

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
October 27, 2015

The Farmersville City Council met in regular session on October 27, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, John Politz, Michael Hesse, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, City Attorney Alan Lathrom, Warrant Officer Rick Ranspot, Fire Chief Kim Morris, Finance Director Daphne Hamlin and City Secretary Edie Sims.

ITEM I) CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Benny Mondy with Galloway Memorial Church of God in Christ offered the invocation. Mayor Helmberger led the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger announced City Offices will be closed November 11th in observance of Veteran's Day. The Council meetings have been changed due to the upcoming holidays. There will be only one meeting in November, November 17th. All monthly reports will be presented at this meeting. December will have two meetings, on December 1st and December 15th. All monthly reports will be presented on December 15th. Mayor Helmberger also announced the City received the Keep Texas Beautiful Award from Community Waste Disposal for the second year.

ITEM II – A) PRESENTATION FROM COLLIN COUNTY REGARDING THE COLLIN COUNTY MOBILITY PLAN “ALTERNATIVE BUILD-OUT SCENARIO”

Clarence Daugherty, Director of Engineering for Collin County, came before the Council with a mobility plan presentation. Mr. Daugherty spoke of being innovative in the early 1980's as an initiative to assist planning for cities within Collin County. Mayor Helmberger stated he serves on the Collin County Planning Board. The Mobility Plan was approved by Commissioner's Court August 14, 2015. Mr. Daugherty displayed a power point showing build-out projections predicting the eastern side of Collin County to build out very similarly to the western side of the County. By developing two scenarios, traffic demands are modeled for planning purposes. This planning tool is far beyond what others have done. Some of the development has shown to be inadequate. NCTCOG focuses on population projections, so Collin County took the next step into mobility of the population projections. Traffic Survey Zones were used which also followed City plans. Dwelling units per acre are expected to be at 30%. More cities are planning for more density than what was being planned a couple of years ago. Estimates are predicting 3.1 million people in Collin County where there is currently a little less than 900,000 people.

The Collin County Outer Loop project will have a dramatic effect on the eastern side of Collin County. Employment predictions are interesting with 73% jobs being created from the Outer Loop. The Loop will serve a lot of people on both sides of the County. The jobs will be market dependent, but there is a reasonable idea of the future.

Mayor Helmberger applauded Collin County Commissioner's for their foresight as this is critical. Dallas/Fort Worth began planning in 1950's. The need for utilities and roadways is more than we can imagine right now. Mr. Foy stated this information can be used to enhance our Comprehensive Plan. The Outer Loop is definite with the alignment and momentum has picked up within this past year. Mr. Foy would also like to add this information to our Land Use maps.

Denton County is realizing the need for a freeway. Development of the Outer Loop will promote residential development and good schools. With development comes the need to plan roadways.

Mayor Helmberger recused himself as he has a personal financial effect from the next two agenda items. Mayor Pro-Tem Jim Foy presided over the meeting at 6:42pm.

ITEM II – B) RECEIVE PRESENTATION REGARDING THE WASTEWATER SYSTEM FROM KIMLEY HORN

Jeff James, with Kimley-Horn and Associates, Inc., came before the City Council reporting a progress update of the wastewater treatment system and interceptor lines. There are two pieces to this project: the wastewater treatment plant and the interceptor line.

Service areas have been established and on a power point, Mr. James showed the areas able to service. The Land Use map will need to be expanded for sewer service. Presently the sewer plant is in concert with the transportation as presented by Mr. Daugherty. The wastewater treatment facility and interceptor line will also be in concert with the Comprehensive Plan and County plan in preparation of future growth. This plan is being driven by the need to serve this area for sizing and capacity.

A portion of the interceptor line will follow the railroad; however most of the line will follow creeks for minimum impact to property owners with strategically placed lift stations. The current wastewater treatment plant has been evaluated and the engineers are considering initiating the 1960's plant in operation. It would be cost effective by offering 220,000 gallons per day.

The primary goals are to consistently meet treatment goals which affect the environment; minimize the economic impact through cost effective options; operate a simple, flexible treatment plant that can respond to changing conditions; and be sensitive to the appearance, odors and noise. We are currently permitted for .5 mgd now and the engineering designs are planning to phase into a 12 mgd site. Mr. James stated he is on schedule for a draft report to make future decisions. Options are being reviewed to use the current plant. More consideration will be made when the draft report is presented.

ITEM III – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REQUEST TO CHANGE THE ZONING ON APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM PLANNED DEVELOPMENT (PD) DISTRICT WITH SINGLE-FAMILY 3 (SF-3), MULTI-FAMILY 2 (MF-2) AND COMMERCIAL (C) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT WITH SINGLE-FAMILY 2 (SF-2) DISTRICT USES, SINGLE-FAMILY 3 (SF-3) DISTRICT USES, MULTI-FAMILY 2 (MF-2) DISTRICT USES AND COMMERCIAL (C) DISTRICT USES, AND APPROVING CERTAIN EXCEPTIONS TO THE REQUIREMENTS ESTABLISHED BY THE BASE ZONING OF THE SINGLE-FAMILY 2 (SF-2) DISTRICT AND THE SINGLE-FAMILY 3 (SF-3) DISTRICT

Mayor Pro-Tem opened the Public Hearing at 6:56pm and updated the audience on the project when has been involved for the past 10 years. A zoning request was made in 2006 and in 2012. The presented plan has gone through several iterations. Mr. Foy asked for those FOR the zoning request to come forward. Jeff Crannell, engineer for the project, came forward stating the developer has agreed to 50 SF-2 lots with the open space to buffer neighbors. After the last Planning and Zoning Commission meeting, the number of SF-2 was increased to 75 lots. The neighbors of the development have been very helpful to voice concerns and believes most of the concerns have been either addressed or able to compromise. The minimum house size has been

changed to 1,500 square feet minimum which allows the developer to add larger houses as well. The developer has also agreed to purchase the property currently owned by Texas New Mexico Power to align with Farmersville Parkway and become the main entry into the development. However, once the zoning has been overcome, the developer will proceed with the purchase of the property. The open space of 3.4 acres is closer to the eastern boundary including a detention pond to mitigate drainage concerns. Erosion onto the Midkiff property was pulled off so not to repeat further drainage issues. The plan before the Council comes after numerous meetings and workshops. The proposal amends the zoning from 2012 which changes the overall development from an active adult community. The market just was not going to support a 55+ community, so the developer has re-devised the project with SF-2 and SF-3 residential homes. A preliminary plat was not included with the zoning so the residential could be the main focus. The other zones are not immediate and may change in the future. The residential lots have come down to 281.

Mr. Crannell stated he heard concerns of traffic, drainage, school impact, and wastewater concerns. Yes, the development will increase traffic and have an impact on all the issues. Mr. Crannell also stated he expects the main traffic flow through the Industrial Park to the south of the development rather than utilizing the County Roads. Mr. Crannell also stated the City of Farmersville created a TIRZ District. Tax dollars will help fund all infrastructure including roads and drainage. The developer has prepared to spend \$750,000 for the lift station which will open growth along Highway 380. This development is a cooperative effort and felt all the issues with neighbors have been met. Growth is coming this way and this will be a wonderful community.

John Richard Smith, residing at 617 CR 610, come forward stating he adjoins the development on the North side. Mr. Smith brought forward several discrepancies between the Zoning Exhibit and the ordinance. One of the discrepancies was the maximum lot coverage of 52% versus 60% as stated in the ordinance. Tract 3 of the Zoning Exhibit has Multi-Family listed as retirement assisted living but the ordinance has designated the 3.2 acres as Commercial. Mr. Smith stated he would rather have the Multi-Family and would like the entire development to remain age 55+.

Randy Smith, residing at 508 CR 610, stated he lives across from the development on CR 610 and has the same concerns as stated by John Richard Smith. The traffic impact changing from senior living will increase substantially. When will the wastewater be available for the increased population as well as preparing for schools, fire and rescue services as well as other services? When the plan was approved in 2006 and again in 2012, Mr. Smith did not oppose as he did not feel the changes would adversely affect the area. The current plan will definitely adversely affect Farmersville. However, if the plan remained the same for senior living, he does not feel the effects would be as dramatic. What happened to the need for senior living as was proposed.

Mr. Smith disseminated pictures reflecting the condition of CR 610 and stated construction within the subdivision will further deteriorate the existing roads. With no funds available to improve Farmersville Parkway now, how will the streets be handled? What if Collin College never comes? How will the streets be improved if funding is not available to take care of them now? Mr. Smith stated he does not see the benefit of increasing the lot coverage to 52%. Many changes have been presented for this property. With commercial being increased 132%, Mr. Smith does not see developers have done anything to move forward. He does not see benefits of the new proposal. Finally Mr. Smith addressed the wastewater treatment situation and asked if capacity will be available to provide for the new homes.

City Manager Ben White replied stating the City cannot approve permits for homes without proper wastewater capacity. Also, the City is working on infiltration issues. When infiltration

issues are resolved, capacity will substantially increase. Mr. White also addressed the issue of Farmersville Parkway and stated the City's position is currently funding issues. The condition of CR 610 will be dependent upon the traffic patterns including other developments and Collin College.

Cathy Strong, residing at 314 Woodard, stated cities lose so much when there is growth and would like to see Farmersville stay the way it is. She moved out of Plano 20+ years ago to Farmersville and loves Farmersville. We have a great community and does not see 55+ groups asking to build houses.

Mertis Fitzgerald, residing at 805 Westgate, stated she was raised here and opposes the development. If the development must come, she would rather have the 55+ for seniors.

With no further comments from the audience, Mayor Helmberger closed the Public Hearing at 7:34pm.

Leaca Caspari stated the cost for homes according to the 2012 plan was \$150-180,000 for an average 1,500 square foot home. Now the price is not feasible. Several concerns have been expressed by the public but there do not seem to be answers. Nothing has been answered regarding traffic and wastewater issues. When will impact fees be issued? What is the target homebuyer? Has a market study been performed? What is the impact for family sized housing?

Jeff Crannell stated he would love to have a senior community. He does not have a market study but does believe there is a demand for that product. The various drawings leading up to the request presented shows the developer is trying to create a successful project. It is definite CR 610 will need improvements but until a traffic study is done, there are no guidelines at this stage of the project. There will be tax dollars from the project that will generate revenues for the City. Leaca Caspari replied there will be a lot of traffic and a need for a stop light on CR 610. There is still not answers for road improvements. Mr. Crannell stated he feels a high percentage of residents in the development will travel south through the Industrial Park to connect to Highway 380. Mr. Crannell also stated this entire area is poised for growth. It would be more beneficial for the growth to occur within the City. There will be substantial tax revenues plus other revenues from 281 homes.

City Attorney Alan Lathrom requested an Executive Session. Council exited the meeting at 7:43pm for an Executive Session with the City Attorney.

Council reconvened the meeting at 7:49pm with no discussion from the Executive Session.

John Politz stated the engineer working on the wastewater treatment plant brought up utilizing Plant #1. This plant in operation should assist with the capacity needs for this development. City Manager Ben White stated the City has a big problem with infiltration with he and many others working toward resolving those issues which will offer more capacity.

John Klostermann asked what the timeline was for homes to be built. Mr. Crannell stated he is wanting to get through the zoning stage first but would expect after infrastructure that buildings could start in mid-2017 with 45 homes per year. However, the homes being built will be market driven. Mr. Crannell stated he is guessing for a complete build-out in 5 years.

Jim Foy stated the development has been through many iterations but he prefers the plan from 2012 where senior living is the desired goal. Mr. Crannell stated all the changes throughout each iteration has been accounted for and encouraged the Council this will not be the only development to come to this area. All sizes of lots are needed in this area as there is a shortage now. Many developers are looking at smaller lots with larger homes. Leaca Caspari stated she is concerned of park area not being sufficient since yards are small. Ms. Caspari also stated she is concerned of drainage issues as well. Mr. Crannell again stated the developer will not be

restricting the area to seniors only but would like to encourage buyers who are of any age, including 55+. The goal is to provide housing for all needs in this community. The TIRZ District and impact fees should help offset costs for improvements such as the streets. The plan presented is a lower impact than the original plans.

John Klostermann motioned to accept the recommendation from the Planning and Zoning Commission and approve the Zoning request as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari no and Jim Foy yes. Motion passed with 4 approving and 1 in opposition.

Mayor Helmberger returned to the meeting and presided over the remainder of the meeting at 8:08pm.

ITEM IV – A) FIRST READING TO CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE ADOPTING THE INTERNATIONAL SWIMMING POOL AND SPA CODE WITH MODIFICATIONS

City Manager Ben White thanked City Attorney Alan Lathrom for crafting the ordinance and recommended approval. The main concern and direction of this ordinance was to resolve backwash from pools. Through this ordinance those issues will be resolved. Mayor Helmberger stated an issue is to be resolved regarding the section number on page 3 which should be Section 32.183 referencing the International Code. The changes will be made for the final reading at the next meeting. Leaca Caspari motioned to approve the ordinance with amendments with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – A) CONSIDER, DISCUSS AND ACT UPON CITY FINANCIAL REPORTS

Finance Director Daphne Hamlin reported the City completed the year fairly well. All projects were not completed and a budget amendment will be required. Mayor Helmberger noted a shortfall with Farmersville Electric of \$164,000. City Manager Ben White stated overall he felt the City did better than expected, especially with Farmersville Electric. Ms. Hamlin stated the figures presented are unaudited.

Ms. Hamlin also reported the Water Department completed the year on a good note. This is the first time in several years the Water Department broke even. Mayor Helmberger accounted this to the Rate Study performed several years ago. Jim Foy requested a graph be presented for the revenues and expenditures rather than a straight line. Jim Foy motioned to approve the City's Financial Reports with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – B) CONSIDER, DISCUSS AND ACT UPON A CONTRACT TO LEASE A PHONE SYSTEM FOR CITY HALL THROUGH NEC FINANCIAL SERVICES

City Manager Ben White stated City Hall's phone system has been having issues. The system is 10 years old and the time has come for an improved and reliable system. Mr. White decided a 5 year lease was the best option for new handsets and hardware. Mr. White also stated the new system will allow the City VOIP with multiple mailboxes which has the technology to use the system instead of the off-site call center. Doing so would save \$105 per month which will basically cost the City \$70 per month to operate the system. The phone system was recommended by our IT vendor. The service will remain through Time Warner. Mr. White stated the technology will allow the City to have a City wide phone system. We have an option at the

end of the lease to purchase the equipment. Also this expenditure was not planned so the Administrative budget will be adjusted to accommodate this expenditure. Mr. White would like to integrate the entire City in the future, but start with City Hall since the current phone system is dying. Michael Hesse asked once fiber optics is available if this unit will still be viable. Yes, this unit will be viable and compatible for future growth. Jim Foy motioned to approve the contract as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – C) CONSIDER, DISCUSS AND ACT UPON CONTRACTING WITH COLLIN COUNTY ELECTIONS TO PERFORM FUTURE ELECTIONS

City Secretary Edie Sims requested the Council consider contracting with Collin County Elections to perform all future elections. The City of Farmersville is the last entity within Collin County that has performed the elections internally. The cost factor is such that it is more cost effective to work with Collin County. Jim Foy motioned to approve a contract with Collin County Elections with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – D) CONSIDER, DISCUSS AND ACT UPON MOWING IN RIGHTS-OF-WAY WITHIN THE CITY

City Manager Ben White directed Council to the example by the City of Anna regarding mowing in rights-of-way within the City. Typically the homeowner takes care of the right-of-way but we do not have this clearly written. City Attorney Alan Lathrom indicated this is part of the Property Maintenance Code 2006 Edition that describes the property is to be maintained by the occupant from the property to the back of the curb. Some cities have a separate ordinance but the International Property Maintenance Code covers this. No action was taken by Council.

ITEM V – E) CONSIDER, DISCUSS AND ACT REGARDING AMENDING THE CODE OF ORDINANCES TO ALLOW A FLEA MARKET USE IN THE HIGHWAY COMMERCIAL AND OTHER ZONING AREAS

City Manager Ben White stated he has received a request by Storage Wars Outlet owner Larry McIntyre to see if Council would consider having this type of business discussed by Planning and Zoning Commission to be allowed in our Comprehensive Zoning Ordinance. Currently this type of use is not in our schedule of uses. This type of business is exclusionary by nature. Jim Foy stated parking, restrooms and other items will be on the site plan. This type of use does need to be clarified in Highway Commercial zoning. Mayor Helmberger questioned if this type of use should be limited to just Highway Commercial but look at other zoned areas as well.

A short discussion was raised regarding sales tax dollars from sales from flea markets. The State Comptroller protects the City and will fine those that do not pay proper sales taxes. Council concurred to submit this request to Planning and Zoning for discussion and recommendation.

ITEM V – F) CONSIDER, DISCUSS AND ACT UPON THE RESIGNATION OF BETTYE PETREE FROM THE PARKS AND RECREATION BOARD

Mayor Helmberger publicly thanked Bettye Petree for her service. Jim Foy motioned to accept Ms. Petree's resignation with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – G) CONSIDER, DISCUSS AND ACT UPON FULFILLING THE VACANCY ON THE PARKS AND RECREATION BOARD

Jim Foy stated he spoke with Kim Potter who is willing to fulfill the vacancy on the Parks and Recreation Board. Jim Foy motioned to appoint Kim Potter to the position with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – H) UPDATE ON CHAPARRAL TRAIL PROJECTS

City Manager Ben White there is a section of the Trail still in need of repair due to drainage issues. This portion was not part of the original contract. In reaction, Change Order #5 has been created with \$17,000 to repair this section of the Trail. This will place the project at the right amount of funding available. The contractor did not have the portion of Trail finished as promised for the Chamber's Trick It Up Bike Ride event.

Mr. White stated he is upset with the contractor and wants them off the Trail completely. Further repairs or upgrades Mr. White is suggesting the City do in-house. The City could purchase equipment to seal the decomposed granite for approximately \$2,000 and \$5,000 should cover the cost for pre-mixed materials. There are a couple of drainage spots across the trail. The retainage is still being withheld and the contractor has not requested additional days to work. Mayor Helmberger stated we should allow the contractor to finish and the City can fix needed areas afterward.

ITEM V – I) UPDATE ON STREET, WATER AND WASTEWATER GENERAL OBLIGATION BOND PROJECTS

City Manager Ben White stated he is waiting for the finances to settle out and determine if he needs to move forward on the South Hamilton Street project or go to Jackson Street. The other projects are done as budgeted. All pavements have been complete and we have come a long way with only one project remaining.

For the water and wastewater projects, Houston/Austin street tie-ins are nearing completion as the lines will need flushing. The gravity main project at Hwy 78/Maple is being prepared for pipe bursting. The force main and lift station design will set the standard when future liftstations are upgraded.

When streets are torn up due to construction, Mayor Helmberger questioned if the contract reflects the contractor is to repair with base and asphalt after the infrastructure project is completed. Mr. White stated that is part of the contract and will confirm existing projects have been followed through. Central Street still needs repairs and cracks are re-appearing in other recently laid streets. Mr. White stated the City will need to either hire or purchase equipment for ongoing upkeep.

ITEM V – J) UPDATE ON HIGHWAY 380 PROJECT

Barry Heard stated the actual Highway 380 project is complete, but TxDOT is now trying to work with Kansas City Southern Railroad to complete their portion of the project with the railroad crossing and bridge extending the second track. Locust Street is also waiting on TxDOT for the second track.

ITEM VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

ITEM VII) ADJOURNMENT

Council adjourned at 9:05pm.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary

DRAFT