



**MINUTES REGULAR  
COUNCIL MEETING**

**Tuesday, October 22, 2019 – 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  
Mayor Pro Tem, Council Member Place 2, Clay Ellis  
Council Member Place 1, Mike Holder  
Council Member Place 3, Bruce Bradley  
Council Member Place 5, James Branch  
Council Member, Place 6, Tom Crowley
- Members Absent: Council Member Place 4, Matt Wheatley
- Staff Present: 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  
Fire Chief, Rickey Bell  
Fire Marshal, Tanner Dietz  
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., Charles Houk

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Nichol gave invocation and led the Pledge of Allegiance.

**C. CITIZENS PARTICIPATION**

None

**D. RECESS CITY COUNCIL MEETING AT 7:02 PM**

**E. PUBLIC HEARING AT 7:02 PM**

1. Take testimony concerning a Specific Use Permit (SUP) regarding a craft brewery for Thirsty Bro Brewing, located on property described as, Business, Block G, Lot(s) 50 & 51, addressed as 232 E. Main Street, Royse City, Rockwall County, Texas.  
No one spoke for or against.

2. Take testimony concerning a Specific Use Permit (SUP) regarding the use and placement of cargo containers for Thirsty Bro Brewing, located on property described as, Business, Block G, Lot 49, addressed as 230 E. Main Street, Royse City, Rockwall County, Texas, and any matters related thereto

No one spoke for or against.

**F. CLOSE PUBLIC HEARING AT 7:04 PM**

**G. RECONVENE CITY COUNCIL MEETING AT 7:04 PM**

**H. CONSENT AGENDA**

1. City Council Minutes: September 24, 2019 Regular Meeting
2. Authorize the City Manager to sign letter engaging Rutledge Crain & Company, PC as the firm to conduct the City's audit for the fiscal year ending September 30, 2019.

Deborah Sorensen advised City Council Consent Agenda Item is removed from the agenda due to an incorrect date. It should have been October 8, 2019 instead of September 24, 2019.

Council Member Branch made a motion to approve engaging Rutledge Crain & Company, PC. Council Member Crowley seconded the motion. **Motion passed 6-0.**

**I. BUSINESS**

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

Shannon Raymond presented the September monthly revenue and expenditure report. September 2019 sales tax receipts are for July sales and were 24.5% higher compared to September 2018 receipts after 380 rebates. The audit will begin shortly. This is the fifth year that we have engaged Rutledge Crain & Company. We will have to do a RFP, which we will begin in the Spring.

2. Consider and act concerning an Interlocal Cooperation Agreement between Rockwall County and the City of Royse City for the Provision of Emergency Dispatch Services in the amount of \$60,000, for a period of October 1, 2019 through September 30, 2020, and any matters related thereto.

Chief Jeff Stapleton stated this is a budgetary item, which was submitted and approved in the budget. This is an increase of \$2,000. This is for our dispatch services.

Council Member Branch made a motion to approve Interlocal Cooperation Agreement for Emergency Dispatch Services. Council Member Bradley seconded the motion. **Motion passed 6-0.**

3. Consider and act concerning a contract for court debt collections with Linebarger Goggan Blair & Sampson LLP, authorizing the City Manager to sign all documents related thereto, and any matters related thereto.

Jason Day we have the ability to do civil collection of fines. This is for individuals that do not pay their court fines. This would be at no cost to the City. Jason added that staff recommends approval subject to final contract being reviewed by City Attorney.

Council Member Crowley made a motion to enter into a contract for court collections with Linebarger Goggan Blair & Sampson LLP. Council Member Branch seconded the motion. **Motion passed 6-0.**

4. Consider and act concerning an Ordinance regarding a Specific Use Permit (SUP) regarding a craft brewery for Thirsty Bro Brewing, located on property described as, Business, Block G, Lot(s) 50 & 51, addressed as 232 E. Main Street, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated Thirsty Bro Brewing will be moving from their current spot on Main Street to 232 E. Main Street, which is currently occupied by the Royse City Fire Department. Thirsty Bro currently has an approved Specific Use Permit, which allows them to operate as a craft brewery at their current location, 141 E. Main Street. Currently, Thirsty Bro is only open Thurs. thru Sunday, 4pm to 10pm; 4pm to 11pm; 11am to 12am; and 12pm to 9pm. Pursuant to City Code, a craft brewery is allowed in a Commercial 1 (C1) zoning district with an approved SUP (A Specific Use Permit is site specific and non-transferable). The Planning & Zoning Commission approved the SUP during their October 3rd regular meeting with the following condition of approval:

1. The SUP shall be issued to the location (232 E. Main St.) and shall continue in existence unless said location becomes vacant for a period exceeding three (3) calendar months.
2. Capping production at 5,000 barrels and the loading/unloading time occur between 6:00 am and 6:00 pm.

Staff recommends adding Shall obtain a certificate of occupancy (CO) from City; Primary entrance shall be on Main Street; and No deliveries on Main Street, all deliveries shall be on Plum Street.

Council Member Branch asked is it would be appropriate to ask about plans and if they have been submitted. Mayor Nichol asked Rob if applicant has submitted any construction plans. Rob stated that they have however; they were missing quite a bit of information. The comments have been sent back to the applicant.

Council Member Branch asked if the applicant's rendering match what we want or expect. Rob replied no. Mayor Nichol asked if we can table this item until the next meeting.

Mayor Pro Tem Ellis also wants clarity on the restaurant.

Mayor Pro Tem Ellis made a motion to Table this item until the next meeting. Council Member Branch seconded the motion. **Motion passed 6-0.**

5. Consider and act concerning an Ordinance regarding a Specific Use Permit (SUP) regarding the use and placement of cargo containers for Thirsty Bro Brewing, located on property described as, Business, Block G, Lot 49, addressed as 230 E. Main Street, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated Thirsty Bro will be moving from their current spot at 141 E. Main Street to 230-232 E. Main Street, which is currently occupied by the Royse City Fire Department. 230 E. Main is an adjacent vacant lot. According to Thirsty Bro's site plan, this is where they would like to place two cargo containers (8'-0" x 20'-0"), to be used for beer and supply storage. This area will also accommodate their outdoor entertainment area with a stage for live music. The containers will be covered and

encased by a wooden structure. The site will have placed a crushed stone layer throughout the courtyard for a dust-free, all weather surface.

Pursuant to City Code, cargo containers are allowed in a Commercial 1 (C1) zoning district with an approved SUP (A Specific Use Permit is site specific and non-transferable). The Planning & Zoning Commission recommended approval of the SUP during their October 3rd regular meeting with the following condition of approval:

1. Cargo Containers shall be placed upon a dust-free, all-weather surface;
2. Cargo Containers shall not exceed a size of 10' in height, 10' in width, and 30' in length;
3. Cargo Containers shall not be placed within the established front yard setback;
4. Cargo Containers shall not be stacked;
5. Cargo Containers shall be placed in a location that minimizes visual impact from surrounding streets and properties.
6. Cargo Containers will resemble what is depicted in architectural rendering of roofline and front facia that is attached to the Planning & Zoning Commission's Resolution as Exhibit A.

Rob stated staff needs clarity and location of cargo containers. Applicant has not submitted plans matching what he originally said the cargo containers would be. Staff recommends denial without prejudice.

Council Member Crowley made a motion to deny the application without prejudice. Council Member Branch seconded the motion. **Motion passed 6-0.**

6. Consider and act concerning a Resolution Appointing a Committee Member to the Heritage Preservation Committee (term October 22, 2019 to June 30, 2021), and any matters related thereto.

Rob Cooper stated that Place 1 is an open seat on the Heritage Preservation Committee. Ashley LaBlank has expressed an interest in serving on the Heritage Preservation Committee. The Heritage Preservation Committee has recommended approval of Ashley LaBlank's appointment.

Mayor Pro Tem Ellis made a motion to appoint Ashley LaBlank to the Heritage Preservation Committee. Council Member Crowley seconded the motion. **Motion passed 6-0.**

7. Consider and act concerning a Resolution Appointing Two Board Members to the Zoning Board of Adjustment (term October 22, 2019 to December 31, 2020), and any matters related thereto.

Rob Cooper stated there are three open alternate seats on the Zoning Board of Adjustment (ZBA). The ZBA has reviewed Ron Jenkins and Russell Ratterree's applications and have recommended approval of their appointments. This will leave one open alternate seat on the ZBA.

Council Member Bradley made a motion to appoint Ron Jenkins and Russell Ratterree to the ZBA. Mayor Pro Tem Ellis seconded the motion. **Motion passed 6-0.**

8. Consider and act concerning a Resolution Appointing a Committee Member to the Impact Fee Advisory Committee (term October 22, 2019 to September 30, 2020), and any matters related thereto.

Rob Cooper stated there is an open seat of an Ad Hoc Voting Member in the ETJ, on the Impact Fee Advisory Committee. Ron Jenkins has expressed an interest in this committee and has submitted an application. The Committee has reviewed Ron Jenkins' application and has recommended approval of the appointment.

Council Member Branch made a motion to appoint Ron Jenkins. Council Member Crowley seconded the motion. **Motion passed 6-0.**

9. Discussion concerning Main Street Pumpkin Patch, Trick-or-Treat on Main Street, and any matters related thereto.

Paula Morris stated the Main Street Pumpkin Patch runs through October 31st, volunteers are needed. Trick-or-Treat on Main Street is October 30th from 6 pm to 8 pm.

**J. RECESS CITY COUNCIL MEETING AT 7:38 PM**

**K. EXECUTIVE SESSION AT 7:38 PM**

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

Section §551.071 – Consultation with City Attorney

1. Discussion with City Attorney regarding an amendment to a Development Agreement concerning Waterscape Subdivision.
2. Discussion with City Attorney regarding a Capital Improvement Agreement and Public Improvement District (PID) with Wynne\Jackson Inc. concerning Creekshaw Subdivision.

**L. CLOSE EXECUTIVE SESSION AT 8:32 PM**

**M. RECONVENE CITY COUNCIL MEETING AT 8:32 PM**

1. Further discussion and possible action from Executive Session concerning an Amended and Restated Development Agreement concerning Waterscape Subdivision, and any matters related thereto.

Council Member Crowley made a motion to approve the Development Agreement contingent upon City Attorney and City Manager approval of items discussed in Executive Session. Council Member Branch seconded the motion. **Motion passed 6-0.**

2. Further discussion and possible action from Executive Session concerning a Capital Improvement Agreement and Public Improvement District (PID) with Wynne\Jackson Inc. concerning Creekshaw Subdivision.

No action taken.

**N. BUSINESS**

1. Consider and act concerning a Resolution Determining the Costs of Certain Authorized Improvements to be Financed which serves the Waterscape Public Improvement District (PID); Approving an Amended and Restated Service and Assessment Plan (SAP), including the Proposed Assessment Roll; Calling Public Hearing on PID Levy and Assessment; and Directing Notice of Assessment Hearing, and any matters related thereto.

Mary Petty, with P3 Works, stated this is the next step with the developer reaching completion of the improvements on Phase 2. This is for the levy and assessment plan for Phase 2. This is only the resolution that orders staff to publish the notice in the newspaper and to call the public hearing.

Council Member Branch made a motion to approve the Resolution Determining the Costs of Certain Authorized Improvements to be Financed which serves Waterscape. Council Member Crowley seconded the motion. **Motion passed 6-0.**

2. Consider and act concerning a Resolution Calling Public Hearing Creating a Tax Increment Reinvestment Zone (TIRZ), and any matters related thereto.

Mary Petty, with P3 Works, stated under Chapter 311 of the Texas Tax Code doesn't require that you call a public hearing, but it does require that you hold a public hearing. For transparency reasons, we have a resolution calling for the public hearing and authorize staff to publish notification in the paper.

Council Member Bradley made a motion to call the public hearing for Tuesday November 19, 2019. Motion passed Ellis seconded the motion. **Motion passed 6-0.**

Mary Petty stated the public hearing should be on November 12th, not November 19th.

Council Member Bradley amended his motion to have the public hearing on November 12, 2019. Motion passed Ellis seconded the motion. **Motion passed 6-0.**

3. Consider and act concerning a Resolution Setting the Date, Time, and Place for Public Hearings on Proposed Annexation of 230.6 acres of land, more or less, located along Crenshaw Road in Rockwall County, and any matters related thereto.

Jason Day stated this land is owned by Huffines, or one of their developing companies. This is to call for the public hearing of annexing.

Council Member Crowley made a motion to call the public hearing for the proposed annexation of 230.6 acres along Crenshaw Road. Mayor Pro Tem Ellis 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 8:37 PM**

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

**ATTEST:**



Deborah Sorensen, TRMC, MMC, City Secretary

  
Janet Nichol, Mayor