratliff Survey, Abstract No. 185, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated the site is located south of Fairway Ranch Estates and west of FM-2453. It consists of approximately 24.826 acres and will contain 86 single-family lots.

The Planning Commission recommended approval of the preliminary plat during their January 4, 2018, meeting.

Council Member Wheatley made a motion to approve the Preliminary Plat. Council Member Houk seconded the motion. **Motion passed 7-0.**

4. Consider and act concerning an Ordinance Amending Chapter 1 General Provisions, Schedule of Fire Permit Fees and Misc. Fees, and Chapter 5 Fire Prevention and Protection of the Code of Ordinances, and any matters related thereto.

Deputy Fire Marshall Tanner Dietz stated staff is proposing a standardized fee schedule for the fire department. Currently, the building department has a fee schedule, but the fire department does not have one for the fees that they can charge.

There are several things within the fire code for which the fire department can charge a fee, including construction permits and operational permits. The construction permits can consist of fire alarm systems or sprinkler systems. The fire code gives us the ability to charge a permit fee for them. Currently, there is no established fee schedule, so they have been charging a straight \$75.00 fee for those permits.

With the possibility of future adoption of new International Fire Code, this is establishing our fee schedule, so we will not have to add it in the future.

Under Miscellaneous Fees is where occupancy inspection fees are located. Currently, it is a \$50.00 fee. We are proposing changing that to a \$75.00 fee. We are proposing establishing a fee for inspections that may be required outside of normal business hours. The after-hours fee would be \$50.00 per hour, with a minimum of two hours. The next is a re-inspection fee. If they failed inspection twice, we propose charging a \$75.00 re-inspection fee. Next is Fire Watch. If we should have a building where the fire alarm or sprinkler system is not operating as designed and has been red-tagged by the fire department, under state guidelines we can order them to evacuate the building or do Fire Watch to continue to occupy the building.

Council Member Branch asked if this is common among other cities.

Tanner explained it is. The basis on the fees is based on several of the different departments in the area. It has been changed to meet our requirements.

Council Member Branch asked if the fees were competitive.

Tanner said yes. For example, if you look at the fee for building plans, the first page is \$150.00, and each additional page is \$100.00. Between some of the departments looked at, whether that is Greenville, Wylie, Rowlett, or Rockwall, some of cities charge the same way. Some charge based on the value of the project or the number of sprinkler heads on the system. This was based on a summary of what I found from other area departments.

Council Member Branch asked if this is mostly commercial.

Tanner said this is all commercial except for the residential occupancy inspection fee and the residential burn permit fee.

Mayor Nichol asked about existing businesses.

Tanner said the only time this would affect existing facilities if they changed ownership or made major changes to the facility.

Mayor Nichol asked how this would affect businesses downtown.

Tanner said the only thing that would potentially affect them would be the re-inspection fees. For example, if we were to go out and they failed an inspection, we provided them a list of corrections and we went back out there a second time and they

still did not have the corrections completed, on the third visit we would charge the additional \$75.00 fee for re-inspection. Other fees in the schedule would depend on the type of occupancy it is.

Council Member Crowley asked for an explanation of the Fire Watch under Miscellaneous Fees, and if it is strictly residential or strictly commercial, or is it assisting other departments.

Tanner said Fire Watch is for a building that is required to have a fire alarm or sprinkler system. If the system is deemed inoperable, it is red-tagged. This is when the inspectors come out and the system does not work properly it is red-tagged. That is all done through the state requirements. If it is red-tagged we have the authority to either have everybody get out of the building, because the required protection system is not working, or we can do fire watch. Fire watch is when an off-duty fireman comes out to walk the building and the business would pay the scheduled fee for the off-duty fireman. Or, the business can have their own employee walk the property looking for potential hazards. This is only for commercial; nothing residential for fire watch.

Council Member Branch asked if this is more of a revenue generator, or of covering an expense.

Tanner said it is more of an expense. A lot of what is in the fee schedule, aside from Miscellaneous Fees, is more covering the cost of plan review or the time taken for inspections. We do not charge for inspections, except for home occupancy. That is what is purposed for outside of normal businesses hours, because there is overtime involved with that. That way we can recoup some of the cost that the city must incur for that overtime and if we have to go out and re-inspect the building multiple times.

Council Member Houk asked what constitutes a page. Here you have \$150.00 for the first page.

Tanner said when you get a stack of plans for a fire alarm system; normally it is only one page. They will send a bunch of spec sheets. You do not necessarily include that in your plan review, because you are only looking at that one sheet.

Council Member Houk asked, if you have a 6000 square-foot restaurant that wanted to open in the city, what it would cost in additional permit fees. They already have their construction fees and building permit fees, and all that, what would fire charge them.

Tanner said you have potentially three different things there. You will have an underground fire line that goes into the building and feeds the above ground fire sprinkler. Then you will have a fire sprinkler monitoring system, or a fire alarm system. You are looking at, as long as it is all just one page, then you are looking at a \$100 to \$150, per page. So, you are looking about \$500, roughly.

Council Member Houk said, I see a new install for the Automatic Fire Extinguishing System, which they are going to have to add, correct? Tanner said that was correct.

Council Member Houk said, they have to have a kitchen hood and duct; they have to have the chemical agent to suppress the fire, they got to have a battery for it.

Tanner explained the battery is separate. If there is an existing building that has a fire alarm that they must change out their fire alarm panel or their battery system. That is when the battery system fee comes into play. So, whenever there is just a fire alarm, you will go down to Fire Alarm section.

Council Member Houk asked, is that all wrapped into one \$150 fee, or is that four?

Tanner said each individual one.

Mayor Pro Tem Ellis asked, so on a current building, that is being built, that has a sprinkler system, will this be new charges that I need to look at? Since we are already in the process, is this something that is going to be in addition?

Jason Day stated it is going to be new. All the stuff we have adopted is under the International Fire Code. We are currently under the 2009 International Fire Code. So, all these things have already been inspected. In the past, the only thing Fire Chief Bell has charged for is \$50 for the home occupancy, and there might have been a general permit fee of \$50, or something like that, that could be charged for other stuff. It is not new things that are being inspected; it is just a charge that Tanner is looking at.

Shannon Raymond said the general premise of user fees, across the board, is either you have an ad valorem tax that supports these things. Or, you are shifting some of those things to the actual user of those services. This allows you to burden those users, rather than your tax payors. Again, across all user fees, for the individual departments that charge fees.

Mayor Nichol asked if these fees are the norm.

Tanner stated it was a summary of what he was able to find from some third-party plan review companies, and of Greenville Fire Department, Wylie Fire Department, Rockwall, Rowlett, Forney, and, I think I looked at Kaufman, also. I took a summary of looking at all of those to put the numbers together.

Council Member Houk said he just did a remodel in Irving. He said you are right that all the contractors are required to be registered with the city that had a fee involved in it. Obviously, the building permits and construction permits. He said he thought they did all his fire plan review under one fee. Because, literally, opening a restaurant and nightclub, with indoor cooking, open-fire indoor cooking, he would fall under a lot of these categories. And, he had so many fees, he cannot remember it all, but it seemed that they wrapped the entire fire permit into one fee. Tanner said he did not look at Irving. Council Member Houk said he just wanted to get a feel for how a business looking at Royse City would feel about it. He is trying to justify it in his mind.

Council Member Branch asked how it would be put together, say, if Charles wanted to come in and open a restaurant. Charles talks to our planner and goes in and picks up a packet. Is this going to be in the packet and somebody goes over it with him?

Tanner said that is something he has wanted to be more involved in, with some of the planning and pre-development items. That way they know some of these things up front, as far as what is required on the fire department. If someone comes in with something that is over 6000 square-feet and it is requiring a sprinkler system, which could make or break them, which they would want to reduce the size of their building. He feels like that if they knew that up front then they could plan better. That is something he has not been able to get to yet.

Council Member Bradley said you said you looked at several different cities around and their fee schedules, and this was a compilation of what you looked at. Did they all charge fees for all these things?

Tanner said, for the most part, yes.

Council Member Bradley asked if their fees were about the same as this.

Tanner said either more or less, yes. He tried to go somewhere in the middle of what the general consensus of what he looked at.

Council Member Branch asked if it would be too much to ask, if they could put this off, until Tanner could come up with a plan on how he could present it to a potential business owner. You come back and say you are going to do it at the time they are given the packet, or they lay out their plan, maybe the preliminary submission of their plat, so they knew up front.

Tanner said that can be done.

Council Member Houk said he thinks it is fair to charge fees comparable to what other cities are charging. He just wants to make sure we do it the right way and roll it out the right way.

Council Member Branch made a motion to postpone this item until the first City Council Meeting in March. Council Member Bradley seconded the motion. **Motion passed 7-0.**

5. Consider and act concerning an Ordinance Amending Chapter 5 Fire Prevention and Protection and Chapter 6 Health and Sanitation of the Code of Ordinances, and any matters related thereto.

Jason Day stated this is just a clean-up ordinance. There are no new fees or new laws. In the 1980's, we had different fire codes and these versions of sprinkler codes that had been kind of remnants lying around the ordinances. We have gotten rid of some over the years. These were two or three that were still there.

Tanner said the first one, Section 5.03.003, is coded enforcement, 'the Code hereby adoption shall be enforced by the Chief of the Fire Department', and it is from 1962. That is the reason why we are proposing to delete this, because it is prior to the adoption of the fire code.

Jason said under current law, the title that is used in International Fire Code is Fire Code Official. So, the person who is responsible for enforcing the Fire ordinances is not the chief, it is the Fire Code Official. Under International Fire Code that we adopted the Fire Code Official is either the chief or who he or she appoints. It is really the same person; it is just bringing the language into line on that one.

Tanner said Article 5.04 is titled as the Fire Alarm Code. This is the NFPA standard for fire alarms. This is adopting the 2002 edition. When we adopted the fire code, you adopt the code that is applicable at that time. There is no need to have this anymore. This contradicts what we have already adopted in the Fire Code. The same thing with Article 5.05, which is the sprinkler systems, which goes along with NFPA 13, the Standard for Fire Sprinkler Systems. And, Article 6.04, is for the emergency medical services. This was at the recommendation of Jason, to delete this. This was another old ordinance that was prior to the Emergency Services Corporation (ESC).

Council Member Crowley made a motion to accept the Ordinance Amending the Ordinance for the various fire codes that were brought to our attention. Council Member Branch seconded the motion. **Motion passed 7-0.**

6. Consider and act concerning an Ordinance Ordering the May 5, 2018 General Election, and any matters related thereto.

Deborah Sorensen stated this is to order the May 5th General Election to elect City Council Places 2, 4, and 6. Early Voting and Election Day Voting will be held at City Hall regardless of the County or Precinct where the citizen resides.

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

7. Consider and act concerning a Resolution Authorizing the City Manager to Execute a Contract with the Rockwall County Election Administrator and Royse City Independent School District, and any matters related thereto.

Deborah Sorensen stated this is a joint contract with Rockwall County and Royse City ISD for Rockwall County to conduct the May 5th General Election. By conducting a joint election, we will share the costs of the election with the school district.

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

8. Consider and act concerning a Resolution Setting the Date, Time, and Place for Public Hearings on Proposed Annexations Located in Hunt County, and any matters related thereto.

Jason Day stated this proposed annexation is only the highway (I-30); there is no personal property. There are two segments on Interstate 30 that are not in the city limits. These are adjoining properties that come under 212 Agreements and did not get annexed for the five-year period. When those were taken off the annexation, the highway was also taken out. This needs to be fixed. We are trying to make it where it is all in the city limits. What has always been done is an involuntary annexation of TxDot property.

This is just to set the public hearing. We just got our final annexation map back about three weeks ago from the surveyor and we found the two holes on the highway (I-30).

Council Member Branch made a motion setting the Date, Time, and Place for Public Hearing on Proposed Annexations Located in Hunt County. Council Member Crowley seconded the motion. **Motion passed 7-0.**

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

Carl Alsbrook stated that Arby's has gone vertical. Popeye's should go vertical within a week, or so, maybe this Friday; if not, the beginning of next week. Kwik Kar has their service basement done, so we should see it fully roughed in. Hopefully, in the next couple of weeks, you will see it go vertical as well.

On the residential front, we have met with John Marlin, a developer in the Elm Grove area. Hopefully we will have something to bring back to you regarding that. He has been in contact with Bearpen Creek and proposed some ideas regarding reducing density and making it unique, as far as not everything looking the same. They were very receptive.

We had a blood drive last Friday and Saturday. It was Police vs. Fire. There were 42 donors. This was the first time we have had it. Carter Blood Center was very excited and appreciative about the support Royse City lent. They will be coming back out. The winner will be revealed tomorrow, or they may wait to have a presentation before City Council. Anybody that came out and donated blood we appreciate it.

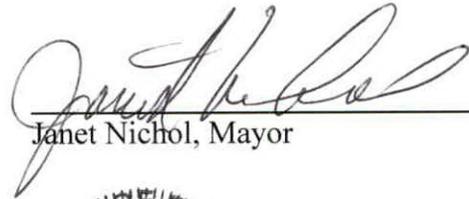
G. FUTURE AGENDA ITEMS

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

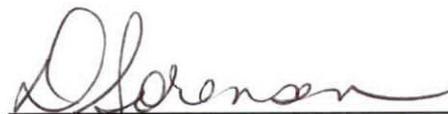
H. ADJOURN AT 7:56 PM

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



Janet Nichol, Mayor

ATTEST:



Deborah Sorensen, TRMC, CMC, City Secretary

