



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
June 8, 2021, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Ted Wagner, Lance Hudson, Terry Williams and Mike Henry were in attendance. City staff members Ben White, Sandra Green, Rick Ranspot, Kim Morris, Marsha Phillips, Charles Kirk, Daphne Hamlin 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.
 - Announcements
 - Calendar of upcoming holidays and meetings.
 - Applications for Boards and Commissions are now being accepted. An application can be downloaded on the website or picked up at City Hall.

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

- Marty Paul Garza who runs a business at 206 McKinney Street addressed Council regarding the Chamber of Commerce markets. He stated the markets have been great for his business and during the times of the market his business sales increase.
- Donna Williams who resides at 1985 State Highway North addressed Council regarding the markets. She said since the Chamber of Commerce took over the markets her sales have increased on those days. She said the biggest complaint she hears, and not just on market days, is about the lack of parking downtown.
- Allison Mathers who lives at 109 College Street stated she was on the Main Street Board at one time and she went to the training in Georgetown. She said

when she was on the board she tried to implement the way the State of Texas Historical Program said they should operate and to include economic development. She said the state of the Main Street Board and the program is sad today. She explained there have been three Main Street Manager's in three years and there is obviously a problem. She said she does not feel 4B should fund the position if they cannot keep someone employed as the Main Street Manager.

- Diane Piwko who resides and owns a business at 200 McKinney Street stated she has been fighting code compliance battles since August of last year. She said she had submitted a complaint to the Police Department that an illegal sign had been erected downtown. She stated now there are several illegal signs in the downtown area, and many of them did not receive permits. She said there is a clause in the sign ordinance that states if the city issues a permit in error the permit can be revoked and it would be the responsibility of the business owner to correct the noncompliance. She said they spent ten years trying to get the historical designation and the signs are taking away from the historical aspects of the downtown. She explained she does not feel the sign ordinance needs to be changed for a few when it has been working up to this point.
- Marry Berry who lives at 404 Haughton explained she owns a business downtown and she is concerned about parking. She said the Chamber of Commerce markets are detrimental to her business because her patrons and students have nowhere to park. She said some have called and told her there was nowhere to park so they just went home instead of attending her class. She explained at one point the city had a very effective Main Street Manager. She said one of the things the Main Street Manger needs to do is to find a way to bring additional businesses to town and get rid of the spaces that are currently being used for storage downtown. She said she would like to see a powerful Main Street Manager.
- Elise Bobitt who resides at 207 Summit Street stated there are a lot of developmental opportunities right now and they are not only looking for a Main Street Manager, but someone to run other developmental efforts. She said she feels they are missing opportunities and suggested a small of group of 4A, 4B, Main Street and City Council meet together to come up with a way to pull their resources together to get someone with the powerful representation that is needed. She said the structure of who they report to and who pays them needs to be considered so they are not reporting to three different people or boards.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- No one came forward to speak.

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 Manager's Report
 - o Motion to approve made by Mike Henry
 - o 2nd was made by Terry Williams
 - 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. Minutes
 - 2. Possible Council Liaison Report

- B. Farmersville Community Development Board (Type B)
 - 1. Possible Council Liaison Report

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

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

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

- F. Planning & Zoning Commission
 - 1. Possible Council Liaison Report

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

- H. City Manager's Verbal Report
 - Update on Collin Parkway and Farmersville Parkway
 - Ben White stated we have had a lot of rain that has not allowed us to work on the project. He said the next step is to put the lime on the ground for the road, but there is too much moisture on the ground right now. He explained there is some work taking place on the signal light.
 - Craig Overstreet stated August 21st was the contractual end date for the project and wanted to know if that was something that Ben White and the City Attorney came up with.
 - Ben White said he spoke to the city engineer and received the contractual end date from him, but he would be happy to have Alan Lathrom look at the contract as well.
 - Craig Overstreet stated the road should be the highest priority the city has.

 - Update on the permit for Nelson Bros. Concrete
 - Ben White stated they have not applied for rezoning at this point and the property is still zoned AG – Agricultural. He said they were originally waiting on the transfer of ownership before applying for rezoning. He stated Tony Strickland is no longer working for Nelson Bros. at this time, but he has a meeting scheduled with the new representative next week.

- Craig Overstreet explained the development agreement is not being followed. They have had three ownership changes for the property and we put in a water line for them. He said we are not even sure if the city is receiving sales tax at this point because of the ownership change. He said none of it is acceptable and we should be checking to see if they are paying sales taxes to the city.
- Update on boundary agreements
 - Ben White stated Mayor Holt from the City of Josephine indicated they were not going to approve a boundary agreement at this time because they have a split Council. He said Caddo Mills is next on the list and he will approach them, but there is a chance they will not even touch the future city boundary. He explained the City of Blue Ridge has rejected the boundary agreement.

VI. REGULAR AGENDA

- A. Presentation by Kevin Meguire regarding the activities and status of the Chamber of Commerce.
 - Kevin Meguire went over a Power Point presentation and explained how the Chamber of Commerce is growing and how the different events, Lisa Crowder and Lisa Eastman, the markets and the volunteers have contributed to the success of the Chamber.
- B. Consider, discuss and act upon Resolution #R-2021-0608-001 regarding submission of an application to become a Reservation System Participant for "Home" funds with the Texas Department of Housing and Community Affairs.
 - Ben White explained this would be a great resolution to have in regards to the home renovation program the city is considering. He said it is for reconstruction projects, and not for remodeling and explained it would be to help low income individuals that own their home to demo and rebuild a better structure. He said there could not be any liens on the property, except a mortgage, and no taxes could be owed. He explained the city would have to match \$40,000 and that would be reimbursable, except for approximately \$6,000. He stated the grant could not support anything more than \$150,000 and he does not know if the program will increase that amount in the future. He stated he is concerned that citizens would not get a quality structure for \$150,000.
 - Mike Henry stated he read in the resolution and understood it was also for the rehabilitation of homes.

- Ben White stated the Texas Program would only allow reconstruction. He said he does not think having the wording for rehabilitation of the house in resolution would hurt anything in case the state changed the program in the future.
- Terry Williams asked if we knew of any other cities that were using the grant program.
- Ben White stated our grant writer, Charles Edwards, indicated it has been used in Paris, Texas, but he just thought it might be something we would like to consider.
- Lance Hudson said his only concern would be what type of house could be built for \$150,000, especially with the material costs right now.
- Ben White stated the total project cost has to run through the city. He feels it would be hard to build a quality structure in the environment today for \$150,000.
- Craig Overstreet asked how the \$40,000 would be reimbursable.
- Ben White stated there are components of it that would be reimbursable. However, the parts that are not reimbursable, approximately \$6,000 could be done in-kind. He said we could do that by waiving permit fees and other similar things. He stated when the house is rebuilt, the ad valorem would increase on the property as well.
 - Motion to table until it can be studied more made by Craig Overstreet
 - 2nd was made by Lance Hudson
 - All council members voted in favor

C. Consider, discuss and act upon recommendations for city audit services.

- Ben White stated he and Daphne Hamlin have been working on the Request for Qualification's (RFQ) for city audit services. It was placed on the website, placed in the newspaper and Daphne Hamlin personally invited several firms to send in qualifications. He said the city goes out for qualifications every five years. He explained two companies responded to the RFQ, and the review committee scored them and is recommending BrooksWatson & Co., PLLC for the city auditor.
- Craig Overstreet stated he feels a five year contract is too long. He said he feels that if the contract is too long people could get comfortable working together and it would not be productive for the city. He said a new partner of the firm may have to conduct the audit instead of the same people all the time.
- Mike Henry agreed that five years is too long and switching things up keeps people honest.
- Sandra Green read from the RFQ and it stated the contract for audit services based upon City Council approval of the proposal will be for the fiscal year ending September 30, 2020 through September 30, 2021. Following satisfactory delivery of the services specified in the proposal and engagement letter, the City may, at its option, request to

extend the agreement for up to three (3) additional one-year terms through fiscal year ending September 30, 2024.

- Alan Lathrom stated the contract would be for an initial one year term and then three additional terms. He said that also limits it to where you can only fund one year at a time because you cannot enter into a contract that is not funded.
- Mike Henry and Craig Overstreet stated they would like the contract for audit services to come back to them every year for review.
 - Motion to approve BrooksWatson & Co., PLLC with an annual revisit of contract made by Lance Hudson
 - 2nd was made by Terry Williams
 - All council members voted in favor

D. Discussion of matters relating to code enforcement.

- Ben White explained that when the Covid pandemic hit last year code enforcement activity stopped. At that time, Karen Dixon was our Code Enforcement Officer and she was with the Police Department. He said Charles Kirk was hired as the Building Inspector and Code Enforcement Officer and activity has been going up the last few months. He stated the focus has been on quality, not quantity. He indicated that some citizens have shown a willingness to work with the city and as time goes on Council should see more activity.
- Terry Williams asked if we are relying on people complaining or Charles Kirk going out and targeting areas of the city.
- Ben White stated it is not all complaint driven.
- Terry Williams asked how much of his time is dedicated to building inspections compared to code enforcement.
- Ben White stated in the fall inspections were almost full time, but over the last few weeks he has taken on more code enforcement.
- Lance Hudson asked if he also does plan review.
- Ben White explained he does plan review and inspects buildings and infrastructure.
- Lance Hudson asked if Ben White saw a time when a full time code enforcement officer would be hired.
- Ben White stated as the city grows there will be another full time person hired. He said he believes a new software program would help Charles Kirk be more efficient.
- Ted Wagner said he has lived in the city for seven years and sees the same code issues that were here seven years ago. He believes the areas that are entry ways to the city should be addressed first.
- Ben White stated there are times we will issue a ticket and the owner will comply, but then the violation occurs again. He explained he wanted Charles Kirk to work with people to get the issues resolved.

- Ted Wagner asked if the city needed someone part-time to help Charles Kirk.
- Charles Kirk stated he is busy and has a lot of hats to wear. He said everyone in the city needs help right now. He explained he just needs time to complete the work and indicated new software would help him become more efficient. He indicated the city needs to bring in more money so more staff can be hired.
- Mayor Wiebold asked what the cost of citations generally are.
- Charles Kirk stated \$200 to \$500.
- Ben White explained that appeals on tickets could be thrown out at Collin County and then the city has no teeth. The only thing to do at that point is a law suit against the citizen which would involve more costs. He said in the long run it benefits us to work with people without the tickets and the fines.
- Mayor Wiebold stated as a city we need to start a narrative about the beautification of our town and using volunteers can help. He said the city has to set the standard of what the town to be.
- Craig Overstreet said we can have all the laws and all the ordinances, but if we do not enforce them it will not matter.
- Terry Williams said we need to work on McKinney Street and Main Street because that is how people come into the city. He stated if we need to get volunteers then that is what we need to do.
- Craig Overstreet said he is not happy with what is happening with code enforcement. He said we are not enforcing the ordinances.
- Ben White suggested that we revisit this in a month to see if Council likes the direction staff is taking.

E. Discussion and possible direction of matters related to zoning standards and regulations for MF-1 - Multifamily Residence – 1 and MF – 2 -Multifamily Residence – 2.

- Mike Henry suggested the following for MF-2 – Multifamily Residence-2:
 - Height from four stories max to three stories max
 - Reducing it down to 18 units per acre instead of 24

He also, suggested the following for MF-1 – Multifamily Residence-1:

- Height from three stories max to two stories max
 - Reducing it down to 12 units per acre instead of 18
- Sandra Green stated they would have to send the recommendation to the Planning & Zoning Commission and it would require notice and public hearings before it could be heard.
 - Council agreed to send it back down to P&Z for review.

- F. Discussion and possible direction regarding duties, funding and supervision of the Main Street Manager position.
- Mike Henry asked if this topic has gone before 4B yet to approve the expenditure of a Main Street Manager.
 - Ben White stated it is already in their budget and they are about to start the new budget process. He said in the past the City Manager goes through the applications and then chooses a candidates to interview and includes a representative from the Main Street Board and 4B to be on the interview panel.
 - Mike Henry recommended that City Council have a representative involved in the interview process to ensure they are hiring the type of person we want in that position.
 - Craig Overstreet stated he thought it would be wise because there are several moving parts in the Main Street Manager position. He said the current process of hiring a Main Street Manager is not working. He said that some businesses claim they have never seen a Main Street Manager in the past several years.
 - Bryon Wiebold stated the two previous Main Street Managers had health issues that would hurt their performance. He said he is a huge believer in the Main Street Program and it is critical to find the right person for the job. They will need a detailed job description that lines up with the national and state level Main Street Program.
 - Ben White explained people apply and the City Manager reviews the applications with staff and then runs the qualified applicants before the 4B member and Main Street member. He said with the last three mangers that were hired the review team agreed on the person that was hired. He asked if Council was wanting the review team to be a member of 4B, a member of the Main Street Board and a representative from Council.
 - Craig Overstreet said he believes there are too many people involved. The Main Street Manager has to report to several people and it has not been successful in the past doing it that way.
 - Ben White stated the position in the past has reported to him. He extended the interview process to Main Street and 4B because they needed to be included in the process. He explained he wished the whole program was funded through the city.
 - Craig Overstreet said it is not fair for someone to come into the job the away it is set up.
 - Ben White stated the setup has created conflict and we cannot seem to get over that. He said if the city made the hire we would not have the conflict and jealousy between the city and 4B.
 - Mayor Wiebold asked why there is jealousy between 4B and the city because it all comes from tax money.
 - Ben White said since 4B is paying for the employee they believes it should be done a different way.

- Craig Overstreet stated he believes we should go out for introspective before we start accepting applications for the Main Street Manager position.
- Mayor Wiebold stated he is perplexed that people are upset or angry that they do not have complete control over the Main Street Manager. We are all working toward the same goal. Everybody has to do what is best for the city.
- Mike Henry stated a lot of the problem is lack of communication. If we all just understood everyone's role then it should be fine.
- Mayor Wiebold stated we are going to hold off on applications until we revisit this in the future.
- Council decided they wanted to hold a joint meeting with the Main Street Board and 4B to discuss the position.

VII. EXECUTIVE SESSION

- Mayor Wiebold stated the Council would go into executive session at 7:59 p.m. to discuss the following:

DISCUSSION OF MATTERS PERMITTED BY TEXAS GOVERNMENT
CODE CHAPTER 551 AS FOLLOWS:

A. SECTION 551.074, DELIBERATION REGARDING PERSONNEL MATTERS AS FOLLOWS:

1. Discussion regarding the job performance and compensation/benefits package of the City Manager.

VIII. RECONVENE FROM EXECUTIVE SESSION

- Mayor Wiebold stated the Council would reconvene from executive session at 8:51p.m.

IX. DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION

- A. Any matters related to and arising out of the discussion of the job performance and compensation/benefits package of the City Manager.
 - Motion to direct Council to revise the City Manager's contract and bring it back to a future meeting for review made by Mike Henry.
 - 2nd was made by Lance Hudson
 - All council members voted in favor

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mike Henry wanted an update on when they would hold a joint meeting with 4B and the Main Street Board.
- Terry Williams wanted an update on the gazebo located on McKinney Street, discuss parking downtown and discuss vacant buildings downtown being used for storage and what we need to do to get business in those locations.
- Craig Overstreet wanted an update on Collin Parkway and an update on the Development Agreement with Nelson Bros. Ready Mix.

XI. ADJOURNMENT

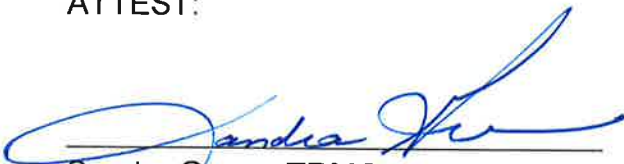
Meeting was adjourned at 8:53 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:



Sandra Green, TRMC
City Secretary

