



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
April 25, 2017, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:00 p.m. Council members John Klostermann, Donny Mason, Michael Hesse, Mike Hurst and Leaca Caspari were all present. City staff members Ben White, Sandra Green, Mike Sullivan, Kim Morris, Paula Jackson, Daphne Hamlin, Trisha Dowell, and City Attorney, Alan Lathrom, were also present.
- Prayer was led by the Ian Campbell of the Farmersville High School Fellowship of Christian Athletes, followed by the pledges to the United States flag and Texas flag.
- Early Voting will begin at City Hall Monday, April 24th through May 2nd. Election Day is Saturday, May 6th. No voting will take place on Sundays. The times for early voting are posted at City Hall and on the City website.
- Proclamation declaring May as Motorcycle Safety & Awareness month was read by Mayor Piwko and presented to citizens.
- Proclamation declaring May as the National Historic Preservation month was read by Mayor Piwko.
- Proclamation declaring Historic Preservation Day was read by Mayor Piwko.

II. PUBLIC COMMENT

Mr. Cameron Meshki who bought a piece of property on U.S. Highway 380 addressed Council and presented a Power Point that showed a plan for a restaurant and exotic animal farm that he wants to put in at that location. He stated people who would visit the restaurant would only be able to view the animals and not interact with them due to health risks.

III. CONSENT AGENDA

A. City Council Work Session Minutes

- B. City Council Minutes
- C. City Financials
 - Motion to approve all reports made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor
- D. City Manager's Verbal Report
 - W. Hamilton St. right-of-way negotiation
 - Ben White indicated he was in the process of obtaining street right-of-way from several property owners. The acquisition would result in a dedication of right-of-way north of the storm water that crosses the street.
 - Mayor Piwko asked about zoning of the properties.
 - Ben White indicated the properties were zoned HC "Highway Commercial" and C "Commercial". He stated that on the eastern side of Hamilton Street there was some residential zoning. He referenced two alignment maps and showed where everything would possible go. He stated he was trying to get letters of intent from the property owners to show they have been in communications.
 - Railroad silent crossing
 - Ben White said the City currently has a traffic counter set up at Hill Street. The idea is to monitor traffic at Buckskin-Hill Street crossing, Main Street-Summit crossing and Walnut crossing to eventually make them silent zones. The federal government requires data collection before they would allow the City to have silent zones.
 - Michael Hesse asked if it would stop the trains from blowing the horn as they go through town.
 - Ben White indicated that it would.
 - State Highway 78 and Sycamore St. construction update.
 - Ben White explained the contractor has relayed to him they are about to begin construction, and he asked them to put in underground utilities. TxDOT has released the money for construction and the City has put aside money for lighted street signs.
 - Automated meter infrastructure update
 - The City has less than 100 new meters to install. Ben White showed a meter lid that had bee hives on it and explained what the Public Works employees are up against. The new meter cans are plastic and the bees like to hide under them in the winter. With the new system the lids are opened even less. The Public Works employees read meters in ½ day compared to 5 days before we went to this new system.

- Audie Murphy Parkway force main progress
 - The force main project is substantially complete, but the project has been shortened. The bond proceeds would have been extended if the City did not shorten the project. In order to not interfere with the budget the City will complete the rest of the construction using the loan.
- Camden Park Update
 - Ben White stated the City had developed a memorandum of understanding with the developer. The developer wanted assurance that the City would have wastewater available to him. The City is going to complete the design for the lift station. The developer is going to pay for the construction of the lift station and the construction and design of the force main west of Bob Tedford. The City moved the lift station to Home Grown Plants and DBI is working on that. The City is looking at early June for the condemnation of the Midkiff property.
 - Mike Hurst asked if the developer has given any indication of when he will start construction.
 - Ben White indicated the developer has not, but he is going out for bids for water and sewer line products. He is working on investors regarding the apartment complex portion of the property. There are indications that things are moving around and there are conversations taking place every week with the developer.
- Wastewater system update
 - Ben White stated the City is trying to complete the contracts so the project can move forward. The City is going to allow the engineering work to begin before the loan is approved. The application for the loan is complete and there is a loan allocation meeting next Monday, and the City will monitor that meeting. There is a required public information meeting scheduled for May 9th. The archeologist is awaiting right-of-entry and the engineering feasibility data report is being turned in soon. The environmental report is 80% complete, and the last 20% of the report is the hardest. Overall, the City is on schedule.

IV. 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 may 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

A. Texoma Housing Board Agenda Packet

V. **READING OF ORDINANCES**

A. Consider, discuss and act upon the 1st reading of Ordinance #2017-0425-001 updating the City Building Codes to the 2015 Editions.

- Mayor Piwko read the title block of the Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING CHAPTER 14, "BUILDING AND BUILDING REGULATIONS," THROUGH THE AMENDMENT OF CERTAIN SECTIONS OF ARTICLE II, "BUILDING AND TECHNICAL CODES," AND CHAPTER 29, "FIRE PREVENTION AND CONTROL," THROUGH THE AMENDMENT OF CERTAIN SECTIONS OF ARTICLE III, "FIRE CODE," OF THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, AS IDENTIFIED HEREIN-BELOW, TO PROVIDE FOR THE ADOPTION OF THE *INTERNATIONAL BUILDING CODE*, 2015 EDITION, *INTERNATIONAL RESIDENTIAL CODE*, 2015 EDITION, *NATIONAL ELECTRICAL CODE*, 2017 EDITION, *INTERNATIONAL MECHANICAL CODE*, 2015 EDITION, *INTERNATIONAL PLUMBING CODE*, 2015 EDITION, *INTERNATIONAL FUEL GAS CODE*, 2015 EDITION, *INTERNATIONAL EXISTING BUILDING CODE*, 2015 EDITION, *INTERNATIONAL ENERGY CODE*, 2015 EDITION, *INTERNATIONAL PROPERTY MAINTENANCE CODE*, 2015 EDITION, AND THE *INTERNATIONAL FIRE CODE*, 2015 EDITION; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- Ben White stated he took out the NCTCOG amendments and went with the straight codes. The City is currently almost a full decade behind and this would make information more current and up to date.
- Mike Hurst asked why the electrical code was 2017.
- Ben White indicated the electrical code was usually the most current, along with the fire code. If apartment complexes and swimming pools start coming to the City this will help protect the City and keep citizens safe.
 - Motion to approve 1st reading made by John Klostermann
 - 2nd to approve was Donny Mason
 - All council members voted in favor

VI. REGULAR AGENDA

- A. Consider, discuss and act upon contract with Kimley-Horn regarding the Clean Water State Revolving Fund of the Texas Water Development Board (TWDB), for sewer improvements.
- Ben White introduced Jeff James, with Kimley-Horn, and explained the contract had been changed prior to the meeting but it was provided with redlines for the Council to review. The City is allowing Kimley-Horn to move forward before the loan is awarded because we have some money allocated. Then, they could move further once the loan was approved because that money would pay the City back.
 - Alan Lathrom indicated the way the contract was written previously it would have made the City incur debt and that would be illegal.
 - Ben White explained this contract would include engineering and updates to plant 1 and plant 2 and might include some additional work. He indicated the contract stated the City had to send a letter informing Kimley-Horn whether they were allowed to proceed beyond the amount of \$300,000 if the loan had not been approved at that point.
 - Jeff James indicated Kimley-Horn had not started on the project yet.
 - Michael Hesse stated if we do not get the loan what would \$300,000 cover.
 - Ben White said the contract does not specify. He just wanted Kimley-Horn to get started on the project and suggested the City take some risks. All the feedback the City is receiving on the loan is positive.
 - Mike Hurst asked if Jeff James could tell the Council where he would start on the project with the \$300,000.
 - Jeff James explained that amount would cover the design work on plant 2 and then the City could go out for bids which would be included. Then, Kimley-Horn would like to start on the new plant as well because in order to have the new plant ready for development the City is still over two years away. Rehab of the plants covered and they could get into some design work for the interceptor.
 - Michael Hesse asked if the rehab would work.
 - Jeff James indicated that was why the study was performed and it would allow for the full use of the facility. The overall steps and/or processes have not changed.
 - Motion to approve contract made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor

- B. Consider, discuss and act upon water rates outside of corporate city limits.
- Ben White stated Tracy Homfeld came before Council a few months prior and explained why costs should be lowered for residents who live outside the corporate limits. He presented what the revenues would be over a three year period. He calculated the revenues based on the residents paying 30% instead of 100%. When Camden Park is built that would help the City. Last year was the first time we received a positive amount in regards to the water revenues, but things have been getting better every year. This money is important to those funds. If we do not make ends meet the City would have to borrow from the water/wastewater reserve fund. It would probably not be until the second year where the City would see the loss. If we lower the rates, each year the City would incur loss.
 - Mayor Piwko indicated the lower rates might entice developers to build in Farmersville. Also, she indicated Big D Concrete may create an impact on the water funds.
 - Mike Hurst inquired if something should take place in regards to annexation could some of the people who live outside the corporate limits come into the City.
 - Ben White indicated they would pay taxes and it could offset itself.
 - Mayor Piwko asked if most of the meters in the corporate limits are residential or commercial.
 - Paula Jackson and Ben White indicated they were all residential.
 - John Klostermann asked about the meditation facility and whether they use a lot of water.
 - Ben White indicated they do not use a lot of water.
 - Paula Jackson stated they were outside of the City limits.
 - Ben White stated the meditation facility was having issues with their water and meters and their rates are changing.
 - Mike Hurst stated he did not feel the Council had a choice if they wanted developers to build in Farmersville in the future.
 - Ben White explained citizens had looked into the rates and requested the lower rates because they do not feel the rate is fair, but the City can enforce what they want.
 - Leaca Caspari asked if 30% was a good number to lower the rate to.
 - Ben White stated that seemed to be a better, fair average and that was what most other cities did.
 - John Klostermann asked about the stability of the water lines.
 - Ben White said they were okay, but unfortunately we never know when something might go wrong.

- Mike Hurst asked what Ben White's recommendation would be.
- Ben White stated when prices get reduced people tend to use more. It is truly supply and demand. He stated he sat on the fence in regards to the rate change. He said the City should make the rates fair for the citizens and then staff could work on the financial aspect of the issue. We might eventually have to adjust the amount of the reduction.
- Leaca Caspari asked if the reduction of rate is specific to an area.
- Ben White indicated it would be for all residents outside the city who are using our water system. I think the City can make ends meet, but on the other hand it would make me handle things smarter and it would be a little more challenging.
- Donny Mason inquired if the finances did not improve over the years could the City raise the fees again.
- Ben White explained the City could do that. The loss to this year's budget would be \$3,000, but next year it would be more aggressive. We can make this rate change take effect in the July billing period.
- Mayor Piwko indicated staff needed to come back with a change in the fee schedule to show the change in rates.
 - Motion to have staff come back with a change in the Master Fee Schedule showing the new rates made by Donny Mason
 - 2nd to approve was made by Michael Hesse
 - All council members voted in favor

C. Update from the Fire Marshal.

- Jason Browning, County Fire Marshal, and Dale Mayberry came to give Council an update.
- Dale Mayberry indicated he has completed over 109 inspections in the City and out of those about 1/3 had minor violations in commercial businesses. All overhead vents for restaurants are all in compliance now. He has not found any major violations that would cause fire or life safety issues. He works with Chief Kim Morris closely to find solutions regarding fire alarm issues. We have 15 to 20 annual inspections to complete this year and will inspect the school districts in the summer.
- Leaca Caspari asked if he has ever had a building owner downtown that refused to allow him to inspect. If so, what happens.
- Dale Mayberry stated he has had only one owner refuse in downtown. He stated if the owners do not allow them to inspect they can get an administrative service warrant that would force the inspection.

- Leaca Caspari asked how many owners have refused the inspection.
- Dale Mayberry stated one had refused.
- Ben White explained Porter Auto and another building at the end of McKinney Street were issues in the past.
- Dale Mayberry stated those building were not occupied every day and they have to schedule an appointment with the owner to gain access. He explained that was the most difficult part about getting inspections completed. Sometimes people are not there and you have to find a time when the owner can open the building.
- Mayor Piwko inquired if there was permit fees that businesses needed to pay each year for inspections since the City contracts through the County.
- Ben White indicated he did not believe the City has been billing for that yet. Staff will look in to it.

- Mayor Piwko indicated Council would move to item E on the agenda, because the discussion on item D could take a while.

E. Consider discuss and act upon appointing new Building & Property Standards Commission member.

- Mayor Piwko stated Mr. Lance Hudson was in the audience and Mr. Riley sent an email stating his desire to be on the board.
- Sandra Green explained that Mr. Riley was not able to make the meeting because he was a fireman and he was on duty.
- Mayor Piwko stated she recommended Mr. Riley because he only wanted to be on the Building & Property Standards Board and Mr. Hudson had indicated he would also like to be on the Planning and Zoning Board. There are about to be open positions on the Planning and Zoning Board and that is the only reason she recommended Mr. Riley over Mr. Hudson.
- Mayor Piwko asked Mr. Hudson if he would be willing to serve on the Planning and Zoning Board.
- Mr. Hudson stated he would prefer to be on the Planning and Zoning Commission.
 - Motion to accept Mr. Riley as the new Building & Property Standards Board member made by Mike Hurst
 - 2nd to approve was made by Michael Hesse
 - All council members voted in favor

- F. Consider, discuss and act upon Resolution #2017-0425-001 regarding the Chamber of Commerce Yards of Yard Sales citywide participation and tourism effort.
- Mayor Piwko stated the Council had a request from the Chamber of Commerce to have June 3rd for the Yards of Yard Sale and to waive all fees.
 - Ben White indicated John Hickman, from the Chamber, was in the audience if Council had any questions.
 - Leaca Caspari stated this was something the Chamber did every year and this was just a process to make it a more formal approval.
 - Mayor Piwko stated this would allow the City to not count the garage sales on that day as part of the four that are allowed in a year per Ordinance.
 - John Hickman stated the number of participants has grown over the years. This year the Chamber is wanting anyone who wants to participate to be included. But, the Chamber is just trying to conduct the event without a map or keeping up with the registration of each participant.
 - Motion to approve made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor
- G. Consider, discuss and act upon the approval of the City's emergency management coordinator for the Collin County inter-jurisdictional Emergency Management Plan.
- Chief Mike Sullivan explained this was a plan that came from the new director at Collin County.
 - Ben White stated he wanted the document presented to Council to show Chief Sullivan was the coordinator for emergencies.
 - Motion to approve made by Leaca Caspari
 - 2nd to approve was made by Mike Hurst
 - All council members voted in favor
- H. Consider, discuss and act regarding street improvements on roadway adjacent to Wylie Drilling.
- Ben White explained Stanley Phifer, who owns Wylie Drilling, called him to visit the facility and look at a street that was damaged and in need of repair. Mr. Phifer wanted to know if he bought the materials would the City repair the approach. The approach is in the City right-of-way. Ben White explained the company has a lot of heavy trucks in that area. He stated the City works on drive approaches all the time so this was something we would normally

do. The City would pay for the labor and Mr. Phifer would pay for the materials.

- Mike Hurst asked what was the extent of work involved.
- Donny Mason inquired as to whether it would be concrete.
- Ben White stated the City would replace the approach with concrete and rebar. The area needs to be smoothed out and replaced.
 - Motion to approve made by Donny Mason
 - 2nd to approve was made by Michael Hesse
 - All council members voted in favor

I. Consider, discuss and act regarding resignation from Senior Citizens Board.

- Mayor Piwko explained the term resignation was incorrect. The Board is requesting the member be removed due to lack of attendance. She asked if there were any applicants for the Board.
- Sandra Green indicated the selection was going to be postponed until all the Boards are renewed in May.
 - Motion to remove Patricia Jablonski from the Senior Citizens Board made by Mike Hurst
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor

J. Consider, discuss and act upon R-2017-0425-002 regarding the support for funding Collin County roadway projects.

- Ben White indicated there was a slight change in the wording that was recommended by the City Attorney and there was a clean version and a redlined copy given out before the meeting.
- Mayor Piwko asked if more information or wording could be placed in the Resolution to show the City wanted the County to indicate Farmersville would be covered under this bond issue.
- Alan Lathrom explained that would go back to the electioneering discussions at previous Council meetings.
- Ben White stated the County was going to use the money as a savings account to help TxDOT in case they run out of money before the project is completed.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor

K. Update from Main Street regarding planning a citywide celebration for the City obtaining the National Historical designation.

- Mayor Piwko and Mike Hurst left the room because of their owning property on the square.
- Michael Hesse took over the meeting.
- Mr. Randy Rice addressed Council and stated it has taken a lot of work to get the designation of having a historic downtown. He explained the City cannot have a big celebration because people would show up and not care. They would not know what they were celebrating. The Main Street Board is trying to get people to notice the downtown area first. Maybe the City can send out information regarding the new historical designation and how special it is by using utility bill inserts. The Board is currently working on a healthy initiative with Tatum Elementary which brings students up to the gazebo and includes different activities. One of the ideas is to let the student's tour the buildings and learn the history behind them. It would be fun to show them the wishing well and allow them to drop a penny in. Also, the students could be taught about the importance of preserving the buildings. The Board wants to work with the newly formed committee of the Chamber to bring people downtown to see the buildings. All of this is being done to keep the district in front of the people. We hope we receive a 100% participation from the downtown merchants to purchase plaques for the official buildings. A 5" x 7" plaque starts at \$350. It would be wonderful to have a celebration when the buildings have the plaques attached for people to see. The Board would like a historical plaque for the City at the downtown area and that would also cost money. The wording and location of the plaque would have to be approved by Council and then there could be a dedication of the plaque. But, it should be in conjunction with another event. The suggestion was given to hold the celebration and dedication of the plaque before the Christmas Parade, because many people are in the downtown area for this event. One member of the Historical Society and one member of the Board liked the idea. As always, the Board is open to suggestions and volunteers.
- Leaca Caspari stated the City found that events during the school years get greater participation.
- Randy Rice indicated if teachers could incorporate lesson into the curriculum and have tours of the buildings that would help generate interest.
- Trisha Dowell stated the museum would help and they are working on displays. She indicated they are hoping to open it soon.

- L. Consider, discuss and act upon a parking lot for businesses on Bob Tedford Dr.
- Ben referred to the map and indicated there were 10 different trailers that were left on the street. Chief Sullivan and Ben went out and discussed the issue with the owner and he stated he could move some of the trucks to his facility at AFI. He explained the City owned the property in front of the water tower, and he suggested having a public industrial parking lot that could be utilized. He wanted to find out from the Council if that type of solution made sense and then he could take the idea to the 4A Board to see if they would fund it.
 - Chief Sullivan stated a lot of trailers and tractors would be parked on the roadways in the industrial area of other cities. A private citizen built a parking lot in DeSoto and it worked. The owner in Farmersville has reduced the number of trailers he currently has on the street. He owns 9 trucks and he has built some dock areas to help. His business is expanding and he wants to move to his property at AFI, but it will take him awhile.
 - Ben White indicated this would solve the immediate problem. The City would put base down first and then concrete the next year. The City could use the land in the future for a building or it could be a remote site for anything.
 - Chief Sullivan explained if the owner would move some trailers to AFI, some to the dock areas, and then include the parking lot that would alleviate the problem.
 - Ben White stated he wanted to point out it would be a public parking area and it could fit approximately six trailers/trucks.
 - Leaca Caspari asked if the travel center was opening soon and what if truckers wanted to stay in the lot overnight. She inquired what liability the City would have. She indicated she does not want to give a private industry the feeling they could use the entire parking lot as their own.
 - Chief Sullivan indicated if the City obtained more industry in the future the parking would become a bigger issue.
 - Mayor Piwko indicated the City should be able to post signs that state the City has no liability.
 - Ben White asked Alan Lathrom if there was something the City could do, especially if 4A funded the parking lot.
 - Alan Lathrom indicated the City would have a hard time enforcing the issue.
 - Donny Mason stated there needed to be more research and then the item could be presented at a future meeting.

- Mike Hurst explained he thought the issue with the trucks was that Camden Park was worried about the look of having the trucks parked there.
- Ben White indicated staff would come back to a meeting in the future with more information and the cost of base for the parking lot.
- Mike Hurst inquired whether the Shell station that was being constructed would have overflow parking.
- Ben White indicated that he was not sure if they would have an overflow parking area.
- Paula Jackson indicated the owner did not want overnight parking.
- Mayor Piwko stated staff will come back with more ideas and thoughts at a future meeting.
- Mayor Piwko indicated the Council would go back to item D. regarding the Comprehensive Plan grant.

D. Update regarding the comprehensive plan grant.

- Ben White addressed Council and explained he did not move forward on this project very fast because he wanted to wait until the City's Planning Engineer was chosen. The Comprehensive Plan, according to the grant, has to be completed by October of 2017. Zachary Stern, from GrantWorks, is working on the Comprehensive Plan and has indicated it is common to update the City's Comprehensive Plan every five years. A public hearing has been scheduled for May 4th at 6:00 pm to go forward with the project. Ben White explained to Zachary Stern the project is not a rewrite but is simply an update. The Zoning Ordinance changes will be going on concurrently with the Comprehensive Plan. A lot of things that are required for the Comprehensive Plan is related to the collection of data. If the Council feels the public hearing is happening too soon then it can be rescheduled. Ben White stated he understood it was scheduled close to Election Day, but Zachary was just trying to obtain data he needed to complete the project. Ben White indicated the Zoning Ordinance and the Comprehensive Plan will complement each other. Both Zachary Stern and Drew Brawner from Kimley-Horn will work together.
- Mayor Piwko was concerned about the date because it was not on the calendar at the last Council meeting. She also wanted to know the process that would take place at the meeting.
- Sandra Green explained the process of what Zachary Stern had discussed concerning the public meeting.

- Ben White indicated the new public hearing date would be scheduled for June 1st at 6:00 pm.
- Mayor Piwko wanted to verify how Zachary Stern was obtaining information on population because she does not want it to conflict with the number of inhabitants for Home Rule status. She suggested Zachary Stern come to the next meeting or send a Power Point presentation to show information of what to expect at the public hearing.


VI. **REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- John Klostermann requested an update regarding the Chaparral Trail.
- Michael Hesse wanted to discuss signs regarding children at play.
- Mike Hurst requested an update on Home Rule status.
- Mike Hurst requested an update on the Islamic Association of Collin County.
- Mike Hurst requested an update on the drone video.

VII. **ADJOURNMENT**

- Meeting was adjourned at 8:39 p.m.

APPROVE:



Diane C. Piwko, Mayor

ATTEST:



Sandra Green, City Secretary

