



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
October 27, 2020, 7:30 P.M.**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 7:30 p.m. Council members Mike Henry, Craig Overstreet, Dwain Mathers, Jim Hemby and Terry Williams were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Paula Jackson and City Attorney Alan Lathrom were also present.
- Prayer was led by Mike Henry followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - City Hall will be closed on Wednesday, November 11th in observance of Veteran's Day.

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

- Estes Garner, who resides at 215 Wilcoxson, stated he is concerned about a hole on his neighbor's property. He said the hole is deep and he has many reasons he feels it is dangerous. He stated the neighbor did not apply for a permit and he feels the neighbor showed reckless action.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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

- Craig Overstreet pulled the City Council minutes and stated that Section 7, B. had wording added that did not make sense. He asked if the minutes could be corrected and brought back to the next City Council meeting.

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. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Possible Council Liaison Report

- D. Main Street Board
 - 1. Minutes
 - 2. Possible Council Liaison Report

- E. Parks & Recreation Board
 - 1. Possible Council Liaison Report

- F. Planning & Zoning Commission
 - 1. Possible Council Liaison Report
 - Mike Henry stated they discussed a replat and approved it with conditions. He explained that the ad hoc committee members for the Historic Preservation Ordinance were chosen unanimously. He said the workshop for the HII- High Impact Ordinance was halted because of trouble with Commissioners hearing via teleconference and they discussed having another P&Z meeting prior to the next P&Z meeting.

- G. TIRZ Board
 - 1. Possible Council Liaison Report

VI. READING OF ORDINANCES

- A. Consider, discuss and act upon the second reading of Ordinance #O-2020-1027-001 regarding the abandonment of the sweeping curve portion of County Road 611.
 - Mayor Wiebold read the caption to the ordinance.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, CLOSING THE SWEEPING CURVE PORTION OF COUNTY ROAD 611 (OLD MCKINNEY ROAD) THAT EXTENDS FROM THE NORTH-SOUTH SECTION OF COUNTY ROAD 611 AND TIES IN TO THE EAST-WEST SECTION OF COUNTY ROAD 611 ALLOWING TRAVELERS TO AVOID THE THREE-WAY INTERSECTION OF COUNTY ROADS 610, 611 AND 612, WHICH RIGHT-OF-WAY CONTAINS APPROXIMATELY 0.8 ACRES OF LAND; PROVIDING FOR THE CONVEYANCE OF SAID CLOSED RIGHT-OF-WAY TO COLLIN COLLEGE SUBJECT TO CERTAIN RESERVATIONS OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.
 This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.
 - Motion to approve made by Mike Henry
 - 2nd to approve was Jim Hemby

- All council members voted in favor

VII. REGULAR AGENDA

- A. Consider, discuss and act upon an interlocal agreement with Region 8 Education Service Center for purchasing of goods and services and accompanying resolution.
- Ben White stated this is an agreement that will give the city access to procurement documents with Region 8 Education Center. We will receive other benefits as well that would allow us to purchase from other vendors. He said we are using this one because Enterprise was used by Region 8.
 - Motion to approve made by Terry Williams
 - 2nd to approve was Jim Hemby
 - All council members voted in favor
- B. Consider, discuss and act regarding details and contract with Enterprise Fleet Management for vehicle purchase.
- Ben White stated the Council had information regarding the contract, along with the addendums, the presentation from Enterprise Fleet Management, and the fleet synopsis for 8 vehicles and 12 vehicles. He said staff recommends the 12 vehicles. He stated there was a mistake in the original synopsis that showed a 2020 vehicle with 1,000 miles would be traded, but it was an error. He stated he would recommend the 12 vehicles because of the age of the current city vehicles.
 - Meredith Creger, with Enterprise Fleet Management, stated the vehicles would probably come in early to late spring if the contracts were approved.
 - Craig Overstreet wanted her to walk them through a lease.
 - Meredith Creger stated the leases would be 48 month terms and some 60 month terms.
 - Craig Overstreet stated his concern because they would take the vehicles to auction just like the city would. He said that citizens need to know that in 4 or 5 years we will be writing a large check to pay off the lease.
 - Meredith Creger explained that it would not be a large amount.
 - Chief Sullivan stated they put a lot of miles on police cars.
 - Mayor Wiebold stated that maintenance of the vehicles should be considered as well.

- Ben White stated that Daphne Hamlin spends time handling all the documents right now, such as insurance, registration and the maintenance requirements.
 - Meredith Creger stated it is a flexible program that handles all the documents and maintenance issues and the city can rotate out the cars when it is necessary.
 - Ben White stated staff is recommending approval of this item it would be contingent upon the ILA being signed by Region 8.
 - Motion to approve contracts and addendums with the 12 vehicle option contingent upon the ILA with Region 8 being signed made by Terry Williams
 - 2nd to approve was Jim Hemby
 - Mike Henry asked why Ben White was going with the 12 vehicles instead of the 8 vehicles.
 - Ben White stated it was partly because of the image of Farmersville and some of it was because of safer vehicles.
 - All council members voted in favor, except Craig Overstreet who voted no.
- C. Consider, discuss and act upon an interlocal agreement with the City of Melissa regarding the purchasing of goods and services.
- Ben White stated we are trying to enter into an interlocal agreement with the City of Melissa for IT Services. We want to piggyback off their Request for Proposals (RFP) process. Our staff used a simplified process and randomly choose four companies to look at. The City of Melissa held a Council meeting and they voted unanimously to enter into the interlocal agreement.
 - Motion to approve made by Mike Henry
 - 2nd to approve was Terry Williams
 - Craig Overstreet asked what liable the city has entering in to the agreement and using the bids from the City of Melissa.
 - Alan Lathrom stated we are entering into the ILA and the Local Government Code allows it. It also stated that you have to go out for bids for any expenses over \$50,000.00, but it does allow that cities can enter in to an ILA process and rely upon someone else's RFP process and utilize Fulcrum similar to the way Melissa did. He stated there is no liability per say. We have the assurance from the City of Melissa's City Attorney that

they have went through the bid process for the Fulcrum Group. It is a mutual benefit and Melissa has no responsibility or liability to the work Fulcrum would give.

- Craig Overstreet stated that most ILA's are specific and this is a more general agreement.
- Alan Lathrom stated we could terminate the agreement anytime with written notice.
- Mayor Wiebold stated this is more an issue of efficiency by utilizing the efforts of another city.
- Alan Lathrom stated that is correct.
 - All council members voted in favor

D. Consider, discuss and act upon a contract for IT Services.

- Ben White stated the attorney's reviewed the documents with Fulcrum. The improvements we will see in the computer system is security and backups. We are going to a cloud based backup system and a local backup. He understands it is more expensive than what we have paid for in the past, but it is worth it. He believes the city is getting beyond having a single person provide IT Services. He explained the City of Melissa stated they have been very happy with the service Fulcrum has been providing.
- Craig Overstreet asked how much we were paying before.
- Paula Jackson stated we were paying approximately \$57,000.00.
- Ben White stated that we are going up to over \$100,000.00, but it is budgeted.
- Mayor Wiebold asked how long the last updates occurred.
- Ben White stated it has been over 6 years since we have had a major update and we are aging with what we have. He said that right now a lot of staff is working from home due to Covid. He said Fulcrum would be replacing systems with laptops so staff could take the computers while working from home. He said that some of the police department systems are completely down and that will get fixed. We have about \$132,000.00 in the CARES Act funding to use. He also stated we have a quote for \$11,000.00 for Council Chamber microphones.
- Mike Henry asked if the \$11,000.00 showed in the bid.
- Ben White stated it did not because it was a recent bid.
- Dwain Mathers stated he wanted the CARES Act funding to go to the businesses in the city. He said he wanted the Innovations Committee to come up with a solution.

- Ben White stated we have spent money that he authorized due to Covid expenditures. He said he did receive information from the county that very few businesses in town applied for the county funding program. The county funding process is similar to what we were proposing. He explained the funds the city received have to be spent on a Covid related expense and the money had to be spent before the end of the year. The county grant was for \$25,000.00 and that is much more than what we could offer the businesses.
- Dwain Mathers stated he wants to put this discussion off until the next meeting and follow up with data on the businesses that did apply for the county grant.
- Ben White stated part of the problem is spending the funds before the end of the year.
- Craig Overstreet stated it looks like a money grab and it looks bad.
- Ben White stated he is doing what other cities are doing. He feels he is being smart with the money and saving the tax money that citizens have to come up with at a later date.
 - Motion to table made by Craig Overstreet
 - 2nd to approve was Dwain Mathers
 - Council members voted as follows: Jim Hemby voted no; Dwain Mathers voted yes; Terry Williams voted no; Mike Henry voted yes; Craig Overstreet voted yes

E. Consider, discuss and act upon appointment of North East Texas Trail (NETT) liaison.

- Terry Williams stated he wanted to nominate Mayor Bryon Wiebold.
- Mike Henry asked if anyone else has been talked to about the position.
- Mayor Wiebold stated he spoke with a few people, including Joe Helmberger, who sat on the board while he was Mayor.
- Craig Overstreet asked if there would be a conflict of interest if the Mayor sat on the board.
- Alan Lathrom stated it would not be a conflict of interest. He may just have to recuse himself from a vote if necessary.
- Dwain Mathers asked what the job would entail and what kind of things would they be doing.
- Mayor Wiebold stated it has to do with serving the trailhead and about developing relationships with other civic governments. Joe Helmberger is discussing starting the Friends of the Trail as well. The trail is bringing a lot of people in to the city.
 - Motion to appoint Bryon Wiebold made by Terry Williams

- 2nd to approve was Craig Overstreet
- All council members voted in favor

F. Consider, discuss and act upon a fence contract for Collin/Farmersville Parkway.

- Ben White stated that DBI Engineer's went through the process of getting quotes for fences along Collin Parkway. He said they recommended Big Time Fence because they presented the lowest bid.
 - Motion to approve made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor

G. Discussion regarding grading and excavation permits and possible ordinance.

- Ben White stated staff recommends creating a grading and excavation permit process. It might be that we require an engineering drawing as part of that process.
- Mike Henry stated it was his understanding that water could not be diverted to someone else's property.
- Alan Lathrom stated that state law does prohibit the diverting of water to other property.
- Craig Overstreet stated we need to have ordinances that are tighter and the ordinances need to be enforced.
- Sterling Jessup, who lives at 301 Wilcoxson, stated there are a lot of places in the city that hold water as much as his pond would.
- Mayor Wiebold asked if he would be willing to put up a temporary fence.
- Sterling Jessup indicated he would.

H. Update on the Chaparral Trail and timeline of events.

- Ben White stated that Charles Edwards is our grant writer for the project. He explained we do not have to have the property annexed in order to apply or receive a grant. Our first step is to get the metes and bounds information.
- Dwain Mathers asked how much money the city would have to come up for the grants.
- Ben White stated he asked 4B for \$100,000.00 for this year and will ask for another \$100,000.00 next year.

- Mike Henry stated the grants cannot be filed until February.
- Ben White stated the grants have to be applied for by February 1st. He stated we are applying for four grants with four sponsors.
- Dwain Mathers asked about the timeline for annexation.
- Alan Lathrom stated that you have 90 days to complete the annexation process once it is started. We also have to do a service plan.

I. Update on the construction of County Road 699.

- Ben White stated they have mixed in the lime to the subbase. We have a man power shortage so not a lot has been done the last few weeks. He said the crew is in the middle of setting up forms as well.

VIII. EXECUTIVE SESSION

- Mayor Wiebold read the below statement and said the City Council would go in to executive session at 9:06 p.m.

Discussion of Matters Permitted by Texas Government Code Section 551.072,
 DELIBERATION REGARDING REAL PROPERTY:

1. Deliberation regarding the purchase of certain real property for the expansion of Collin Parkway that is identified as being approximately:
 - a) 0.054 acres out of the W.B. Williams Survey, Abstract No. A-952, City of Farmersville, Collin County, Texas.

IX. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.072 OF THE TEXAS GOVERNMENT CODE

A. Consider, discuss and act upon purchasing approximately 0.054 acres out of the W.B. Williams Survey, Abstract No. A-952, City of Farmersville, Collin County, Texas, for the expansion of Collin Parkway.

- Mayor Wiebold stated the Council would reconvene from executive session at 9:23 p.m.
 - Craig Overstreet made a motion for City Staff and the City Attorney to move forward with the proposal that was discussed in executive session.
 - 2nd to approve was Jim Hemby

- All Council members voted in favor

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Dwain Mathers wanted the IT Services on the agenda.
- Dwain Maters wanted the issue of donations for Christmas lights back on the agenda.
- Dwain Mathers also wanted the topic of the Covid money going to businesses on the next agenda.
- Craig Overstreet wanted temporary food sales (pop-up vendors) on the agenda.
- Craig Overstreet also wanted the budget vs. actual on the agenda.

XI. ADJOURNMENT

Meeting was adjourned at 9:26 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:


Sandra Green, TRMC, City Secretary

