



**FARMERSVILLE CITY COUNCIL  
SPECIAL SESSION MINUTES  
For  
July 6, 2017, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Piwko called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Donny Mason, Mike Hurst and Todd Rolan were all present. Councilmember Michael Hesse was absent. City staff members Sandra Green, Mike Sullivan, Rick Ranspot, Daphne Hamlin, Paula Jackson, Trisha Dowell, Kim Morris, and City Attorney, Alan Lathrom, were also present.
- Prayer was led by Sandra Green, City Secretary of the City of Farmersville, followed by the pledges to the United States flag and Texas flag.
- Calendar of upcoming holidays and meetings were provided in the agenda packet.

**II. PUBLIC COMMENT**

- No one came forward to speak.

**III. CONSENT AGENDA**

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
- B. City Council Work Session Minutes
- C. City Financial Report

- Mayor Piwko pulled the City Council minutes.
  - Motion to approve reports B and C made by Mike Hurst
  - 2<sup>nd</sup> to approve was Todd Rolen
  - All council members voted in favor
  
- Mayor Piwko stated that on page 11, Item H of the City Council minutes needed to reflect that Mike Hurst and Mayor Piwko re-entered Council Chambers after recusing themselves on the item.
  - Motion to approve City Council minutes as amended made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor

#### **IV. READING OF ORDINANCES**

- Mayor Piwko read the title block of the Ordinance.
 

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 2, "ADMINISTRATION," BY AMENDING ARTICLE 3 ENTITLED "BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES" BY DELETING DIVISION 2, "LIBRARY/CIVIC CENTER BOARD," DIVISION 4, "SENIOR CITIZENS ADVISORY COMMITTEE," AND DIVISION 7, "PARKS AND RECREATION BOARD," IN THEIR ENTIRETY AND ADOPTING A NEW DIVISION 2 ENTITLED "CITY AMENITIES BOARD" THAT VESTS THE DUTIES AND RESPONSIBILITIES OF LIBRARY/CIVIC CENTER BOARD, SENIOR CITIZENS ADVISORY COMMITTEE AND PARKS AND RECREATION BOARD IN THE CITY AMENITIES BOARD; REPEALING ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR NOTICE AND IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

- Mayor Piwko explained the overall Ordinance and what it was trying to do by combining the boards.
- Alan Lathrom pointed out that only two of the members can live outside of the city limits.
  - Motion to approve made by Donny Mason
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor

## V. REGULAR AGENDA

- A. Consider, discuss and act upon Resolution #R-2017-0627-001 regarding the signatories for the Texas Capital Fund Main Street Program (A Texas Community Development Block Grant (TxCDBG) Program).
- Mayor Piwko stated that she and Councilmember Hurst were going to recuse themselves and Councilmember Overstreet was going to run the meeting for the item.
  - Sandra Green explained the Resolution was coming back to Council in order to make it official. Council had voted on the Deputy Mayor Pro Tem at a previous meeting, but the Resolution was not attached. A Deputy Mayor Pro Tem had to be chosen since the Mayor, Diane C. Piwko, and Mayor Pro Tem, Mike Hurst, have to recuse themselves on any item pertaining to the Main Street. This is due to the fact that they both own business there and because it was a condition of the City obtaining the grant funds.
    - Motion to approve made by Donny Mason
    - 2<sup>nd</sup> to approve was Todd Rolen
    - All council members voted in favor
  - Mayor Piwko and Mike Hurst re-entered the Council Chambers to continue with the meeting.
- B. Consider, discuss, and act upon contracts for professional services regarding the Wastewater Treatment Plant Project funded by the Clean Water State Revolving Fund (CWSRF) Loan.
- Sandra Green stated that the City Attorney, Alan Lathrom, had reviewed all three contracts and all comments had been addressed prior to the meeting.
  - Mayor Piwko asked if approving the contracts kept the City on schedule for receiving the loan by September and getting the project done by next year.
  - Sandra Green stated this project has a lot of parts associated with it but everything appears to be on track.
    - Motion to approve contracts for professional services for Brown & Hofmeister, First Southwest (Hilltop Securities), and DBI Engineers made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Mike Hurst
    - All council members voted in favor
- C. Consider, discuss and act upon granting extension to citizens temporarily living in recreational vehicle until house remodeling is complete and/or until Ordinance is drafted and approved.

- Mayor Piwko explained that a family came before the Council on an earlier agenda and the Council gave them an extension to live in their recreational vehicle. The RV was located in their driveway while they were fixing their home. Since the Ordinance had to be published in the newspaper it would not go before the Planning & Zoning Commission until later this month.
- Sandra Green explained that it would actually go before the Planning & Zoning Commission on August 21<sup>st</sup> because it was noticed without the time of the meeting originally. There was not enough time to re-notice it for the July meeting so it was postponed until August.
- Mayor Piwko stated that Council would not see the Ordinance in front of them until September so she suggested giving the homeowners another 60 or 90 day extension. Mayor Piwko asked Chief Mike Sullivan if he had been able to check the status of the house renovations and if they are close to finishing.
- Chief Mike Sullivan explained that he has been by the house, but the majority of the work is being done inside, and stated he has not been inside the house.
- Donny Mason asked if the homeowners would be completed with the work in 60 to 90 days.
- Chief Mike Sullivan stated he is just going by the homeowner's word.
- Mayor Piwko stated the homeowners had indicated they needed four to five months and that would give the City enough time to complete the paperwork.
- Donny Mason asked if everything outside of the house was completed.
- Chief Mike Sullivan stated they had been working on the porch but he believes everything outside is now complete and they are working inside now. He stated he has never been inside the house.
- Craig Overstreet explained this was an Ordinance issue. He did not believe it should have come before Council in the first place. He stated the City Ordinance's need to be followed. He explained that six to nine months is entirely too long to allow someone to live in a recreational vehicle. He fears this would start a precedent and the Council will see more of these type issues come up.
  - Craig Overstreet made a motion to give the homeowners another 90 days, but after that they need to have the house finished. He hopes Council would look at issues like this a little closer in the future.
- Mike Hurst asked if Chief Mike Sullivan was going to notify the homeowners that they have been given an additional 90 days.
- Chief Mike Sullivan indicated he would.

- Sandra Green stated that since it was an Ordinance it would require two readings when it came before Council. Also, if Planning & Zoning wanted anything changed in the Ordinance it would require more time before Council would see the item.
  - Alan Lathrom indicated that there had only been a motion made and not a second, so discussion can take place after the 2<sup>nd</sup> was made.
    - 2<sup>nd</sup> to approve was Donny Mason
  - Alan Lathrom clarified that anytime there is a zoning text amendment or zoning case that goes before the Planning & Zoning Commission it would only require one reading by City Council according to the Policies and Procedures adopted by the City Council. He stated we could also double notice the item so that it could be heard at City Council the week after consideration by the Planning & Zoning Commission. Of course, you always run the risk that the Planning & Zoning Commission will want changes made to the Ordinance. The Ordinance was set up as a temporary use that will allow them to stay in the RV for a temporarily while they are working on the house they own. It would require the homeowners to receive a temporary use permit from the Planning & Zoning Commission and the City Council.
  - Mayor Piwko stated there would be a time limit set in the Ordinance.
  - Alan Lathrom indicated that he believes the Ordinance was set up for temporary use to not exceed 120 days.
    - All council members voted in favor
- D. Consider, discuss and act upon changes to TML insurance rates.
- Daphne Hamlin, Finance Director, stated the City's insurance company is currently TML and the City has been with them for decades. This year the City's rate are going up 20%. It was recommended by staff to go out for bids. Chief Mike Sullivan has been helping gather information from other cities that will help with the decision. We found out that most cities use brokers, and we have two brokers coming in to discuss rates and the possibility of switching insurance companies. She explained that since the City has a small number of employees she is not getting her hopes up because of Obamacare the rates are probably going to be pretty high. TML is asking us to sign the contract, but she is telling them the City needs another month.
  - Mayor Piwko asked how long before the employees run out of coverage and inquired as to whether the City was on a yearly contract.

- Daphne Hamlin stated that it is an annual contract and the policy expires every year. The City has checked other rates before but TML has always stated they would give us a good rate for that year, but the next year would be higher.
  - Mayor Piwko asked if we have multiple plans to choose from or just one.
  - Daphne Hamlin stated employees have five plans to choose from. The five plans range in deductibles and out-of-pocket expenses. She explained the City gives employees \$736.00 a month to help with insurance costs. Any amount left over from the \$736.00 goes into an HRA or HSA account.
  - Donny Mason asked how many employees are on the plan.
  - Daphne Hamlin stated the City has 36 employees and 11 have dependent coverage. Basically, the employees who carry dependents will get hit the hardest.
  - Mayor Piwko ask what the City is looking at for an overall budget number.
  - Daphne Hamlin stated the City currently spends \$35,000 a month on health insurance. We are going on three years now contributing \$736.00 to the employees.
  - Mayor Piwko clarified by stating that we currently spend \$35,000 a month and it will be going up by 20%.
  - Daphne Hamlin indicated that was correct. It would not be taken out of the budget. It would be take out the employee's salary. That is why it would be devastating to some employees. She indicated that she would bring the rates for other insurance companies back to Council for review.
- E. Consider, discuss and act upon interlocal agreement (ILA) with Collin County for Fire Inspection and Fire Plan Review services.
- Mayor Piwko indicated there were no changes to the contract and it was the annual renewal for Council review.
  - Donny Mason asked Chief Kim Morris if he was satisfied with the contract.
  - Chief Kim Morris indicated he was.
  - Mayor Piwko explained that under Exhibit A the County would be getting a lot more funds than what was shown. She indicated the City should be doing more than ten certificates of occupancy now and plan reviews should be twenty to thirty a year soon.
    - Motion to approve made by Donny Mason
    - 2<sup>nd</sup> to approve was Craig Overstreet
    - All council members voted in favor

- F. Consider, discuss and act upon appointing members to the City Amenities Board.
- Mayor Piwko stated that she was familiar with most of the people on the boards because she was the Council liaison for them. She suggested that she make recommendations and then Council can decide if those are the choices they would accept. She suggested the following people to sit on the City Amenities Board:
    - Term expiring in 2018: Susie Grusendorf and Glenn Bagwell
    - Term expiring in 2019: Charlotte Holloway and Sarah Odom
    - Term expiring in 2020: Lynette Fulkerson-Grady, Miranda Martin, and Cathy Strong
      - Motion to accept recommendations given by Mayor Piwko concerning members of the City Amenities Board made by Craig Overstreet
      - 2<sup>nd</sup> to approve was Donny Mason
      - All council members voted in favor
- G. Consider, discuss and act upon JW Spain baseball contract.
- Todd Rolen stated he wanted this item on the agenda because he was approached by several citizens concerned about the upkeep of JW Spain.
  - Mayor Piwko stated Todd Rolen was concerned whether the Little League was doing their part and conditioning the fields.
  - Todd Rolen read Section 2 of the contract where it states the Little League shall prepare and maintain all playing fields for all Little League events. The fields should present high quality for playing from the beginning until the end of the playing season. He stated it has been years since there has been any field conditioner out there.
  - Mayor Piwko indicated the City never works on the fields but the City pays for weed killer.
  - Alan Lathrom stated the City mows the grass and the Little League should maintain the fields.
  - Todd Rolen stated the only thing the Little League does now is rake the fields. He explained that as a parent he pays a lot of money to the Little League, but he said the the fields have started to suffer.
  - Mayor Piwko explained the Little League could fill out an application for 4B to give them money to help with the maintenance.
  - Todd Rolen stated that Marvin Smith is in charge of the Little League.
  - Mayor Piwko also asked Daphne Hamlin if the Little League is paying for ¼ of the mowing that is spelled out in the contract.
  - Daphne Hamlin indicated the City has not been charging them for the mowing.
  - Craig Overstreet stated the contract with the City is over two years old and asked if the City signs an annual contract with the Little League

since that is what was stated in the signed contract. He also wanted to know if the Little League is providing the City with financial statements that would allow the City to see how much they can contribute to the maintenance of the fields.

- Sandra Green stated she has never seen the insurance documents.
- Mayor Piwko stated she would like to have a representative from the Little League to come before the Council with all the necessary documents.
- Craig Overstreet stated the City needs to get all the documents and clean up the contract before the Little League should go before any board to ask for funds. He also asked if health inspections are being conducted and if there are any violations.
- Alan Lathrom indicated the County conducts the health inspections.
- Paula Jackson stated the Fire Marshal does a walk-through of the facility every year.
- Alan Lathrom explained that when the City drafted the contract they wanted to make sure the facility was taken care of. That included the trash taken out and water and electric turned off. If the Little League was helping maintain the facility then it would offset the expenses because the City does not receive any fees or rentals charges.
- Mayor Piwko asked for Daphne Hamlin to look into the fee for mowing.
- Craig Overstreet stated the last paragraph of the contract explains that it falls on the City since Council has not be reviewing the contract on an annual basis.
- Alan Lathrom explained that specific paragraph was designed to have both parties look into the agreement and make sure it was working and to change anything that needed to be modified.
  - Council asked staff to have a Little League representative come and present their financial statements, insurance, and maintenance records to the Council.

H. Consider, discuss and act upon citywide cleanup day.

- Mayor Piwko stated there apparently used to be a citywide cleanup day and people liked it.
- Paula Jackson explained there were several issues with it. No one was policing the event and when the brush was burned there were tires and chemicals that had been placed in the pile.
- Mayor Piwko asked how many years ago the last one was conducted and where it was held.
- Paula Jackson stated the last clean-up day took place at Southlake approximately 10 years ago.



- Mayor Piwko explained that Ben White had stated the City had trouble with people from outside the city limits participating in the event. The City now has much better curbside service and if we have a clean-up day the trash could be placed on the curbs. It would help people clean up and people could volunteer to help the elderly and others. We are solving the problem with people who live in the County bringing their trash by having curbside pick-up. People could come in early and sign up if they need help. The trash companies will need to be brought on board because if we feel there is a lot of trash it could be beneficial. It would be helping our citizens who cannot get around town.
- Donny Mason suggested the City get volunteer groups set up first.
- Craig Overstreet stated the City needed to have it organized by some other group.
- Mayor Piwko stated the City could set up a subcommittee, maybe under the City Amenities Board, to help coordinate it.
- Craig Overstreet stated the City staff does not need to be in charge of it, but they can get volunteer groups together to get the event underway.
- Donny Mason stated the City needs to make sure that no contractors are allowed to bring their trash.
- Mike Sullivan stated the City Council can direct staff to oversee the project. We can have the Police Association and Rotary Club involved. He stated he would get the ball rolling and contact volunteer groups.
  - Council directed Chief Mike Sullivan to start working towards getting volunteer groups to oversee a citywide clean-up day.

## **VI. BUDGET WORKSHOP**

- Daphne Hamlin addressed Council and went over a Power Point presentation regarding the preliminary budget. She indicated the City's electric fund is where most of our revenue comes from. The reason the general fund is so large is because we borrow from the enterprise fund in the amount of \$1.4 million in transfers a year. She indicated that she is being conservative, but she hopes the permits and licenses will go up next year. She stated she will not have concrete numbers until the end of July.
- Mayor Piwko asked how much Daphne Hamlin increased the sales tax.
- Daphne Hamlin explained that it was about 10%.
- Mayor Piwko indicated the City is running at about 19% currently and we do not have the Shell station open yet.
- Daphne Hamlin stated she was just being overly conservative and the numbers will probably change a little before the final budget. She also explained the police department is a third of the general fund budget, but that

was customary and normal with most cities. Our police department is the City's largest department. The water fund is still struggling to have ends meet. Ben is going to suggest a rate study since we have not completed one in about five years. Regarding preliminary tax rate, they are currently stating it will be \$165 million, but we will not have fixed numbers until the end of the month. The City is proposing a tax rate of \$0.88. Which is 5.75% over the effective tax rate. That would bring the City approximately \$1.4 million. INS, who pays for our debt service, would receive \$715,000.00. \$752,000.00 would go into the general fund for M&O operations.

- Mayor Piwko asked if the City would be in a rollback situation like last year.
- Daphne Hamlin stated no and the County could not explain what happened and why the City was in that situation, but now we are back to where we should be. She indicated that before she brings the budget back to Council again she was going to try and conduct a tax survey of other cities, but she felt like we would be one of the highest.
- Mayor Piwko asked if she was referring to percentage or dollar value.
- Daphne Hamlin stated dollar value.
- Mayor Piwko asked if a salary increase was built into the budget and if there were any large capital expenditures.
- Daphne Hamlin stated a 3% salary increase and the only thing she recalled placing in the budget regarding capital expenditures was a police car.
- Mayor Piwko asked if the City was maintaining the road repair budget and was the money that was allocated in that for this year been spent.
- Daphne Hamlin explained the road repair budget is being increased again this year and that a lot of the money for road repairs has been used.
- Craig Overstreet asked where the City is pulling the funds for the water shortage from.
- Daphne Hamlin indicated it was being pulled from the reserves.


#### **VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- None


#### **VIII. ADJOURNMENT**

- Meeting was adjourned at 7:07 p.m.

APPROVE:

  
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Diane C. Piwko, Mayor

ATTEST:

  
Sandra Green, City Secretary

