



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
August 25, 2020, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Mike Henry, Craig Overstreet, Jim Hemby, Dwain Mathers and Terry Williams were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Daphne Hamlin, Kim Morris, Rick Ranspot, Charles Kirk, Kevin Casey and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, City of Farmersville Warrant Officer, followed by the pledges to the United States and Texas flags.
  - Calendar of upcoming holidays and meetings.
  - Due to the Covid-19 pandemic Old Time Saturday has been cancelled.
  - City Hall will be closed on Monday, September 7<sup>th</sup> in observance of Labor Day.
    - Mayor Wiebold stated the Council received an invitation from FISD regarding a ribbon cutting for Tatum Elementary and the Intermediate School renovations on Saturday, August 29<sup>th</sup> at Tatum Elementary.

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

- Clay Chesser and Heidi Patrenos from Lexington and Farmersville Health & Rehab gave an update regarding their screening processes and number of Covid-19 cases at the facility. They explained they had not had any positive cases and staff is always wearing masks and face shields. They indicated that visitors are still limited to only those that are there for end of life visits only.

### III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- No one came forward in person or via teleconference.

### IV. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or “housekeeping” items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
- B. Public Works Report
- C. City Financial Report
- D. City Manager’s Report

- Craig Overstreet asked to pull the City Manager’s Report.
  - Motion to approve items A-C made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor
- Craig Overstreet asked about the Historic Preservation Ordinance status.
- Ben White stated a new Main Street Manager has been hired and he would start reviewing the ordinance.
- Craig Overstreet also inquired as to why Ben White showed the Eddie Peacock contract as complete on his report.
- Ben White stated that he showed it as complete because it should be ready for signature.
- Craig Overstreet asked if Ben White was able to confirm that Reliable Concrete would still be responsible for the Development Agreement if they go under the business name Patriot Concrete.
- Ben White stated they would still be subject to the Development Agreement.
  - Motion to approve the City Manager’s Report made by Mike Henry
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

## V. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council apprised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested. **Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.**

Consideration and discussion regarding the following matters, minutes and reports, which consideration and discussion may also include or pertain to individual items and projects set forth in such matters, minutes and reports, as well as related background information and plans for future completion, performance or resolution as may be necessary to understand such individual items and projects and the City's related operation:

- A. City Amenities Board
  1. Minutes
  2. Possible Council Liaison Report
    - Terry Williams stated the Senior Citizens Center remains closed and the 4B board cannot support it with funds right now. The library is open on restricted hours, but appointments have to be made to visit the library.
  
- B. Farmersville Community Development Board (Type B)
  1. Financials
  2. Possible Council Liaison Report
    - Terry Williams stated they approved their budget.
  
- C. FEDC Farmersville Economic Development Board (Type A)
  1. Financials
  2. Possible Council Liaison Report
    - Dwain Mathers stated the last meeting was cancelled and they will meet this week.
  
- D. Main Street Board
  1. Minutes
  2. Possible Council Liaison Report

E. Parks & Recreation Board

1. Minutes
2. Possible Council Liaison Report

F. Planning & Zoning Commission

1. Minutes
2. Possible Council Liaison Report
  - Mike Henry stated they discussed the Camden Park Phase 3 plat and it was approved with conditions. They also discussed the proposed land use map, hike and bike trails, and thoroughfare maps and decided to move forward with public comment at the meeting in September.

G. TIRZ Board

1. Minutes
2. Financials
3. Possible Council Liaison Report
  - Craig Overstreet stated they approved the project plan and budget. They will be pulling from their reserves and presenting a deficit budget.

**VI. REGULAR AGENDA**

- A. Consider, discuss and act regarding details and contract with Enterprise Fleet Management for vehicle purchase.
- Mayor Wiebold stated the item was removed from the agenda due to the contract not being ready.
- B. Resolution of the City Council of the City Farmersville, Texas, Authorizing the Establishment of a Small Business Grants Program that Provides Grants from Certain of the Coronavirus Aid, Relief, and Economic Security Act ("Cares Act") Funds Received by the City to Reimburse the Costs of Business Interruption Caused by Required Business Closures, Voluntary Closures to Promote Social Distancing, or Decreased Customer Demand as a Result of the Covid-19 Public Health Emergency, and Authorizing the Innovation and Efficiency Task Force to Administer the Program.
- Ben White stated there was a change in this program because Collin County has made a program available to small businesses as well. The county can fund \$25,000.00 to each business if they qualify and they can start applying on September 4, 2020. He suggests the city go forward with the program that has been suggested by the Innovation & Efficiency Task Force, but hold off on signatures until we see how the county program moves forward. He stated the county would start awarding funds on September 14<sup>th</sup>. He explained the city could use the CARES Act funding for public safety items in the general fund.

- Mayor Wiebold asked how receiving money from our program would affect the awarding of the county's money.
- Ben White stated if a business received money from the city, that amount would be deducted from the amount the county would award the business.
- Craig Overstreet stated he is a proponent of getting the CARES Act funds out to the small businesses. He is just concerned that the resolution references store front buildings and does not cover the service industries.
- Dwain Mathers asked about the time line for the city program.
- Elise Bobitt, Chairman of the Innovation & Efficiency Task Force, stated that as soon as the applications were received by the city they would meet and decide on the funding for the businesses.
- Dwain Mathers asked what the earliest would be for them to get the money out to the businesses.
- Elise Bobitt stated she would expect it to take approximately six weeks.
- Craig Overstreet stated that public safety items should be considered but not at the front of the line, they should get what is left over after the businesses receive the money.
- Dwain Mathers agreed with Craig Overstreet.
- Alan Lathrom stated he was going by the recommendation he received from the Innovation and Efficiency Task Force in regards to the documents and the amount that each business would receive. He said the resolution could be changed to anything the Council decided.
- Mike Henry asked how long it would take for the businesses to receive a check if they were approved.
- Daphne Hamlin stated it would not take long if she had people to sign the checks.
- Craig Overstreet asked how many registered businesses there were in the City of Farmersville.
- Elise Bobitt stated the city had approximately 187, but she did not feel that everyone would qualify for the funds. She estimated that maybe 50 businesses would apply for the funds.
- Alan Lathrom pointed out that in the resolution it asked for names to be placed in the document of those that would serve as the approval committee. He indicated that it would be one member from the City Council, FEDC Board, FCDC Board, the City Manager and the Chief of Police.
- Elise Bobitt stated she wanted to change the Police Chief as an approval figure and recommend a community volunteer instead. She hopes someone from the Chamber of Commerce would volunteer.

- Mayor Wiebold asked if they would wait until all the applications were in to review them.
- Elise Bobitt stated yes.
- Ben White stated the county process should go first and then the city program.
- Mayor Wiebold stated it would be good to wait until the county money is given out.
- The Council, Ben White, and Elise Bobitt discussed timing of the city program compared to the county program.
- Alan Lathrom stated there is a program called the Tri-City Collin County Small City Program that is in place. He indicated that since it is already established they should be able to administer the new program quickly because they already have the documents ready.
- Elise Bobitt stated we could cap the award for the city program to \$5,000.00.
- Craig Overstreet stated they needed to remove the requirement of the store front, but they would still have to be a registered business and paying sales tax.
- Alan Lathrom stated the resolution should come back to Council for review if items are being changed.
- Mike Henry stated they needed to change the resolution to show the execution of the document would be the Mayor instead of the City Manager. He also stated the businesses needed to be established before March 1, 2020 to be eligible for funds.
- Alan Lathrom stated he would reference the store front as a service business to include plumbers or A/C repairman and not to include web or internet based businesses.
- Council agreed.
- Craig Overstreet stated he would ask that Mike Henry serve on the approval committee.
- Mayor Wiebold stated the other members would be
  - FCDC – Richard Holbrook
  - FEDC – Randy Rice
  - Motion to move forward with the documents and process them when the time comes made by Mike Henry
  - 2<sup>nd</sup> to approve was Terry Williams
  - All council members voted in favor

C. Consider, discuss and act upon the resignation of Jessica Sayre from FCDC (4B) and appointment of new member.

- Motion to approve the resignation of Jessica Sayre and appoint Aaron Destefano to take her place made by Terry Williams
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor
- D. Discussion regarding the TIRZ district and possibly reducing its size.
- Ben White presented the map of the TIRZ district and stated it is a very large area. He discussed some of the pros and cons for having such a large TIRZ area. He said the TIRZ board approved \$40,000.00 this year to support the general fund. For the benefit of the City of Farmersville he wants to see the TIRZ fund helping the general fund every year. He indicated one of the things we could do is pull out the areas that are complete, and then open other areas for the TIRZ. He suggested leaving the TIRZ zone alone until the TIRZ board does not contribute to the general fund anymore.
  - Craig Overstreet stated there are several projects that have been completed by the TIRZ board.
  - Dwain Mathers asked if we reduced the TIRZ area could some of that money go in to fixing roads in areas of Farmersville that need it.
  - Ben White stated they pulled money to help with Welch Drive, which is in an industrial area. They are doing everything they can to improve streets, but they felt it was important to conduct the repairs to the streets where more taxes were received rather than a residential area.
  - Craig Overstreet stated the city itself needs to have money set aside for road repairs.
- E. Update regarding the Development Agreement with Nelson Brothers Ready Mix (Farmersville Plant, LLC).
- Ben White stated they have turned in their zoning change request and it is being processed.
  - Mike Henry asked why it would be a High Impact zoning and not require a Specific Use permit that would put a limit on them.
  - Ben White stated that was the way the city set it up so they would not have a time restriction on operations. He said the city could limit the amount of High Impact zoning that is granted in lieu of requiring a Specific Use Permit.
  - Dwain Mathers stated he agreed with Mike Henry because there is no time limit on how long they can operate in the city. He stated he has not seen any other High Impact Districts in other cities.
  - Jim Hemby said the city is approving High Impact zoning area one at a time and we could or could not approve the rezoning requests as they come in.

- Ben White said they were going to stay in the county, but the High Impact zoning district was created in order to encourage them to come into the city.
- F. Update regarding the Development Agreement with Reliable Concrete.
- Ben White stated that Patriot Concrete is showing up on the tax data from the state. He is tracking the lighting and the irrigation is going forward with design, but it is not installed yet. The city has received their zoning documents and they are in the process for approval. We have a sequencing plan for CR 699 and we are working on a soil test right now. We are coordinating with Kansas City Southern Railroad regarding a right of entry. He explained they are getting ready for road closures and more activity will be starting soon.
  - Craig Overstreet asked if the Development Agreement covers the city if they do business as Patriot Concrete.
  - Ben White stated the Development Agreement goes with the land, not the company.
  - Craig Overstreet asked if the water bill had been corrected and if they were paying it out over the next several months. He said the water line would be a three year return if they continue with how they are conducting business.
  - Ben White stated they are paying out the water bill.
- G. Update regarding the construction of Collin Parkway/Farmersville Parkway.
- Ben White stated they had a pre-construction meeting and the biggest issue would be moving the electrical lines along the road. Texas-New Mexico's staff is traveling south to help with hurricane efforts, but they will move the lines within the next few weeks. He indicated the College has moved their opening date to January 2021.
- H. Consider, discuss and act upon and interlocal agreement with Collin County regarding dispatch services.
- Motion to approve made by Jim Hemby
  - 2<sup>nd</sup> to approve was Terry Williams
  - All council members voted in favor
- I. Discuss and act upon the proposal to consider the tax increase.
- Daphne Hamlin stated she received an email from the Collin County Appraisal District indicating the numbers they had sent us previously were



not correct. They have since corrected them and it shows our tax rate would be \$0.712044.

- Motion to approve made by Mike Henry
- 2<sup>nd</sup> to approve was Jim Hemby
- All council members voted in favor

- J. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the Final Plat of Camden Park Phase 3.
- Ben White stated the plat has been through the Planning & Zoning Commission and was unanimously approved with conditions.
  - Sandra Green explained the conditions that were set out in Jacob Dupuis' letter dated August 13, 2020.
  - Mike Henry asked why the electrical lines are not shown on the plat.
  - Ben White stated that is not required, but the city owns its own electrical lines.
  - Alan Lathrom stated the utility plans would show where the electrical lines would be instead of showing them on the plat.
  - Dwain Mathers was concerned about the gas easement and the retaining wall located near it. He felt the retaining wall would be a problem when the residents are trying to maintain their property.
  - Alan Lathrom stated the property owner would be responsible for maintaining his or her own property. He said the developer has laid out the subdivision and the retaining wall is not a violation of the Subdivision Ordinance. When the city approves a plat they are saying the plat meets the minimum standards set out by law. He said the city has no responsibility or any liability for the approval of the plat with the retaining wall in place. When the person is buying the lot it is their responsibility to research the lot.
- Motion to approve the plat with the conditions stated in Jacob Dupuis' letter dated August 13, 2020 made by Mike Henry
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

## VII. BUDGET WORKSHOP

- Daphne Hamlin stated she provided the line item budget to the Council for review. She said we have a balanced budget in all the funds for the first time in

several years and we will not have to go to our reserves to help it balance. She stated the water fund and wastewater fund is performing very well right now.

- Craig Overstreet asked what the significant change were in the fleet services for the police department.
  - Daphne Hamlin indicated it was the JAG Grant that they received, but she has to show it as an expense and the city will get reimbursed for it.
  - Craig Overstreet asked what the budget was showing for roadways.
  - Daphne Hamlin indicated that streets was budgeted for \$130,000.00 for the next year. She wanted the Council to know that sales taxes were doing amazing, but she said the electric fund is struggling a little bit.
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- Mayor Wiebold stated that Executive Session was removed from the agenda because the information was not received from attorneys in Austin.

### **VIII. EXECUTIVE SESSION**

Discussion of matters permitted by Texas Government Code Chapter 551 as follows:

A. Discussion of Matters Permitted by Texas Government Code Section 551.071(1)(A) Pending or contemplated litigation:

1. Ratification of amendatory contract and companion agreements related to NTMWD.

### **IX. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTION 551.071 OF THE TEXAS GOVERNEMENT CODE**

- No action taken since it was pulled from the agenda.

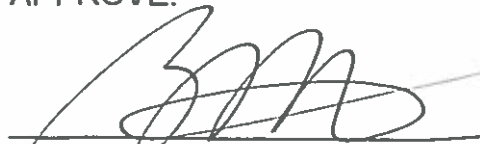
### **X. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- Dwain Mathers asked for the conveyance of the Chaparral Trail to be on the agenda.
- Dwain Mathers wanted to discuss allowing restaurants to extend seating onto the parking lot due to the 50% limit.
- Craig Overstreet asked for an update on Hamilton Street and the Development Agreements for Reliable Concrete and Nelson Bros. Ready Mix.

### **XI. ADJOURNMENT**

Meeting was adjourned at 8:08 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:



Sandra Green, City Secretary





August 13, 2020

RE: Camden Park Phase 3 – Final Plat  
Dated August 13, 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. It is recommended the Final Plat be approved pending completion of the following items:

- A 15' drainage easement added on Lot 40 Block G for the storm line located across this lot.
- Removal of the signature block on Sheet 1 of the Final Plat.
- Final acceptance by the Council of the subdivision upon completion and final review for the utility infrastructure and As-Built record drawings.

If you should have any questions, please contact Sandra Green at the City of Farmersville at 972-782-6151.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, P.E.