



City Council of Royse City, Texas

**AGENDA-REGULAR  
COUNCIL MEETING**

**Tuesday, March 24, 2020 – 7:00 pm**

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

**A. CALL TO ORDER 7:01 PM BY MAYOR NICHOL**

Announce the presence of a quorum.

City Council

Members Present: Mayor, Janet Nichol  
Mayor Pro Tem, Council Member Place 2, Clay Ellis  
Council Member Place 1, Michael Holder  
Council Member Place 4, Matt Wheatley  
Council Member Place 5, James Branch

Members Present

By Telephone: Council Member Place 3, Bruce Bradley  
Council Member Place 6, Tom Crowley

Staff Present:

City Manager, Carl Alsabrook  
City Attorney, Jason Day  
City Secretary, Deborah Sorensen  
Finance Director, Shannon Raymond  
Director of Develop. & Community Services, Rob Cooper  
Police Chief, Kirk Aldridge  
Director of Public Works, Dario Lopez  
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. AUDIT PRESENTATION**

1. Lewis Crain, CPA of Rutledge Crain and Company, PC to present the City’s Annual Financial Report for the year ended September 30, 2019, and any matters related thereto.

Lewis Crain presented the City’s Annual Financial Report for the year ended September 30, 2019. The city has 53.5% of current expenditures in reserves. This is very good, especially for a city of this size. He reviewed the increase in the pension liability. The city received a positive letter from the auditor. From a financial standpoint, the city is in a very good place.

**D. CITIZENS PARTICIPATION**

None

**E. RECESS CITY COUNCIL MEETING AT 7:08 PM**

## **F. PUBLIC HEARING AT 7:08 PM**

1. Take testimony concerning a Zoning Change application from Agricultural (AG) to Commercial 2 (C2), consisting of 4.975 acres, situated in the A. Hanna Survey, Abstract 109, addressed as 8508 Highway 66, Royse City, Rockwall County, Texas.

No one spoke for or against.

2. Take testimony concerning a Specific Use Permit application regarding a Child Care Home, located on property described as Hart Addition, Block AK, Lot 7, addressed as 401 Bowie Street, Royse City, Rockwall County, Texas.

No one spoke for or against.

3. Take testimony concerning an amendment to the Code of Ordinances of the City of Royse City, by amending the Zoning Ordinance, Chapter 14, Article 5, Special Districts, Section 5-2, Heritage Preservation Overlay District, (G), Commercial Regulations, (7) Exemptions for the purpose of exempting Commercial 1 (C1) properties which are located in the Heritage Preservation Overlay District from the side street setback requirements.

No one spoke for or against.

## **G. CLOSE PUBLIC HEARING AT 7:10 PM**

## **H. RECONVENE CITY COUNCIL MEETING AT 7:10 PM**

## **I. CONSENT AGENDA**

1. City Council Minutes: March 20, 2020 Regular Meeting
2. Monthly Revenue and Expenditure Report for February 2020
3. Resolution declaring the annual review of the Investment Policy
4. Amending the Code of Ordinances by amending Chapter 3 Building Regulations, Division 7. Fuel Gas Code, adopting the 2018 Edition of the International Fuel Gas Code, with amendments

Staff added Business agenda item #11 to the Consent Agenda.

11. Consider and act concerning approving a Resolution appointing David Hollifield to the North Texas Municipal Water District (NTMWD) Board of Directors (term June 1, 2020 to May 31, 2022), and any matters related thereto.

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

## **J. BUSINESS**

1. Consider and act concerning a Resolution Extending and/or Issuing Additional Directives of the Disaster Declaration Issued by Mayoral Proclamation on March 17, 2020 in Response to COVID-19 A Public Health Emergency, and any matters related thereto.

Jason Day stated that on March 17th, the Mayor issued a Disaster Declaration in response to COVID-19. Subsequent to that, Rockwall County, Hunt County; and Collin County have issued declarations. We are in a unique situation due to the fact that we are in three different counties. Our citizens and business owners are confused because all three counties have different orders in their declarations. They do not know what they can or cannot do. City Council can extend the Mayor's Declaration and add

to the orders. His suggestion is to mirror Rockwall County's order with some modifications. The goal is to give a consistent message to our citizens.

Council Member Crowley made a motion to approve the Declaration of Local Disaster as presented. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

2. Consider and act concerning a Royse City Community Development Corporation Emergency Grant Program, and any matters related thereto.

This item was moved to Executive Session.

3. Consider and act concerning the purchase of the Vapex PICO Unit for the manhole on FM 2453; authorizing the City Manager to execute a purchase order to Pump Solutions Inc. in the amount of \$46,550.00, and any matters related thereto.

Carl Alsabrook stated the trial of the Vapex PICO Unit has expired and it is now time to purchase the unit. The unit is used to control the odor from the Verandah Lift Station Wastewater force main.

Mayor Pro Tem Ellis made a motion to approve the purchase of the Vapex PICO Unit. Council Member Holder seconded the motion. **Motion passed 7-0.**

4. Consider and act concerning authorizing the City Manager to allocate funds and to sign an addendum with Core Construction authorizing a guaranteed maximum price for civil construction related to Fire Station 1, and any matters related thereto.

Carl Alsabrook stated the dirt with regards to the foundation is not very good. Due to the quality of the dirt, the contractor will have to bore an additional 46 feet down for the foundation.

Council Member Holder made a motion to authorize the City Manager to allocate funds to Core Construction. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

5. Consider and act concerning an Ordinance regarding a Zoning Change from Agricultural (A) to Commercial 2 (C2), consisting of 4.975 acres, situated in the A. Hanna Survey, Abstract 109, addressed as 8208 Highway 66, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated the property is located at 8208 Highway 66, just west of N. Sorrells Road. The owners have plans to construct an immersion data center. Under C-2 zoning, a warehouse and storage facility would require a SUP, which the owner plans to apply for at a future date. The owners are also working on a Development Plat with the City. Planning & Zoning Commission has recommended approval.

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

6. Consider and act concerning an Ordinance regarding a Specific Use Permit regarding a Child Care Home, located on property described as Hart Addition, Block AK, Lot 7, addressed as 401 Bowie Street, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated the applicant is requesting a Specific Use Permit regarding a Child Care Home located at 401 Bowie Street. The applicant's location meets the State's minimum requirements regarding the minimum square footage for the play-area of 80-sq. ft. per child. Based on Rockwall CAD information, the property's rear yard is approximately 2,080-sq. ft., which exceeds the minimum requirement of 960-sq. ft. The property currently also has a 4' chain-link rear-yard perimeter fence with a gate.

According to the applicant's business plan, she will have a maximum of twelve (12) children, ages between 8-weeks old to 12-years of age. Drop-off times will be between 6:00 AM and 8:30 AM. Pick-up times are between 5:00 PM and 6:30 PM. Planning & Zoning Commission has recommended approval.

Council Member Holder made a motion to approve the Specific Use Permit regarding a Child Care Home. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

7. Consider and act concerning an Ordinance regarding an amendment to the Code of Ordinances of the City of Royse City, by amending the Zoning Ordinance, Chapter 14, Article 5, Special Districts, Section 5-2, Heritage Preservation Overlay District, (G), Commercial Regulations, (7) Exemptions for the purpose of exempting Commercial 1 (C1) properties which are located in the Heritage Preservation Overlay District from the side street setback requirements, and any matters related thereto.

Rob Cooper stated commercial properties within the Heritage District are focused around Main Street and Elm St. The original intent of how the properties were laid out was to allow these commercial building to build up to their side property lines. C-1 has no side yard setback requirements unless they are abutting a residential district of 25 feet. All the properties along Main Street are connected because there is no side yard setback. However, corner properties are still required to have a 15' street yard setback in the C-1 zoning district. Corner properties are restricted if they want to expand their current building to their property lines. Planning & Zoning Commission has recommended approval.

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

8. Consider and act concerning an Ordinance regarding a Preliminary Plat of Creekshaw, Phase 1, consisting of 94.2185 acres situated in the James Thompson Survey, Abstract No. 209; J. Merriman Survey, Abstract No. 154; Richard Mead Survey, Abstract No. 141; and the James B. Ratliff Survey, Abstract No. 185, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Copper stated the Creekshaw subdivision is located south of I-30, north of FM-35 and west of the Union Square subdivision. The Preliminary Plat of Phase 1 consists of 276 single-family residential lots on approximately 94.2185-acres. Phase 1 will consist of 175 single-family lots that have a 50-foot lot width and 101 single-family lots that have a 40-foot lot width. Planning & Zoning Commission has recommended approval.

Council Member Wheatley made a motion to approve the Preliminary Plat of Creekshaw Phase 1. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0.**

9. Consider and act concerning an Ordinance regarding a Re-Plat of Portions of Lots 16-20, Block 5, consisting of 0.38 acre, situated in the C.L. Jones Survey, Abstract No. 150, known as the King Addition, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated that this re-plat is needed as a means to combine two tracts into one platted lot. The re-plat will allow for a commercial development. The size of the lot will be 0.38 acre. There is an existing 6-inch waterline located along the west side of S. Elm Street. There is an existing 6-inch sanitary sewer line located along the south side of W. Faber Street. Access to the lot will be available from Faber Street and Elm Street. Planning & Zoning Commission has recommended approval.

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

10. Consider and act concerning an Ordinance regarding the Town Center Overlay District Standards, and area which consists of approximately 14.3 acres, from S. Houston Street and the railroad tracks, south to W. Old Greenville Road and west to Pond Branch Creek and north to the railroad tracks, Royse City, Rockwall County, Texas, and any matters related thereto.

Rob Cooper stated the Towne Center Concept Plan is an area consisting of approximately 14.3 acres, from S. Houston Street and the railroad tracks, south to W. Old Greenville Road and west to Pond Branch Creek and north to the railroad tracks. The adoption of the Overlay District will not cause any disruption to any existing property or homeowner or require them to make any changes to their property. As redevelopment takes place, these new standards would apply. The purpose of the Overlay District is to create district regulations, and implement a "Town Center" concept based upon the Comprehensive Plan. The town center overlay will include the following: 1. Permitted Uses By-Right; 2. Permitted Uses by Special Permit, and; 3. Other Special Uses; 4. Design Standards; 5. Bulk Regulations; 6. Off-Street Parking. The intent is to create an open environment to facilitate an entertainment district, allowing special events, concerts, restaurants, retail shopping and food trucks. The Overlay District will enhance the walking trail system with close proximity to downtown and the Main Street merchants. Walkability to Main Street and the entire downtown area is the primary objective for the Overlay District. In addition, Old Mill Park is located between Old Greenville Road and the baseball fields of Walker Hawk Sports Complex. It can be accessed from Old Greenville or by using the walking/jogging trail at Walker Hawk. Planning & Zoning Commission has recommended approval.

Jason Day stated that there has not been a public hearing on this item so there is no action to take.

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

Carl Alsbrook stated APAC will be staging equipment near FM 1565 tomorrow for road repairs.

**K. RECESS CITY COUNCIL MEETING AT 8:32 PM**

**L. EXECUTIVE SESSION**

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

Section §551.071 – Private Consultation with City Attorney

1. Discussion with City Attorney regarding a Development Agreement concerning Baker's Crossing Subdivision.
2. Discussion with City Attorney regarding an update concerning North Texas Municipal Water District (NTMWD) lawsuit.
3. Discussion with City Attorney concerning a Royse City Community Development Corporation Emergency Grant Program.

**M. CLOSE EXECUTIVE SESSION AT 9:27 PM**

**N. RECONVENE CITY COUNCIL MEETING AT 9:27 PM**

1. Further discussion and possible action from Executive Session regarding a Development Agreement concerning Baker's Crossing Subdivision, and any matters related thereto.

No action taken.

2. Further discussion and possible action from Executive Session regarding an update concerning North Texas Municipal Water District (NTMWD) lawsuit.

No action taken.

3. Further discussion and possible action from Executive Session regarding a Royse City Community Development Corporation Emergency Grant Program, and any matters related thereto.

Charles Houk stated that on March 23rd, the Community Development Corporation (CDC) Board of Directors passed a resolution for an Emergency Grant Program. He is asking City Council to approve the resolution.

Mayor Pro Tem Ellis made a motion to approve the CDC Resolution for an Emergency Grant Program. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

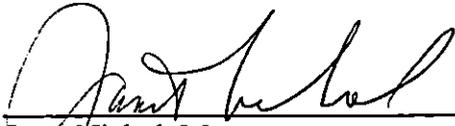
**O. FUTURE AGENDA ITEMS**

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

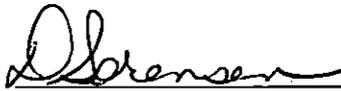
**P. ADJOURN AT 9:33 PM**

Council Member Branch made a motion to adjourn the meeting. Council Member Wheatley seconded the motion. **Motion passed 7-0.**

  
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Janet Nichol, Mayor



**ATTEST:**

  
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Deborah Sorensen, FRMC, MMC  
City Secretary