



**MINUTES REGULAR  
COUNCIL MEETING**

**Tuesday, May 12, 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.

Members Present: Mayor, Janet Nichol  
Council Member Place 1, Michael Holder  
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  
Police Chief, Kirk Aldridge  
City Engineer, Lacey Rodgers  
Executive Director of Community Development Corp., Charles Houk

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Ellis gave invocation and led the Pledge of Allegiance.

**C. OATH OF OFFICE**

Michael Holder, Council Member Place 1  
Clay Ellis, Council Member Place 2  
Matt Wheatley, Council Member Place 4  
Tom Crowley, Council Member Place 6

The Oaths of Office were given by City Secretary, Deborah Sorensen.

**D. APPOINT MAYOR PRO TEM**

1. Consider and act concerning appointment of Mayor Pro Tem, and any matters related thereto.

Council Member Bradley made a motion to appoint Clay Ellis as Mayor Pro Tem.  
Council Member Wheatley seconded the motion. **Motion passed 7-0.**

**E. CITIZENS PARTICIPATION**

None

**F. CONSENT AGENDA**

1. City Council Minutes: April 28, 2020 Regular Meeting

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

**G. BUSINESS**

1. Consider and act concerning approval of a contract with Birkhoff, Hendricks, & Carter, LLP in an amount not to exceed \$30,000, regarding the FM 35 utility relocation project, authorizing the City Manager to sign all documents related thereto, and any matters related thereto.

Lacey Rodgers stated TxDOT is reconstructing FM 2642 which requires city utility adjustments to be made. A number of adjustments were avoided; however, one remains. A waterline crossing near FM 35 must be lowered to accommodate the road reconstruction.

Council Member Crowley made a motion to approve the contract with Birkhoff, Hendricks, & Carter, LLP in an amount not to exceed \$30,000. Council Member Bradley seconded the motion. **Motion passed 7-0.**

2. Consider and act concerning a Resolution Adopting the provisions of Article 103.0031 of the Texas Code of Criminal Procedure, imposing a collection fee of thirty percent (30%) to defray the costs of collection on delinquent fines, fees and costs imposed by the City of Royse City, and any matters related thereto.

Jason Day stated pursuant to Article 103.003 of the Texas Code of criminal Procedure, a 30% add on fee can be assessed to each outstanding case's total amount of fines and fees owed by a defendant as compensation to the firm for the amounts they are responsible for collecting. There is no fiscal impact to the City.

Council Member Crowley made a motion to approve the Resolution Adopting the provisions of Article 103.0031 of the Texas Code of Criminal Procedure. Council Member branch seconded the motion. **Motion passed 7-0.**

3. Consider and act concerning authorizing the City Manager to execute a contract for delinquent Municipal Court collection services, for the purpose of considering and taking action relating to the approval of an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in the Texas Code of Criminal Procedure Article 103.0031 and authorizing the execution of such agreement, and any matters related thereto.

Jason Day stated Linebarger Goggan Blair & Sampson, LLP has agreed to contract with the city for debt collections for the Royse City Municipal Court.

Council Member Branch made a motion to accept the contract to collect unpaid fines, fees and court costs. Council Member Crowley seconded the motion. **Motion passed 7-0.**

4. Consider and act concerning a Resolution for acquisition of property rights and possible condemnation for a fifteen (15) foot wide waterline easement at the properties described as a 3.59 acre tract of land situated in the Turner Odell Survey, Abstract 681, Collin County, Texas; and a 25.470 acre tract of land situated in the J. McBride Survey, Abstract 630 and the Turner Odell Survey, Abstract 681, Collin County, Texas; and for a fifteen (15) foot wide sanitary sewer easement at the property described as a 122.794 acre tract of land situated in the John Davis Survey, Abstract 244 and the Russell Crofferd Survey, Abstract 229, Collin County, Texas, and any matters related thereto.

Jason Day stated the expansion of water and wastewater capabilities needed for development of the north eastern portion of the city, extension of water and wastewater lines are required. There are two additional easements needed for the waterline that were not able to be obtained through negotiations. There was an additional easement needed for the wastewater line that was not able to be obtained through negotiations. Condemnation authority is needed for these easements. This will begin the condemnation process for a fifteen (15) foot wide waterline easement at the properties described as a 3.59 acre tract of land situated in the Turner Odell Survey, Abstract 681, Collin County, Texas; and a 25.470 acre tract of land situated in the J. McBride Survey, Abstract 630 and the Turner Odell Survey, Abstract 681, Collin County, Texas; and for a fifteen (15) foot wide sanitary sewer easement at the property described as a 122.794 acre tract of land situated in the John Davis Survey, Abstract 244 and the Russell Crofferd Survey, Abstract 229, Collin County, Texas.

Council Member Crowley made a motion to authorize the City Manager use of the power of eminent domain to continue the acquisition of property rights and condemnation of the described properties for water and sanitary sewer lines. Mayor Pro Tem Ellis seconded the motion. **Motion passed 7-0**, with the roll call vote as follows:

Council Member Holder – yes  
Mayor Pro Tem Ellis – yes  
Council Member Bradley – yes  
Mayor Nichol – yes  
Council Member Wheatley – yes  
Council Member Branch – yes  
Council Member Crowley - yes

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

Carl Alsabrook stated there is a possible settlement with North Texas Municipal Water District (NTMWD) lawsuit. There will probably be an executive session at the next meeting to discuss the settlement.

APAC is in town to put in the downtown parking lot. They are waiting on the weather to clear.

There is a lot of work going on at Native Station and Smoke Sessions.

The City of fully open except for the Library and the Senior Center is doing drive in lunches for the seniors.

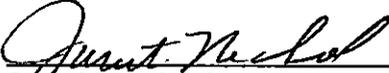
**H. FUTURE AGENDA ITEMS**

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.

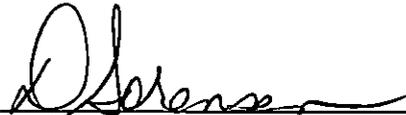
Mayor Nichol thanked Palio's for feeding 60 senior citizens.

**I. ADJOURN AT 7:22 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, MMC  
City Secretary

