



**MINUTES REGULAR
COUNCIL MEETING**

Tuesday, September 24, 2019 – 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
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, Camille Johnson
Director of Finance, Shannon Raymond
Director of Develop. & Community Services, Rob Cooper
Police Chief, Jeff Stapleton
Parks & Facilities Superintendent, Martin Torres
Main Street Manager, Paula Morris
Executive Director of Community Development Corp., Charles Houk

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Nichol gave invocation and led the Pledge of Allegiance.

C. PROCLAMATION

1. National Night Out

Mayor Nichol presented the Proclamation for National Night Out to Public Information Officer Darnell Franklin. National Night Out is Tuesday, October 1, 2019 from 6 pm to 9 pm in the high school parking lot.

D. CITIZENS PARTICIPATION

None

E. RECESS CITY COUNCIL MEETING AT 7:04 PM

F. PUBLIC HEARING AT 7:04 PM

1. Take testimony concerning a Specific Use Permit regarding a Temporary/Seasonal Stand for Smoke Sessions BBQ, located on property described as, J.D. McCasland Survey, Block 71, Abstract No. 150, addressed as 307 W. Hwy. 66, Royse City, Rockwall County, Texas.

No one spoke for or against.

G. CLOSE PUBLIC HEARING AT 7:05 PM

H. RECONVENE CITY COUNCIL MEETING AT 7:05 PM

I. CONSENT AGENDA

1. City Council Minutes: September 10, 2019 Joint Meeting and September 10, 2019 Regular Meeting

Council Member Wheatley made a motion to approve the consent agenda. Council Member Branch seconded the motion. **Motion passed 6-0.**

J. BUSINESS

1. Discussion concerning monthly revenue and expenditure report for August 2019, and any matters related thereto.

Shannon Raymond presented the August monthly revenue and expenditure report. August 2019 sales tax receipts are for June sales and were 14.7% higher compared to August 2018 receipts after 380 rebates.

2. Consider and act concerning an Ordinance Approving a Negotiated Settlement Regarding 2019 Atmos Mid-Tex Rate Review Mechanism (RRM) Filings, and any matters related thereto.

Jason Day stated Royse City is part of the ATMOS Steering Committee. We have a say in the rate utilities charge within our city limits. This is a negotiated settlement between ATMOS and the Steering Committee.

Council Member Crowley made a motion to accept the settlement agreement. Council Member Bradley seconded the motion. **Motion passed 6-0.**

3. Consider and act concerning an Ordinance for a Specific Use Permit regarding a Temporary/Seasonal Stand for Smoke Sessions BBQ, located on property described as, J.D. McCasland Survey, Block 71, Abstract No. 150, addressed as 307 W. Hwy. 66, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated Smoke Sessions BBQ currently has an approved temporary special event permit to allow them to operate at their current location, 307 W. Hwy 66. The special event permit was valid for 30-days. The need for a Specific Use Permit (SUP) is to allow them to continue operating on-site for a specific time-period while they design and construct their new restaurant building. The purpose of the SUP is to establish specific phases of construction and completion date for each phase. Currently, Smoke Sessions is open Tuesday thru Sunday, 11:00 A.M. to 8:00 P.M. The Specific Use Permit shall be valid for twelve (12) months. The conditions that Planning & Zoning Commission recommended are that construction of the new restaurant must begin or a grading permit must be obtained from the City, no later than October 1, 2019; construction of the restaurant must be completed no later than July 1, 2020; and a certificate of occupancy must be obtained from the City on or before September 1, 2020.

Council Member Branch asked how long they have been at that location. Rob replied he thought it was April. Council Member Branch asked why this is just now coming forward, shouldn't it have been presented earlier than now. Jason Day stated that they have only been onsite at their location for about eight weeks. They had to be reviewed by the Planning & Zoning Commission first and are now in front of City

Council. Council Member Branch asked if they have submitted plans. Rob responded that they have submitted civil construction plans and are in the process of being reviewed. Council Member Branch is concerned that nothing will be done between now and July 1, 2020. It was suggested that an additional condition of having a building permit issued by February 1, 2020 be added to the SUP.

Council Member Bradley made a motion to approve the SUP with the additional condition of having a building permit issued by February 1, 2020. Council Member Branch seconded the motion. **Motion passed 6-0.**

4. Consider and act concerning a Resolution Appointing Four Commissioners to the Planning and Zoning Commission (term October 1, 2019 to September 30, 2021), and any matters related thereto.

Rob Cooper stated there are four regular commissioners whose terms expired October 1, 2019. Phil Haggard, Kari Hollifield, and Russell Flanigan have expressed interest in continuing to serve. Cortlin LaBlank has also expressed an interest in serving as well. The Planning & Zoning Commission recommended appointment of Cortlin LaBlank at their September 5th meeting.

Mayor Pro Tem Ellis made a motion to appoint the four applicants to the Planning & Zoning Commission. Council Member Branch seconded the motion. **Motion passed 6-0.**

5. Consider and act concerning a Resolution Appointing a Board Member to the Main Street Advisory Board (term September 24, 2019 to December 31, 2019), and any matters related thereto.

Paula Morris stated Larry Lott resigned from the Main Street Advisory Board. Charles Houk has expressed interest in the Main Street Advisory Board. This position will expire 12/31/19; therefore Charles Houk would serve an unexpired term if appointed.

Council Member Crowley made a motion to appoint Charles Houk to replace Larry Lott. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

6. Consider and act concerning an amendment to Development Agreement with Hines Acquisitions, LLC, regarding Creekside, and any matters related thereto.

Jason Day stated this amendment is to allow a master plat and preliminary plat to be allowed for this subdivision. They have not been annexed into the city just yet.

Council Member Branch made a motion to approve the amendment to Development with Hines Acquisitions, LLC, regarding Creekside. Council Member Crowley seconded the motion. **Motion passed 6-0.**

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

Carl Alsbrook stated we should be breaking ground for the new fire station in November. Looking at temporary housing for the fire department until the new fire station is completed. Pappy's Car Wash is on the verge of opening. The strip center by Walmart should be getting a permit soon. FM 2453 should be completed in a couple of weeks.

K. RECESS CITY COUNCIL MEETING AT 7:36 PM

L. EXECUTIVE SESSION AT 7:36 PM

Recess into Closed Session in compliance with Section §551.001 etseq. Texas Government Code, to wit:

Section §551.071 – Consultation with City Attorney and Section §551.074 – Personnel Matters

1. Discussion with City Attorney regarding possible legal action regarding Petition for Consent to Creation of Hunt County Municipal Utility District No. 4.
2. Discussion with City Attorney regarding an amendment to a Development Agreement concerning Waterscape Subdivision.
3. Discussion with City Attorney regarding negotiating terms for a Capital Improvement Agreement and Public Improvement District with MA Partners LLC concerning a mixed use development located west of Erby Campbell.
4. To deliberate the appointment of a Council Member to City Council, Place 1.

M. CLOSE EXECUTIVE SESSION AT 9:56 PM

N. RECONVENE CITY COUNCIL MEETING AT 9:56 PM

1. Further discussion and possible action from Executive Session concerning possible legal action regarding Petition for Consent to Creation of Hunt County Municipal Utility District No. 4, and any matters related thereto.

No action taken.

2. Further discussion and possible action from Executive Session concerning an amendment to a Development Agreement concerning Waterscape Subdivision, and any matters related thereto.

Mayor Pro Tem Ellis made a motion to have City Attorney enter into an amendment to a Development Agreement concerning Waterscape Subdivision. Council Member Bradley seconded the motion. **Motion passed 6-0.**

3. Further discussion and possible action from Executive Session concerning negotiating terms for a Capital Improvement Agreement and Public Improvement District with MA Partners LLC regarding a mixed use development located west of Erby Campbell, and any matters related thereto.

No action taken.

4. Further discussion and possible action from Executive Session concerning the appointment of a Council Member to City Council, Place 1, and any matters related thereto.

Council Member Wheatley made a motion to appoint Michael Holder to City Council, Place 1. Council Member Crowley seconded the motion. **Motion passed 6-0.**

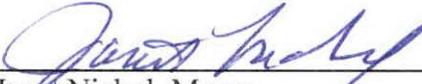
O. FUTURE AGENDA ITEMS

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.

None

P. **ADJOURN AT 9:58 PM**

Mayor Pro Tem Ellis made a motion to adjourn the meeting. Council Member Crowley seconded the motion. **Motion passed 6-0.**



Janet Nichol, Mayor



ATTEST:



Deborah Sorensen, TRMC, CMC, City Secretary