



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
September 22, 2020, 7:30 P.M.**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 7:35 p.m. Council members Mike Henry, Craig Overstreet, Dwain Mathers and Terry Williams were all present. Jim Hemby was not in attendance. City staff members Ben White, Sandra Green, Michael Sullivan, Daphne Hamlin, Kim Morris, Rick Ranspot, Kevin Casey and City Attorney Alan Lathrom were also present.
- Prayer was led by Craig Overstreet 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.
 - The Police Department was awarded a grant for a speed trailer and traffic equipment. Congratulations Chief Sullivan!
 - Chief Sullivan stated they have received several grants this year. He said they received the new equipment and they excited about it.

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

- No one came forward in person or via teleconference.

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Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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. City Finance Report
 - o Motion to approve made by Craig Overstreet
 - o 2nd to approve was Mike Henry
 - o 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. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
 - 1. Minutes
 - 2. Financials
 - 3. Possible Council Liaison Report

- Terry Williams stated the board decided they were interested in taking some training.

C. FEDC Farmersville Economic Development Board (Type A)

1. Financials
2. Possible Council Liaison Report
 - Dwain Mathers stated they are working on a few façade grants and are in the process of rewriting the requirements for those grants.

D. Main Street Board

1. Possible Council Liaison Report

E. Parks & Recreation Board

1. Possible Council Liaison Report

F. Planning & Zoning Commission

1. Minutes
2. Possible Council Liaison Report
 - Mike Henry stated they conditionally approved the Aston Addition plat. They approved Deer Crossing preliminary plat conditionally and disapproved the final plat until all the items on the list from DBI have been addressed. He said they also conditionally approved the Lakehaven MUD concept plan and preliminary plat until they address the issues that DBI had listed in their letter. He indicated that public hearings were held for the two batch plant zoning cases located on County Road 699, and they were both denied being zoned to HII – High Impact. Also, he said they held a workshop for the Future Land Use Maps, Thoroughfare Map and Hike & Bike Trail Maps. He explained they would hold more workshops for the maps in the future.

G. TIRZ Board

1. Financials
2. Possible Council Liaison Report

VI. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon Ordinance #O-2020-0922-001 regarding a recommendation from the Planning & Zoning Commission for a requested change in zoning on approximately 5.050 acres of land, more or less, from A – Agricultural District Uses to HII – High Impact Industrial District Uses for a concrete batch plant. The property is generally situated at 91 County Road 699, and located in the W.B. Williams Survey, Abstract A-954, of Farmersville, Collin County, Texas.
- Mayor Wiebod stated the item would not be heard since it was denied at the Planning & Zoning Commission.

- Ben White indicated the applicant had withdrawn his request.
- B. Public hearing to consider, discuss and act upon Ordinance #O-2020-0922-002 regarding a recommendation from the Planning & Zoning Commission for a requested change in zoning on approximately 26.60 acres of land, more or less, from A – Agricultural District Uses to HII – High Impact Industrial District Uses for a concrete batch plant. The property is generally situated at 123 County Road 699, and located in the W.B. Williams Survey, Abstract A-954, of Farmersville, Collin County, Texas.
- Mayor Wiebod stated the item would not be heard since it was denied at the Planning & Zoning Commission.
 - Ben White indicated the applicant had withdrawn his request.

VII. READING OF ORDINANCES

- A. Consider, discuss and act upon the first and only reading of Ordinance #O-2020-0922-003 amending the Master Fee Schedule to reflect a rate increase for wastewater fees.
- Mayor Wiebold read the caption to the ordinance.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF APPENDIX A, "MASTER FEE SCHEDULE," BY AMENDING ARTICLE II, "ELECTRICITY, WATER, SEWER, AND REFUSE," BY DELETING SECTION 2-3, "SEWER SERVICE FEES," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 2-3 THAT IS ALSO TITLED "SEWER SERVICE FEES" REGARDING THE AMOUNTS TO BE CHARGED FOR USERS OF SEWER; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND SETTING AND PROVIDING FOR AN EFFECTIVE DATE.
 This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.
 - Ben White stated he conducts an analysis every year and compares the rates to other cities. The North Texas Municipal Water District increased the rates for 2020-2021 by \$47,175.00 and he is suggesting a rate increase. He made a few changes to numbers in the ordinance that was presented.
 - Craig Overstreet asked if this would generate the pass through rate by North Texas.
 - Dwain Mathers asked if this ordinance would raise the rates for the customers.

- Ben White stated it was the pass through rate and that he and Paula Jackson met and did not see that it was fair for the people outside the city to pay different rates.
 - Motion to approve with the recommended changes by Ben White made by Terry Williams
 - 2nd to approve was Mike Henry
 - All council members voted in favor

VIII. REGULAR AGENDA

- A. Consider, discuss and act regarding details and contract with Enterprise Fleet Management for vehicle purchase.
 - Ben White stated the contracts were in the process of being reviewed and revised by all parties and they are not ready yet.

- B. Consider, discuss and act upon the acceptance of Camden Park Phase 3 subdivision.
 - Ben White stated the recommendation from DBI Engineers stated that everything was completed and inspected within the subdivision, but there was a condition listed on the letter from DBI that stated they had to pay parkland dedication fees.
 - Motion to approve the final acceptance subject to the developer's submission of the parkland dedication fees made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor

- C. Consider, discuss and act upon an interlocal agreement with Collin County regarding Environmental Services.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Mike Henry
 - All council members voted in favor

- D. Consider, discuss and act upon the official ballot for the election of Places 1-4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.
 - Ben White stated that most of the candidates are from areas that are not close to Farmersville. He explained all the positions have incumbents and

that everything seems to be working appropriately with those individuals in office.

- Motion to elect the incumbents for Places 1-4 made by Mike Henry
- 2nd to approve was Terry Williams
- All council members voted in favor

E. Consider, discuss and act upon whether to have Scare on the Square due to Covid-19.

- Kevin Casey stated they are going to scale the event back due to Covid-19. They would not have food vendors or games and they are looking for guidance from the Council on whether they want to cancel the event or not. He stated some stores want the activities and some do not. He said it would basically be the merchants just handing out candy.
- Dwain Mathers asked what is going to stop a large amount of people from coming at the same time.
- Kevin Casey stated they would recommend people come alphabetically, but they could not enforce it. They would not be able to enforce people wearing masks either.
- Craig Overstreet said the CDC recommends that a group of that many people still not gather.
- Chief Sullivan stated the problem with events held by the city is the expectation that we are going to protect those people at the events. The citizens are going to assume the city would force people to wear masks and social distance. He said the enforcement of wearing masks and social distancing is very difficult. He believes the numbers are trending downward, but there are not a lot of events taking place right now.
- Mayor Wiebold stated it would be hard to handle the number of people that would show up.
- Dwain Mathers asked what the difference would be from kids going to school and trick or treating house to house compared to Scare on the Square.
- Mayor Wiebold stated they know how many are in the classroom everyday and it is not a city sanctioned event.
- Chief Sullivan agreed with the Mayor.
 - Motion to cancel Scare on the Square made by Terry Williams
 - 2nd to approve was Craig Overstreet
 - All council members voted in favor

F. Update on CARES Act Small Business Grants.

- Kevin Casey stated when this first came out they canvassed every business and informed them about the Collin County CARES Act. He said today they checked and only two businesses had applied.

- Ben White explained the city did everything to inform the businesses about this program.
 - Mayor Wiebold asked if it is a hard process to apply.
 - Kevin Casey said he has heard that it takes about 30 minutes to an hour.
 - Ben White stated the city has tried to reach everyone and tell them to apply and that the city could even help them if we need to.
 - Dwain Mathers asked if people know that it a grant and not a loan.
 - Kevin Casey stated they did.
- G. Update on Hamilton Street reconstruction.
- Ben White stated the utility relocations are almost complete, except for a telephone line. Our electrical line depends on the telephone line getting done first. He said soil preparation is underway for a portion of the road, but the rain is holding the construction company up. The idea is to pave half of the road until the telephone line is relocated and then they will complete the other portion of the road. He said they estimate a completion date in mid-November.
 - Eddy Daniel stated depending on the weather they are supposed to pour some of the concrete this week.
 - Mike Henry asked if it was a rebar street.
 - Eddy Daniel stated it is a 6", curb and gutter, with rebar and drainage. He said it is a heavy duty thoroughfare.
 - Craig Overstreet asked if the telephone lines became a problem because of the alignment of the street.
 - Eddy Daniel stated yes.
- H. Update regarding the Development Agreement with Nelson Brothers Ready Mix (Farmersville Plant, LLC).
- Ben White stated there was nothing to report other than the zoning change request was denied at the Planning & Zoning meeting.
- I. Update regarding the Development Agreement with Reliable/Patriot Concrete.
- Ben White stated they have completed the irrigation design and they are ready to get it installed. Once the irrigation is complete they will install the ground cover. He explained they are planning on replacing the dead trees. He stated the zoning change request for HII – High Impact Industrial was denied at the Planning & Zoning meeting.

- J. Update on the construction of County Road 699.
- Ben White stated the city's foreman has been out for a while and he is relying on him for this roadway construction. Boundary Solutions will be staking the road this week. He said they did add some fill dirt where the extension of the road will be. He indicated he believes the completion of the project would be January 2021.
 - Mike Henry asked if we have permission from both counties for the roadway.
 - Eddy Daniel stated yes.
- K. Update regarding the construction of Collin Parkway/Farmersville Parkway.
- Ben White stated we are really trying to get this road done quickly. Because of the hurricane along the coast, the Texas-New Mexico electric crew went down south to help. We have the poles, but they have not moved the lines yet. He explained the rain is holding every one up as well.
 - Eddy Daniel stated Texas-New Mexico held a pre-construction meeting and they are supposed to start this week. We are being held up by a right-of-way issue with a property owner.
 - Ben White stated RPM Construction will be working on clearing the roadway area and utility relocation and they also have to move a fence. We are asking them to complete the roadway by January 2021. We have to have the Collin Parkway portion done by the end of December.
- Ben White went to Item R on the agenda regarding an update on the wastewater treat plant repairs. He stated they received some good news about rerating the plant. It is going from .5 million gallons a day to .75 million gallons a day. Our strategy is to get every ounce out of the plant that we can. He explained the rerating would be completed by the end of September and DBI will turn that over to TCEQ.
 - Eddy Daniel stated we have to do a major amendment and he believes it will be at least six months before it is approved.
 - Craig Overstreet asked what the rates would do for the city.
 - Ben White stated we use 350,000 gallons a day for the city with no infiltration included in that amount. The issue is that we have a lot of infiltration. Since we are a part of the Sanitary Sewer Overflow Initiative the TCEQ gives us a break on that. He said the trickling arm design is 80% complete and should be completed by the end of October. We will then go out for bids and the installation will take approximately eight months with the completion date around June 2021.
 - Dwain Mathers brought up to the concrete batch plant again and asked what the next steps would be for the city to take since they were denied the HII – High Impact zoning at the Planning & Zoning meeting.

- Ben White stated they have both withdrawn their requests so the city does not have any action at this time.
- L. Consider, discuss and act upon allowing restaurants/businesses to extend seating onto the walkway and street because of the 50% occupancy limit due to Covid-19.
- Kevin Casey explained the city started researching this idea and the slope of the street and the ADA issues of the sidewalk would not allow it. It was not feasible to allow it in the front of the buildings, and we do not have enough parking as it is. He said they considered the back of the properties but the Fire Marshal said that would not work because the alley would have to remain open for emergency response vehicles. He said parking is an issue in the back as well, but now the Governor has lifted the restrictions to 75% occupancy.
- M. Consider, discuss and act upon a replat of the Aston Addition, Lot 3B, 4A & 4B, Block 1.
- Ben White stated the Planning & Zoning Commission recommended conditional approval until the items listed in the letter by DBI Engineers were addressed.
 - Motion to conditionally approve the replat until all the items are addressed on DBI Engineers letter made by Craig Overstreet
 - 2nd to approve was Mike Henry
 - All council members voted in favor
- N. Consider, discuss and act upon a preliminary plat for Deer Crossing.
- Ben White stated that Planning & Zoning Commission conditionally approved the plat pending the one item listed by DBI Engineers be addressed.
 - Motion to conditionally approve the preliminary plat until the item is addressed as listed on DBI Engineers letter made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor
- O. Consider, discuss and act upon a concept plan for Lakehaven MUD.
- Ben White stated the Planning & Zoning Commission recommended conditional approval pending the Traffic Impact Analysis was completed as stated in a letter from DBI Engineers.

- Motion to conditionally approve the concept plan subject to the TIA being completed made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor
- P. Consider, discuss and act upon a preliminary plat for Lakehaven MUD.
- Ben White stated the Planning & Zoning Commission recommended conditional approval pending the comments needing to be addressed on the letter from DBI Engineers.
 - Motion to conditionally approve the preliminary plat subject to the TIA being completed and the force main utilities running across the lots to be rerouted as noted in the letter by DBI Engineers made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor
- Q. Consider, discuss and act upon establishing a relationship with Holzwhir, France as a Sister City.
- Mayor Wiebold stated that a historian heard about the Farmersville Heritage Museum, toured the facility and was impressed. He alluded to the memorial for Audie Murphy in Holzwhir, France. In discussions with the President of the Museum Board he invited us to be a sister city to their town. He said their Council has already approved it and they are going to offer a piece of the tank that was used by Audie Murphy for our museum. He explained they also want to work with our school district. He indicated they celebrate Jan 27th and they would celebrate Audie Murphy Day as well.
 - Motion to move forward with a Resolution to become a Sister City made by Terry Williams
 - 2nd to approve was Mike Henry
 - All council members voted in favor
- R. Update on the wastewater treatment plant repairs.
- Ben White covered this item earlier in the agenda.
- S. Consider, discuss and act upon water rate study.
- Ben White stated he did a rate analysis and compared it with other cities. He said the North Texas Municipal Water District did not increase our rates and he is not recommending any changes in the rates at this time.

- Motion to leave water rates as they currently are made by Mike Henry
- 2nd to approve was Terry Williams
- All council members voted in favor

IX. EXECUTIVE SESSION

- Mayor Wiebold stated the Council would go into Executive Session at 8:48 p.m.

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.

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

- Mayor Wiebold stated the Council would reconvene from executive session at 9:15 p.m. and no action would be taken.


XI. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Dwain Mathers wanted an item regarding the annexation of the newly acquired portion of the Chaparral Trail.
- Mike Henry wanted an item about how the city is going to handle any grants for the newly acquired trail.
- Craig Overstreet wanted an update on the Historic Preservation Ordinance.

XII. ADJOURNMENT


Meeting was adjourned at 9:16 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:


Sandra Green, TRMC, City Secretary





September 15, 2020

Mr. Ben White, P.E.
City of Farmersville
205 S. Main St.
Farmersville, Texas 75442

RE: Aston Addition, Block 1 Lots 3B, 4A & 4B Replat Review
Dated July 22

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Please use correct Title Block for Replats as shown in Sec 65-32.(e).(3)
- Please use correct Approval Certificate as shown in Sec. 65-30.(f).(4)
- Need to include notes about:
 - Utility providers
 - Flood plain
 - "Selling a portion of this addition by metes and bounds..."
- Show all SF-2 setbacks
- Include 15' utility easement
- Subdivision is 'Aston Addition' not 'Astons Addition'

The Aston Addition Replat is recommending for approval pending the above mentioned items being addressed.

Please contact me if you should have any questions or need additional information.

Sincerely,

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

Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONSULTANTS.COM
FIRM REGISTRATION NO: F-002225



September 16, 2020

Mr. Ben White, P.E.
City of Farmersville
205 S. Main St.
Farmersville, Texas 75442

RE: Deer Crossing Preliminary Plat
Dated September 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Please use correct Approval Certificate as shown in Sec. 65-30.(f).(4)

The Preliminary Plat is recommended for approval pending the above mentioned items being addressed.

Please contact me if you should have any questions or need additional information.

Sincerely,

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

Jacob Dupuis, P.E.

DANIEL & BROWN INC.
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FIRM REGISTRATION NO: F-002225



September 17, 2020

Mr. Ben White, P.E.
City of Farmersville
205 S. Main St.
Farmersville, Texas 75442

RE: Lake Haven MUD
Dated September 17, 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following comments have been provided to the developer but not resolved. The developer responses are shown below.

- Concept Plan
 - Traffic Impact Analysis required for development of this size.
 - We are addressing the TIA requirement via a separate formal letter pertaining to the delivery of such report within the timeframe of 60 days.
- Preliminary Engineering
 - Storm sewer and sewer force main utilities running across lots should be rerouted to streets or across frontage of lots.
 - Storm sewer will be looked at in more detail during construction document phase and possibly re-routed as well.

All other comments and issues have been fixed by the developer. The Concept Plan and Preliminary Plat for Lake Haven MUD are both recommended for approval pending:

- Obtaining the TIA and implementing any requirements necessary
- Re-routing of force main utilities out of lot backyards

I am available for any questions you may have.

Sincerely,

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

Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
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