



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
August 8, 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, Todd Rolan, and Michael Hesse were all present. City staff Ben White, Sandra Green, Rick Ranspot, Daphne Hamlin, Kim Morris, Mike Sullivan and City Attorney Alan Lathrom were also present.
- Prayer was led by Sandra Green, City Secretary for the City of Farmersville followed by the pledges to the United States flag and the Texas flag.
- The calendar of upcoming holidays and meetings were provided in the agenda packet.
- A brochure from the FCDC was provided in the agenda packet.
- A notice from the North Central Texas Council of Governments concerning a Transportation Public Meeting was included in the agenda packet.
- Mayor Piwko read the Proclamation for the National Health Care Week and presented it to two health care professionals in the audience.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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. Police Department Report
- C. Code Enforcement/Animal Control Report
- D. Fire Department Report
- E. Municipal Court Report
- F. Warrant Officer Report
- G. Public Works Report
- H. Library Report
- I. City Manager's Report

- Mayor Piwko pulled the City Manager's Report and Craig Overstreet pulled the Public Works Report.
 - Motion to approve reports A-F, and H made by Mike Hurst
 - 2nd to approve was Todd Rolan
 - All council members voted in favor
- Craig Overstreet stated in relation to the street system, he would like the City Manager to perhaps look at Johnson Street. Specifically, the short area between McKinney Street and Maple Street because it is in bad condition.
- Ben White indicated he would include it on the list and if Council felt like the streets should have different priorities then they could bring that up.
- Donny Mason asked a question regarding Rike Street. He wanted Ben White to look at that road behind the Methodist Church.
- Mayor Piwko stated it is possible the roads are deteriorating faster and priorities might need to be shifted on the schedule.
- Donny Mason also asked what the status was on Hamilton Street from McKinney Street down to U.S. Highway 380.
- Ben White explained the City is in discussions with separate groups that own the right-of-way in that area. One group has gone back and forth several times since they are considering development of the land. It has been a slow process trying to get right-of-way for those properties. We are in ongoing discussions and they have an attorney involved to look at the right-of-way and to consider future development of the property. He stated the Engineer is ready to start, but it is a matter of getting the right-of-way that is required.
- Michael Hesse asked if Sanitation Solutions has been sweeping the streets as they had promised.
- Ben White explained they are supposed to sweep the streets very year. He said many people wanted it swept after the leaves have fallen. He explained they conduct one pass on the streets and it does not pick up everything.

- Mike Hurst asked if the number of meters that have been switched out was approximately 250 and if they were all inside the city limits.
- Ben White explained they are electric meters and most of them are in the city limits, but there were lines that extend outside the city limits.
- Mayor Piwko moved on to the City Manager's Report. She asked about the Public Works Investment Workshop because she believed it would take place in August, but it was not on the schedule.
- Daphne Hamlin indicated it was for a financial item and we completed it in July. She explained it had to be reviewed every two years and she was planning on scheduling it in August, but scheduled it for July instead.
 - Motion to approve reports the City Manager's Report and the Public Works Report made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

IV. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council appraised 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. FCDC (4B) Meeting Minutes
 - C. Main Street Board Minutes
 - D. Main Street Report
 - E. Texoma Housing Board Agenda
 - Motion to approve reports made by Mike Hurst
 - 2nd to approve was Todd Rolen
 - All council members voted in favor
- Mayor Piwko asked Alan Lathrom a procedural question. She explained that Mr. John Hart submitted a request to speak on the Public Comment section of agenda, but he arrived after Council had moved past that item. So, could he be allowed to speak.
 - Alan Lathrom said the Mayor could go back and allow people to speak if she would like, or they can wait and speak before the topic.
 - Mr. Hart indicated he would wait until later.

V. REGULAR AGENDA

- A. Consider, discuss and act upon Health insurance costs relating to employees and TML.
- Daphne Hamlin addressed Council and explained a month ago she came before Council regarding employee's health insurance rates and how they went up approximately 20%. At that time, the City decided to speak with two brokers who indicated they could not even touch our rates. They suggested the City stay with TML. But, the only problem is the City is not including an increase to help employees with the extra cost of insurance and it will totally fall on the employees. For example, the most popular plan is going to cost each employee an additional \$96 per paycheck to cover themselves and their dependents. That will be a \$2500 hit to each employee who has dependent coverage.
 - Daphne Hamlin said in the budget this year we are suggesting we stay where we are at and give the employees the \$736 per month for health care to use for dependent coverage.
 - Ben White explained next year it would be nice for the City to help with the rate increase for employees.
 - Mayor Piwko inquired if the budget for proposed salary increases helped with the insurance increase.
 - Daphne Hamlin stated there was a 3% increase in the budget for employees, but it will not touch healthcare costs.
 - Michael Hesse indicated that all insurance companies and all people are going through this right now.
 - Ben White explained that in the past he has said the City would not cover the employees for the extra cost and believed the only way to keep the rates low was to have it affect people's pocketbooks, but now it is overwhelming to most of our employees.
 - No action was taken.
- B. Update concerning the progress of the Comprehensive Zoning Ordinance and Subdivision Ordinance modifications.
- Ben White explained that Kimley-Horn representatives, Mark Bowers Phyllis Jarrell, and Drew Brawner were in attendance to present information on the Comprehensive Zoning update.
 - Mark Bowers and Drew Brawner started the presentation by using the Power Point slides that were provided in the Council Agenda Packet. Mark Bowers indicated they were trying to get a little more details on some of the broad areas by asking Council for direction. He indicated there were a couple of areas where they are suggesting the direction Council should take and they want to make sure the Council agrees that would be the right direction. He stated that over the next few months following the draft of the Ordinance there will be public hearings and then approval of the document. They explained the two main districts they wanted direction on was how the Council wanted the

area to exist in the historic downtown area and the second was the Highway Commercial District. He continued by stating that after some discussion and staff reviews they were going to make some suggestions regarding Planned Developments and Specific Use Permits.

- Drew Brawner explained the Central Area of Farmersville is primarily meant to be a pedestrian district compatible with the historical downtown, but it could expand over time. He stated to become compatible with the downtown area the surrounding areas might need to be transition areas, but not quite as built up like the Main Street. He said one area that was being discussed was south of Farmersville Parkway because there is a lot of opportunity for development in that location. He questioned whether Council wanted it to look like the Main Street development or more of residential with a little commercial mixed in.
- Mark Bowers asked if it was Council's vision to see new adaptive uses or current homes in the area. He gave the example of downtown McKinney where they have their downtown area and then the transition area is older, historical looking homes with some neighborhood services mixed in. He also used downtown Rockwell as an example because a lot of the older residences there have transitioned into commercial uses. It could look like a residential building but it would be used as a commercial facility. He explained there are some people that still use the older houses as residences and some of them have been torn down and new residential or commercial has been built in its place. He explained those are the two ends of the spectrum, but Council may want it somewhere in between. He explained they were just looking for feedback as to how Council was wanting the area and what their vision of the surrounding areas were. The Comprehensive Plan and the Zoning Ordinance are currently not in alignment with mixed-use and the areas around the downtown.
- Michael Hesse indicated there is so much structure in the downtown buildings. He said he would like to continue with the residential mix. He explained he does not want to force the whole area to go to commercial uses. He would like to see residential all the way down McKinney Street. If you had a building that no one was using then the owner could have the option to change it they wanted.
- Mike Hurst asked if the area around the cotton gin could be structured like condominiums or if that would even fit into Farmersville right now. He stated it would have easy access to downtown.

- Craig Overstreet explained in the Comprehensive Plan Workshop the citizens in attendance indicated the need for businesses. He stated they had talked about the transition areas within their group and other people who did not attend the meeting should be privy to what was discussed at that workshop. He commented that he never saw the results compiled of the three different tables who discussed these issues.
- Mayor Piwko indicated she would like to see the area down Farmersville Parkway like areas she has seen in Plano and other cities with mixed-use. For example, the residential on top and the retail on bottom.
- Michael Hesse said the beauty of McKinney is that they have a nice downtown area with the residential around it. The people who live in these areas put so much effort into their houses.
- Mark Bowers stated he was hearing Council say there was a desire to reinforce some of the current residential areas. Also, making the Ordinance stronger for vacant lots, repairs to homes, and other areas where there are greenfield areas on Farmersville Parkway. Some of those areas Council might be interested in seeing new housing products or mixed-use.
- Phyllis Jarrell stated in her review of downtown Farmersville she believes Council might want to build up and support the downtown. The downtown is a major commercial area. Residential development around the downtown encourages a lot of people that like that walkable environment or atmosphere to venture downtown more often. If the City adds some residential it would allow you to have more support for the downtown. The City could structure the Central Area District to grow, but not too large. Within the enlarged open areas might be the places that are most appropriate for mixed-use development. It might not be all of Farmersville Parkway, but an area immediately adjacent to the downtown where you might allow some higher density residential multifamily and retail.
- Mayor Piwko asked if this was the time to consolidate one name for the whole downtown district, instead of multiple names.
- Ben White stated some of the names of the districts are defined by state agencies that are state-controlled.
- Sandra Green also stated the Historic Preservation Ordinance that is being presented to the Planning & Zoning Commission later in the month is considered an overlay district. The Ordinance will just hold higher standards of building and restoration to historically preserve buildings.
- Mayor Piwko indicated she would like the transition area to go from downtown to Hamilton Street or State Highway 78.

- Drew Brawner said the other zoning district they were looking for direction was on the Highway Commercial. Having a highway corridor district is common among cities with major highway frontage. He asked Council if they wanted the purpose of this area to be used to heighten and further regulate the use that occurs along highways, or if they want to control the aesthetics along the highways. These highways are gateways into the City and it would allow for appealing entrances. He indicated that it could be a combination of the two.
 - Craig Overstreet stated he wanted it to regulate the use of the zoning and the aesthetics of the buildings and lots.
 - Mayor Piwko said she would put appearance over use as a priority.
 - Drew Brawner explained currently the Highway Commercial District is a stand-alone district. He explained they are suggesting modifying it to an overlay district. This would allow the current zoning but with stricter architectural and landscaping requirements since the properties are along U.S. Highway 380 and State Highway 78.
 - Mayor Piwko indicated Council did not want extreme architectural guidelines placed on the industrial areas that would discourage developers from moving into Farmersville.
 - Mark Bowers explained that landscaping would be addressed more than anything for the industrial areas. He suggested trees, bushes, and possible berms so that when people enter the City they see the landscaping and it would give a good impression. He indicated he could come back to Council with examples of ways that landscaping would work for industrial areas.
 - Drew Brawner continued with the presentation and indicated they are recommending Planned Developments be an overlay district and that SUP's become attached to the property and not the person running the business.
 - The presentation concluded with follow up to come at future meetings.
- C. Consider, discuss and act upon contract with the Farmersville Little League and JW Spain Complex.
- Marvin Smith with the Farmersville Little League was in attendance to discuss item with Council.
 - Mayor Piwko stated Council wanted an overview regarding the Little League and the JW Spain Complex.
 - Marvin Smith stated the bathroom sometimes leaks in the winter because there is no heat. The air conditioning and concession stand seem to be fine.
 - Mike Hurst asked if the leaks were getting fixed in an appropriate amount of time and who does he report the leaks to.
 - Marvin Smith stated he usually called Ben White or Eddie Brock and response time is good.

- Craig Overstreet explained he cannot tell a lot about the check register and whether they pay for mowing. He also asked about the insurance coverage.
- Mayor Piwko indicated the City has not billed them for the mowing.
- Marvin Smith stated he has not received a contract in the last few years and the City has been paying for the mowing. The insurance covers all the kids and some of the spectators.
- Craig Overstreet asked if the insurance would cover the liability of the City.
- Marvin Smith explained he has only purchased what he had provided to the City and it covers the kids. If he needs to add the City he could do that.
- Mayor Piwko indicated the contract had a clause in the agreement to cover the City.
- Craig Overstreet asked if Mr. Smith was going before the FCDC (4B) for money to help with the fields.
- Both Mayor Piwko and Marvin Smith indicated that he was not going before FCDC (4B) Board.
- Ben White suggested the City continue with the way it is currently being done. The City could continue with the mowing and other items we handle and the next contract could reflect that. The insurance portion is something that Marvin Smith will have to address.
- Todd Rolan stated he had a lot of parents come to him asking about the complex and the maintenance of the fields.
- Marvin Smith said the City was always responsible for the grass and the Little League took care of the fields. He stated they bring in clay and build up the fields all the time.
- Marvin Smith suggested the scoreboard be removed because it is a toy that children play on and it does not work. He stated he renews the insurance every March. He also explained the biggest issues he has with the fields right now is the lips going into the outfield. Some of the lights are blowing fuses, but all the lights are working.
- Mayor Piwko instructed staff to modify the contract by making it a two-year contract that will renew in February, and for Mr. Smith to get the insurance and other necessary documents in order.

- D. Consider, discuss and act upon Interlocal Agreement (ILA) between the City of Farmersville and Collin County for Jail Services.
- Motion to approve made by Todd Rolan
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

- E. Consider, discuss, and act upon a contract between the City of Farmersville and the Kansas City Southern Railroad Company.
- Mayor Piwko explained the contract was for the bore underneath the railroad.
 - Ben White stated the contract is mainly related to safety and it will allow the City to fix the waterline under the railroad tracks. The fee has been waived and the cost for the City to replace the line will come out of the water fund.
 - Motion to approve made by Donny Mason
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- F. Consider, discuss, and act upon resignation of Mr. Larry Durbin from the Volunteer Fire Department and reappointing someone to the EMS Advisory Board.
- Chief Kim Morris stated the board meets quarterly at the County Fire Marshal's Office and having a person represent the City ensures the contract is being upheld and the City's interests are protected. He suggested Joseph Brigande be appointed to the board.
 - Motion to accept Larry Durbin's resignation and appoint Mr. Joseph Brigande to the EMS Advisory Board made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- G. Consider, discuss, and act upon sanitary sewer tap agreement in regards to the Stephenson's property.
- Ben White stated the City had an easement signed by the Stephenson's for the sewer. This is a standard agreement that is used for the sewer tap. In this agreement, we changed the size of the tap and the number of service lines they could have. They will be able to have up to a 6" diameter sewer tap and they can route up to four – 4" service lines in exchange for the easement. Even if the property is sold in the future the property would still have those rights.
 - Mayor Piwko indicated this is one of the steps to get the lift station for the sanitary sewer easement.
 - Motion to approve made by Donny Mason
 - 2nd to approve was Michael Hesse
 - All council members voted in favor
- H. Consider, discuss, and act upon the Thoroughfare Design Manual.
- Ben White indicated that Eddy Daniel and Matt Boley who work for Daniel & Brown were in attendance to answer any questions the Council might have. He explained this was one of four manuals the

City has regarding this. This manual is the last piece for them all to be approved. We are trying to align the Thoroughfare Design Manual with our Comprehensive Plan.

- Eddy Daniel addressed Council and explained the standard details and the thoroughfare plan will now match. He stated that on page 7, table 1 in the manual was the meat of the information. It shows how the roads are laid out and we tried to match up with Collin County for a smooth transition.
- Mayor Piwko asked a question related to page 10. She read out loud Residential Frontage, Item F and stated that she understood it to say that new residential driveway could not front any new street unless there are access roads to it. She inquired if that was not typically a requirement for the major six and eight lane roads. She stated the requirement seemed like a radical departure from what the City has required in the past.
- Eddy Daniel stated he was thinking that would be addressed with the definition of a thoroughfare.
- After looking in the manual, a definition could not be found.
- Eddy Daniel stated they could add a definition that would include anything above a certain size. He stated they had not changed this item from the last manual. The idea is when new subdivisions get built, they could not open their driveways onto U.S. Highway 380. He explained the City could decide this individually for each plat as they were submitted, because the City has that right according to the Subdivision Ordinance.
- Mayor Piwko continued to page 11 concerning left turn lanes. She stated she was concerned about how the manual indicated that a left turn lane would have to be built, at the homeowner's expense, if it was off a thoroughfare. She explained how that would be expensive for the property owner. She believed some areas in the manual need to be clearer. She indicated she was okay with looking at the items individually when a plat comes in regarding the turn lane issue.
- Alan Lathrom explained there are ways in the Subdivision Ordinance that allow for an appeal. If there is a requirement that does not fit the plat that has been submitted, the property owners do have a process they can follow to appeal those requirements. If there is an action that is required that is too stringent under 212.904 of the Local Government Code they have the ability to request the City to reconsider the requirements. A lot of the things we have in the Thoroughfare Design Manual matches with the Subdivision Ordinance. We need to make sure that when one is changed, the

other is changed as well.

- Mayor Piwko stated she wanted them to go through the manual and make sure the word thoroughfare is not being used generically.
 - Council directed the City Engineer to revisit the areas discussed and bring the manual back to Council later.

VI. BUDGET WORKSHOP

- Daphne Hamlin addressed Council and started going over the budget worksheets she provided at the meeting. She explained she found an error in the police budget after the last Council meeting and it has since been corrected. There were a few things added to the budget and the City received the numbers for the ad valorem taxes and the TIRZ. She explained the City's General Fund is currently -\$255,000 for this upcoming budget year.
- Ben White explained that was with the tax rate shown and everything else holding constant.
- Daphne Hamlin stated the tax rate last year was \$0.787654. This year the City is proposing \$0.780000.
- Ben White wanted to discuss the TIRZ board and possible things they might be able to do. All the growth the City is seeing is in the TIRZ district. All the money for those developments are going into the TIRZ, but the City could use the TIRZ money.
- Daphne Hamlin stated the TIRZ currently has \$185,000.
- Ben White continued by stating that was for this upcoming budget year. He is going to talk to the TIRZ board about taking the money they have and paying the City to build the waterline they are planning. That way the money would be going to the City and we would use employees to complete the work on the waterline.
- Mayor Piwko inquired if the sales taxes are going to be coming from the new Shell station and the few other businesses around town.
- Daphne Hamlin stated that some of it is existing businesses and she is hoping the City will receive \$60,000 from the Shell station.
- Donny Mason asked what the rollback rate was going to be.
- Daphne Hamlin indicated the rollback rate would be \$0.782046.
- Mayor Piwko asked Ben White about the road budget and asked why the road salaries went down and the public works went up.
- Daphne Hamlin indicated they are reallocated based on where they are working out of most. She explained this could be revised before the final budget.

- Ben White stated he does try to raise the street budget by 10% every year. He wants to focus more on streets and the only way he knows how to do that is increase the budget every year. He explained he is trying to spend all this year's budget for the roads and then add more money for next year's budget. He would like to redo a street every year. Right now, the City is only able to complete bits and pieces of roads.
- Mayor Piwko stated she noticed under the General Fund, Computer Maintenance the amount allocated went down.
- Ben White explained that a major purchase in hardware was made last year, but now the focus is on the software for permits and scanning of documents. The level of IT purchases is staying pretty level.
- Mayor Piwko asked about the dispatch system amount going up.
- Chief Mike Sullivan explained this was for the new dispatch agreement that was signed and the amount will be going up every year.
- Mayor Piwko inquired about the clothing costs.
- Daphne Hamlin stated she made a typing error last year.
- Craig Overstreet inquired about the carbon monoxide issue with the Explorer's that has been in the media lately.
- Chief Mike Sullivan indicated he had been researching this problem and he is purchasing carbon monoxide detectors and will be placing them in the Explorer's.
- Mayor Piwko asked a question on the PCA cost adjustment in the Electric Fund. She indicated that it shows an increase.
- Ben White stated it should go down, but he will look at it.
- Mayor Piwko explained the Council told citizens that amount would be going down. She also stated there was a significant increase in the electric fund regarding engineering.
- Daphne Hamlin stated that was due to McCord.
- Ben White stated the City has ongoing items related to substations, sectionalizing, and changes in the system. He explained they could be taken out if Council wanted, but we are trying to prepare for the College in the future.
- Mayor Piwko said she noticed a purchase of a substation on Johnson and wondered what the City was doing for \$75,000.
- Craig Overstreet indicated the item was under Capital Expenditures in the Electrical Fund.
- Ben White did not want to assume what the money was going to be used for until he spoke with Jeramy Jones, the City's Electrical Supervisor.
- Daphne Hamlin walked the Council through the Power Point that was in the agenda packet. She stated the City will have to balance the budget with

reserve funds. She did explain the tax rate and how it was calculated, as well as how the TIRZ was calculated.

- Donny Mason asked how our tax was in comparison to other cities.
- Ben White stated he spoke to Wylie and they are still higher than us. We have been second in the group of cities we have looked at around us.
 - Motion to set the tax rate and public hearings to move forward made by Michael Hesse
 - 2nd made by Donny Mason
 - All members voted in favor

- Mayor Piwko went back to Public Comments on the agenda to accommodate Mr. Hart who came in late to the meeting.
- Mr. Hart addressed Council about the cemetery and how he was concerned about why the Council denied the plat. He stated he saw no reason why the Council should have denied the plat. He asked for a response from Council.
- Mayor Piwko asked for a clarification from Alan Lathrom on whether the Council could respond.
- Alan Lathrom indicated since the item was on the agenda they could technically answer.
- Mayor Piwko stated the concept plan did not have the engineering studies with it. The preliminary plat did not have the layout of the cemetery on it. The first submittal from a few years ago expired and since then several changes were made to the plat.
- Alan Lathrom interjected and apologized because the only item on the agenda related to the cemetery was contemplated litigation. So, there really could not be any discussion of the plat and concept plan.
- Mayor Piwko stated she would give Mr. Hart a phone call to set up an appoint to discuss the item. She would try to bring the engineering drawings to show him what Council saw. She explained that most of the time IACC's Engineer's agreed with the Council concerning the drainage.

VII. EXECUTIVE SESSION

- Mayor Piwko stated Council was going into Executive Session at 8:23 p.m. for:

Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:

1. Discussion of matters protected by the attorney-client privilege:

- a) Discussion regarding contemplated litigation involving cemetery plat.
- b) Discussion regarding retention and archiving records.

VIII. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE.

- Mayor Piwko announced the Council was reconvening from Executive Session at 9:58 p.m. and no action would be taken.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS


- Mayor Piwko asked for an item on the agenda to consider a workshop with Lavon and other cities to discuss interlocal agreements and boundaries.
- Mike Hurst wanted boundary agreements on the agenda.

X. ADJOURNMENT

Meeting was adjourned at 9:59 p.m.

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

APPROVE:



Diane C. Piwko, Mayor

ATTEST:



Sandra Green, City Secretary

