



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
July 11, 2017, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:16 p.m. Council members Craig Overstreet, Donny Mason, Mike Hurst, and Michael Hesse were all present. Todd Rolen was absent. City staff members Ben White, Sandra Green, Mike Sullivan, Rick Ranspot, Daphne Hamlin, Kim Morris, and City Attorney, Alan Lathrom, were also present.
- Prayer was led by Rick Ranspot, Warrant Officer for 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.
- Mayor Piwko announced the Chamber of Commerce Casino night had been moved to the Brushy Creek Center.
- The 2017 Budget Calendar was also provided in the agenda packet.
- Ben White called up employees Police Chief Mike Sullivan, Darrell Currey, Chase Conger, Danny Ruff, and Jeramy Jones from the audience and congratulated, praised, and recognized the men on doing a great job while helping with the most recent electrical outages. They all worked quickly to get the issues fixed for the citizens of Farmersville.

II. PUBLIC COMMENT

- Ken Roose, who resides ½ mile from the proposed cemetery at 1033 County Road 557, stated he was opposed to any cemetery coming into the ETJ of Farmersville. He does not feel that it is illegal for the Council to vote no regarding the plat and he wants the City to follow the future plan of the City.
- Randy Smith, who resides at 508 County Road 610, addressed the Council about regarding several topics. He first wanted to express that if someone in

the community has any issues they need to come in and talk to staff because they are very helpful. He continued by discussing issues with people who live outside of the city limits. He stated that people who live outside of the city limits live there for various reasons. He would like to see the City work with and listen to people who live outside of the city limits more often because people outside the city limits still use the City of Farmersville's parks and other facilities.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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. Police Department Report
- B. Code Enforcement/Animal Control Report
- C. Fire Department Report
- D. Municipal Court Report
- E. Warrant Officer Report
- F. Library Report
 - Motion to approve reports made by Michael Hesse
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- G. City Manager's Verbal Report
 - Wastewater System Update
 - Ben White addressed Council and stated the City was still on track for the loan closing in September. Some changes have occurred and the City has reacted to those. The TWDB approval process is going to be in August now and we have moved all the financial components in order to accommodate this change. The City was having problems receiving approval from the Corps. of Engineers. Kimley-Horn had three different alignments configured just in case there were problems receiving approval from the Corps. of Engineers.
 - Mayor Piwko asked if the City was far enough to go back and forth between the two or are we committed to option C.
 - Eddy Daniel, from Daniel & Brown, explained they had completed a survey of the initial route. The Corps. of Engineers

were not allowing entrance onto their property to conduct the survey. The shortest amount of time to obtain a right of entry would be three to four months. Over half of the initial survey has already been completed so they only have to re-look at the southern half. So, the Corps. of Engineers is not in the picture any longer.

- Camden Park Update
 - Ben White stated that at the last meeting Council looked at a Development Agreement before Ted Zedah had looked at it. Ted Zedah's attorney gave comments back to the City and we are currently making those changes. We had to remove a paragraph regarding project management because we wanted to have complete control of the project on our portion of the sewer. Another issue that faced opposition by citizens was removing the radius of County Road 611, so it has been removed from the Development Agreement. Mr. Randy Smith was afraid it would cause traffic issues. Ben White stated his recommendation was to hold off on taking out the radius at this time and have that done later. The City could wait on the removal of the radius until Collin College develops, or Ted Zedah has stated he might come back in the future and remove it.
 - Mayor Piwko asked if another option might be to get TxDOT to place a light at that location.
 - Ben White stated it would take more than a year to get a light installed at that location.
 - Mayor Piwko asked if the City could pay for the light instead of TxDOT.
 - Ben White indicated the City did not have the budget for a light. Ted Zedah has stated he is ready to start as soon as the Development Agreement is signed, but he is asking for 30 days after the signing of the agreement before he puts the money in escrow. Ben White explained the City staff will be under pressure to get the infrastructure installed by the end of the year. He has already asked the engineer to begin designing the engineering drawings.
 - Mike Hurst asked about the time frame of Ted Zedah signing the agreement.
 - Ben White stated as soon as the City receives the comments from Ted Zedah's attorney, it will be brought before Council, and then it will be signed.
- Big D Concrete Annexation Update
 - Ben White stated the TIRZ board was reviewing this project.

He explained the numbers will be presented to the board to see if they will support it. The sewer can be put off until later, but they need water now. He has to work through agreements with Caddo Basin and others to see if the City can support it. Big D is getting closer to ordering equipment and other necessary items to get the site ready. The City has annexation documents drawn up for them right now, but they will want a letter stating the City will supply water and sewer to the sight. The FEDC has seen an evaluation of the project and they want more information about Big D's finances before they feel comfortable going forward with funding.

- Mayor Piwko stated there is an option of cost sharing with the City and Big D because the City will want to negotiate.
- Ben White stated it would be harder for Big D to drill a well. He would like to extend the line for industrial business in the future. Right now, the City flushes those lines that extend in that direction because of the residual and build-up of chlorine in the lines.
- Craig Overstreet encouraged Ben White to have someone else review the numbers as well to assess if it would be beneficial for the City.
- Ben White stated he has reviewed the numbers, but would be more than happy to allow someone else to review them as well.
- Home Grown Plants Annexation Update
 - Ben White explained Home Grown Plants is wanting a gas line because they use a lot of propane. The City has conducted some studies and it will cost approximately \$300,000.00 to run a gas line. He explained the City wants to have it installed down U.S. Highway 380 for future use, but Mr. Evans stated he could not afford that. The City is also in discussions with Mr. Evans to have a lift station located on his property. Ben White stated that all parties involved would love to see cost sharing.
 - Mike Hurst asked what Atmos thought about running a gas line.
 - Ben White stated they would definitely receive benefits from it. But, Atmos wants the developer to pay for the cost.
 - Craig Overstreet stated that other property owners along the line could possibly share the cost because it would benefit them as well.
 - Ben White stated most people only use a small portion of the line and do not want to help pay for the whole project.
- Lakehaven MUD Update
 - Ben White stated he is trying to get Lakehaven MUD into the City limits. It takes longer to get money back after establishing a

MUD. Either the City or the citizens of the MUD would have to pay off the debt before they could be annexed. After learning a little bit about the MUD, we found out there was another way called PIDs, public improvement districts, to get them into the City. They are planning to have several amenities in the development that citizens of Farmersville could utilize if they were in the city limits. Right now, Lakehaven had made no decisions.

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. FEDC (4A) Meeting Minutes
- B. FEDC (4A) Financial Report
- C. FCDC (4B) Meeting Minutes
- D. FCDC (4B) Financial Report
- E. Main Street Board Minutes
- F. Main Street Report
 - Motion to approve reports made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor

V. REGULAR AGENDA

- A. Presentation and acceptance of an award from Community Waste Disposal (CWD) to the City of Farmersville.
 - Robert Medigovich, with Community Waste Disposal (CWD), addressed Council and stated the City was being presented with the Keep Texas Beautiful award for its commitment to waste and recycling programs.
- B. Consider, discuss and act upon Fire Department Budget Amendment regarding funding for radios before grant reimbursement.
 - Chief Kim Morris stated the amendment was for the purchase of radios and then the City would get reimbursed from FEMA at a later date.
 - Mayor Piwko asked if he intended to place the other \$100,000.00 in the budget for next year.

- Ben White stated they were and they are trying to be creative by reviewing the bond because some trucks are coming off.
- Craig Overstreet inquired as to whether the County is going to another radio system or will the radios allow our employees to communicate with the County.
- Chief Kim Morris stated by purchasing these radios it will alleviate the problem because they will be able to communicate with the County.
- Craig Overstreet asked what would happen to the existing radios.
- Chief Kim Morris stated nothing, but they have been used since 1996.
- Mayor Piwko asked how many radios would be purchased for \$146,000.00.
- Chief Kim Morris stated the amount would cover 27 portable radios, 8 mobile radios, 27 mics, and one bay station radio.
- Ben White stated the City may purchase a few extra for Public Works so they can cross communicate via radios. The City will not purchase one for everyone, but a few.
- Mayor Piwko asked if Greenville would be able to communicate with the City across county lines.
- Chief Kim Morris indicated yes, they would be able to communicate over county lines.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor

- C. Update concerning the progress of the Comprehensive Zoning Ordinance and Subdivision Ordinance modifications.
- Ben White presented a Power Point from Kimley-Horn and stated Kimley-Horn has been working hard on the updates to the Ordinances. City staff has reviewed and made comments against what Kimley-Horn has brought to us. The goal is to make it easier to read and become more user friendly.
 - Mark Bowers with Kimley-Horn stated they are trying to make the documents less textual and to include more charts to help people read it easier.
 - Ben White explained we are all trying to find ways to make sure items can go through the system more expediently. Staff will have the ability to place items in the correct categories when an application is filed with the City.
 - Mark Bowers gave an example by stating that a cellular phone store would have not been found years ago in any city. He explained they are trying to list items that would accommodate changes and would not require a re-write of the Ordinance every time a new use came before the City.
 - Mayor Piwko asked Ben White and Mark Bowers if they could go over the timeline of the project.

- Ben White stated there would be a joint session to have people review the Ordinance changes in the future. There could be a need for multiple meetings. The Planning & Zoning Commission may want to see the changes to the Ordinance first before it is brought to the City Council.

D. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding a preliminary plat for the Islamic Association of Collin County.

- Eddy Daniel, Daniel and Brown, stated that several representatives were in attendance to answer any questions that Council may have. All the engineering and technical requirements had been reviewed by their office.
- Johnathan West, Landscape Architect and Project Manager with Halff Associates introduced himself along with Dylan Hedrick, Engineer with Halff Associates who works with City staff. Also, Mr. Asad Rahman, attorney for the Islamic Association of Collin County and Mr. Abm Shumsur Rahman, Treasurer for the Islamic Association of Collin County and member of the board introduced themselves.
- Mayor Piwko explained the Council did not finish their discussion with the City Attorney in executive session before the regular meeting, so she apologized and stated they would be going back into executive session. She stated Council would go into executive session at 7:20 pm.
- Alan Lathrom, City Attorney, stated they were going into executive session under Section 551.071 of the Local Government Code.
- The Council returned to the Council Chambers and the meeting was reconvened from executive session at 8:06 pm.
- Craig Overstreet stated he is concerned about drainage. The applicants report states the soil is highly expansive and the lot has a lot of vertical rise to it. Once the property is clear cut, it was noted in the minutes of the Planning & Zoning Commission minutes that there are flooding issues currently on County Road 557 with large rains.
- Dylan Hedrick came forward to address Council on the drainage issues. He stated there is an existing culvert that runs south across County Road 557. His firm did analysis on the drainage and that culvert is undersized currently. He stated the development of the site would not contribute an additional flows to the culvert. There will be an onsite detention pond that will contain their flows and the release rate off of the site will be exactly the same as the current conditions. That culvert being undersized is something that Collin County will have to upgrade or improve.
- Mayor Piwko stated as a resident that has seen that area flood, she is a little skeptical of the engineer's analysis given the fact there have been areas of the City flood within the last year that have never flooded before. She stated they are not sure if the existing water table studies are adequate for what is being seen these days and the climate of our town.

- Dylan Hedrick stated they use standard TXDOT published numbers when calculating the rainfall and drought information.
- Mayor Piwko explained those numbers have been insufficient for the City's needs so far because City Hall flooded.
- Dylan Hedrick explained in order to address the concerns they could expand the pond size to accommodate more runoff.
- Michael Hesse stated the runoff was the main concern for him due to public safety.
 - Mike Hurst stated that in an effort to protect citizens and those of the surrounding areas he moves to disapprove the proposed preliminary plat because of, and among other things, concern of the drainage issues upon and across the property and flooding concerns crossing County Road 557.
 - 2nd to approve was Donny Mason
 - All council members voted in favor

E. Consider, discuss and act upon JW Spain baseball contract.

- Mayor Piwko stated Mr. Marvin Smith was invited to address Council concerning the contract. He was asked to bring financials and insurance to indicate the proper coverage for the City as the contract states. There was a notation that Mr. Smith could not be at the meeting. An observation was made that the insurance policy did not list the City as an additional insured. Also, the financial statement did not allow the Council to see if they are breaking even or if they have funds. It also did not address if they are conditioning the fields. She indicated the Council needs a different financial document to look at and more information from them.
- Craig Overstreet stated there needed to be a new agreement drafted for both parties to review, and he noticed that it was stated in the contract the Little League was supposed to pay for ¼ of the mowing cost for JW Spain. He explained the check register they provided did not show the mowing cost. He also requested a financial statement be supplied to the City.
 - Motion to table until Mr. Smith can come before Council and a new agreement can be drafted and agreed upon by the Little League made by Craig Overstreet.
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

F. Consider, discuss and act upon Resolution #R-2017-0711-001 regarding approving and authorizing publication of notice of intention to issue certificates of obligation for the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) new wastewater improvements.

- Ben White stated the City is trying to get prepared for all the legal requirements for moving the bond forward. This is the first step financially and David Medanich, Financial Advisor with First Southwest, could explain why all of these steps have to be done.

- David Medanich approached the podium and explained that he gave Council a copy of the time table for the process. He stated that Council was taking action to grant the City authority to sell bonds at a future date, or sell certificates of obligation. He explained the State statute requires that a City run a notice in the newspaper for two consecutive weeks at least thirty days prior to the sale of the bonds. The Resolution states the amount not to exceed \$5.845 million and it also tells what the purpose of the certificate of obligation will be used for. It is a combination of tax and revenue and the tax pledge gives you the best rate you could get because it gives the best credit attached to it. However, you will pay for the debt by the water and sewer revenues. There will be a sale on August 22nd and once the City sells the bonds funds would be delivered by September 17th. A key date is August 3rd when the Texas Water Development Board will approve the loan commitment for the funding. The reason it is important to go to the Texas Water Development Board is because they give about a 1.2% subsidy on the interest rate to you for the revolving fund. It will save the City approximately \$750,000.00 over the life of the deal compared to the open market. There are a few more hoops you have to jump through, but it is real money and it is worth going to the Texas Water Development Board.
- Mayor Piwko wanted to know if we could make adjustments to the notice because she did not want it to be so specific on the date and time.
- Ben White stated there could not be adjustments because in order to meet the guidelines it has to be specific.
- Alan Lathrom stated in order to meet the requirements for the bond issuance Council had to be there on the specific date and time.
- Mayor Piwko asked if the City could recall the bonds early.
- David Medanich said the term on the bonds was 20 years and the rate looks like it might be 2.7% or 2.8%. He stated there is a 10 year call provision where the City can refinance the bonds if interest rates become better.
 - Motion to approve made by Michael Hesse
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

G. Consider, discuss and act upon changes to Personnel Manual regarding addition of Sick Leave Bank.

- Ben White explained the reason he wants this approved is to give staff an incentive to not use sick leave. There is a provision included that if staff does not use their sick time some of it could be rolled over and used as personal leave. The proposed sick leave bank is modeled after Hunt County and there are other cities that do this as well. Some employees have needed extra days because of issues that have happened to their family members. People who join the sick bank can draw from it if they need help in case of a catastrophic event.
- Daphne Hamlin stated there would be a board set up to make a determination if an employee could use any of the sick bank days.

- Michael Hesse stated they had a sick bank in Princeton ISD when he worked there and the employees would give a sick day every year and then they could use the sick bank if needed.
- Craig Overstreet suggested staff include a declaration period in the policy. He suggested staff set up a specific time/day every year to sign up for the sick bank.
- Mayor Piwko stated the way the policy was written new employees could not join the sick bank for nine months, assuming they did not have to use sick leave up to that point. Then, they would be left with no sick time. If the City wants to retain the new employees could we change it so that a first year employee could join the bank by donating less than the 24 required hours.
- Ben White stated he understood the Mayor's point so that new employees could benefit from it as well.
- Michael Hesse stated it is designed for catastrophic events not for a day here and there.
- Ben White stated that new employees do not have a track record and it would be hard to evaluate that, so it would be up to the board to determine if they would be granted more time.
- Mayor Piwko explained she just felt like new employees were being excluded.
- Ben White stated participation could start right away and the board can use their judgement.
 - Motion to approve with the amendments Council requested made by Donny Mason
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

H. Consider, discuss and act upon appointment of Council liaison to the Main Street Board.

- Mayor Piwko explained that upon advice from the City Attorney, she has been asked to allow another Councilmember be the liaison for the Main Street Board. Since she owns property on Main Street it could become a conflict of interest. She explained she has asked Councilmember Mason to take over this board.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

I. Consider, discuss and act upon reducing/simplifying preparation of Council packets.

- Mayor Piwko explained there had been some discussions on how to simply the packets to eliminate some of the copying required. Some of the ideas were a synopsis or memo of important information to be obtained from the agenda or even tablets and electronic versions.
- Mike Hurst stated that some of the issues are not as important as others. He wants to make sure the information is not an overkill, but make sure nothing important is left out.

- Ben White stated there is a lot more work in the preparation of the agenda packet and copying than there ever has been. There are several ways we can shorten it. If you have a synopsis then staff time goes up to prepare the agenda packet. It depends if the overall goal is in reducing staff time or review time.
- Mike Hurst stated he wants both, but they want the information if it is pertinent.
- Craig Overstreet stated as an example we may not have needed the entire Employee Handbook to review the sick leave bank.
- Ben wants to take the issue to staff and bring ideas back to Council.
- Mike Hurst suggested condensing some of the reports.
 - Staff will bring back ideas to Council at a later meeting.

J. Update on Collin County Roadway Action Plan.

- Ben White addressed Council and went over a few pages in the Collin County Roadway Action Plan Power Point. He stated they continue to talk about the Lake Corridor and how it will be a staged project. A lot of emphasis is focused on State Highway 78 and John King as a major thoroughfare. He explained the west corridor is already in place, but they will need some minor improvements. The Lake Corridor is important to Wylie and a lot of political involvement surrounds the alignment of that roadway. The Spur 399 Corridor is still the alignment that Burns Mac is creating to help solve the problems on U.S. Highway 380. The whole purpose of the extensive planning is they are trying to get people east and west faster.
- Craig Overstreet asked if the Spur 399 would be a bypass.
- Ben White stated it would become a bypass for Lowry Crossing and U.S. Highway 380.
- Donny Mason asked if it is still in the planning phase or if they have funds for the road.
- Ben White stated they have funds but he does not know how much money they have.
- Mayor Piwko stated the bond issue was delayed until 2018 instead of 2017 to gain funding.
- Ben White stated TxDOT will be funding that project.
- Mayor Piwko explained they are going into their rainy day fund to pull \$18 million so they are not stopping the engineering but not accelerating it.
- Ben White stated they are wanting engineering to go forward and get into a construction phase. The City has told Burns Mac we want an alternative route that helps Farmersville. They have said they are open to ideas, but bridges are expensive and they are not very hopeful. One item to note is they were going to take the Lake Corridor alignment and

drop it on top of the inter-modal facility. Ben White indicated having another east-west route would be a good idea.

- K. Update on infrastructure around future Collin College site.
- Mayor Piwko stated the item was requested to be the agenda for long term planning information.
 - Ben White stated he requested the information from Bob Collins to present to Council. He explained water would not be a problem for the site, and the sewer that is currently being planned and constructed soon will be adequate for the facility. Electricity will have to be increased by the time of buildout and he has asked Jeramy Jones, City of Farmersville Electric Distribution General Foreman, to put some plans together with McCord to find a way to fix this issue. We will soon start discussions with Sharyland regarding upgrades to the substation. The City is going to ask them to consider bumping it up more. The City will provide the lines but we will need funding for that. Ben White explained he is not worried about the substation cost, he is just worried about the line costs. He indicated that he believes the City can handle the 720 KW when the substation is upgraded.
 - Mayor Piwko also stated the City is concerned about the road width to the north and the west side of the campus.
 - Ben White stated when Camden Park begins construction and becomes operational the bend in the road will be taken out and it will become a T-intersection. The property that is north of the curve was purchased by the City from the Storck family. The City will eventually offer that to the College and replat the entire site to make it one piece of property. As the college builds, the City will have a need to update the roads and we will need funding for that. It will probably be covered by a grant or bond package.

VI. REQUESTS TO BE PLACED ON FUTURE AGENDAS

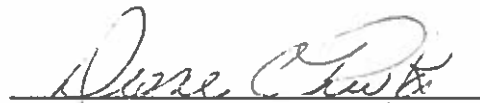
- None

VII. ADJOURNMENT


Meeting was adjourned at 9:04 p.m.

- Motion to adjourn made by Craig Overstreet
- 2nd to approve was Donny Mason
- All members voted in favor

APPROVE:


Diane C. Piwko, Mayor

ATTEST:



Sandra Green, City Secretary

