



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
February 13, 2018, 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, Kim Morris, Rick Ranspot, Reagan Rothenberger, 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 the Texas flag.
  - Calendar of upcoming holidays and meetings was presented in the agenda packet.
  - The last day to sign up for the upcoming May election will be Friday February 16<sup>th</sup> for Mayor, Council Place 2, and Council Place 4. Applications and necessary paperwork are available at City Hall.
  - City Offices will be closed on February 19<sup>th</sup> in observance of President's Day.
  - Due to the City Offices being closed on February 19<sup>th</sup>, the Planning & Zoning Commission Meeting has been moved to February 26<sup>th</sup>.
  - The Historical Society Luncheon will be at the High School on February 24<sup>th</sup> at 11:00 a.m.
  - Ben White announced that he wanted everyone to keep Chief Mike Sullivan and his wife in their thoughts and prayers. His wife was injured at work and broke three vertebrae.

## II. PUBLIC COMMENT

- Ms. Dixon Airhart Glaze with Twisted Sister Growth Farm located at 6434 Valdasta Farm Lane addressed Council and requested a resolution for the roadways being proposed by the North Central Texas Council of Governments. She asked that Council pass a resolution against the proposed arterial lake corridor that is being proposed on FM 1827, north of Altoga. She indicated the unincorporated area of Valdasta needs Farmersville to help speak for them. She explained she wanted Council to consider the animals and orchard on her land because bull dozers would tear down and destroy these areas. She pleaded for Council to help save her farm.
- John Hart who resides at 1608 CR 6476 addressed Council and stated he saw the cemetery was on the agenda and wanted to know the status.
- Mayor Piwko stated the City received a letter and the IACC is asking for the City to share engineering data with them regarding the analysis of the floodplain. She indicated the Council would go into Executive Session to discuss that data, but the City was still in negotiations with them.
- Randy Rice who resides at 419 Haughton Street addressed Council and stated a couple of weeks ago he and his wife attended a meeting at the Senior Citizens Center at night. He stated the parking lot is in terrible condition and explained the City has the funds that were allocated a while back to repair it. He explained someone is going to get hurt if it is not fixed and encouraged the Council to see to it that the parking lot and lighting get fixed soon.
- Leaca Caspari stated the Council should recall when she came to them last July and asked for a written explanation as to why she was ban from City Hall offices. She said the reasons she was given were not accurate. She was told by Ben White that he was forced to sign the letter even though he did not agree with the content. She explained she had realized over the past several months that it was not strictly about her. She discussed how another citizen of the community had come and spoke at a Council meeting about his wife being bullied by the Mayor and nothing has been done. She indicated she has read the Farmersville Times where a member of a board had stated that she found out abruptly that her service was no longer needed. Also, she heard of an action that was taken against a gentleman who, four hours previously, filed as a candidate for Mayor. He had received a call from city staff that explained since he was now a candidate it would not be appropriate for him to have continued access to the Main Street office on the 2<sup>nd</sup> floor of City Hall. This was after he had dedicated the past three months of non-compensated work for the Main Street program since the Main Street Manager of 14 years retired. She continued by stating

since the decision to keep him from the office was rescinded the next day shows the decision was unwise. She stated it is not acceptable to embarrass other board members or yell obscenities at city workers. She also stated Council cannot use their perceived power to threaten people's jobs or businesses. She stated she was asking once again to have the issue on the next City Council agenda to be discussed in conjunction with the review of the official job description for the City Manager and the roles of the Mayor and City Council members. She stated the Mayor had indicated before that she was willing to place any item on the agenda.

### **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 from 1-9-18
- B. City Council Minutes from 1-23-18
- C. Police Department Report
- D. Code Enforcement/Animal Control Report
- E. Fire Department Report
- F. Municipal Court Report
- G. Warrant Officer Report
- H. Public Works Report
- I. Library Report
- J. City Financial Report
- K. City Manager's Report

- Mayor Piwko pulled the Public Works Report and the City Manger's Report.
  - Motion to approve reports A through G, I and J was made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Todd Rolen
  - All council members voted in favor

- Mayor Piwko asked a question on the Public Works Report about the street signs. She explained at a previous meeting it was discussed that Chief Mike Sullivan was going to look at all the stop signs and indicate which one's needed to be replaced due to weathering and discoloring. She wondered if the City was switching gears and doing the replacements on a street-by-street basis.
- Ben White stated some were replaced based on a complaint the City received because there was no sign at a street. He stated he just made the decision to go down Pendleton Street at that point.
- Mayor Piwko inquired that since Pendleton Street signs were replaced were they going to go by the list Chief Sullivan came up with from here on out.
- Ben White stated they could do that.
- Mayor Piwko stated she wanted the Hamilton at Farmersville Parkway sign replaced as well.
- Mayor Piwko asked Ben White if he wanted to give an update regarding the road around the College property.
- Ben White stated the College was against any freeway alignment that would be going across their property.
- Mayor Piwko also asked Ben White to explain the grant match from the County he had spoken to her about previously.
- Ben White stated the College is aware of a grant and we are working together to see if that could supply our matching funds. Collin County has \$1.9 million set aside and we would match it for a total of \$1.9 million for a total of \$3.8 million. He is sure the road would cost more than that to get it completely done.
- Mayor Piwko asked if we expect to receive the funding.
- Ben White stated the grant was just presented to him and he does not know anything about it yet.
- Mayor Piwko also asked about the scada system and antenna towers.
- Ben White stated there was a lighting strike on the south tower and the City had to repair it. It happened just before Christmas. There has been an insurance claim made to receive a reimbursement for the cost. There is still a lot of interference on the system that is in reference to the City's metering system. There was a suggestion that the City replace the radios at the scada points with UHF radios in order to fix the interference. The radios are located on our water towers, at the City annex and our ground water storage tanks.
- Mayor Piwko asked if the City was going to roll that into the scada updates that were already planned.
- Ben White explained yes they would be.
- Mayor Piwko wanted to give recognition of a job well done to Trac-N-Trol because they came out quickly to solve the issue. The issue she had with the Public Work's Report was a typo she pointed out regarding the number of commercial meters in the electric portion of the report. She indicated an extra number 2 had been added by accident that showed too many meters.
- Mayor Piwko moved to the City Manager's Report and asked for an update on the customer service area glass.

- Ben White said the company emailed him and stated the glass was being tempered and the three panels being replaced should be here next week.
- Mike Hurst asked if the City was installing the glass.
- Ben White stated it would be installed by City staff.
  
- Mayor Piwko asked about the boundary agreements and stated she did not think the City touched Garland because of a strip of the City of Nevada.
- Ben White stated he looked at the document and he saw the same thing. He did not understand why the City of Lavon would not sign the agreement since they could eventually take over that space in the future.
- Mayor Piwko asked if Ben White thought we should contact Garland regarding the boundary.
- Ben White stated that Garland did not feel they were involved in the past. Whether Garland has the land or not, the City of Lavon should have no problem signing the agreement.
  - Motion to approve the Public Works Report and the City Manager's Report was made by Donny Mason
  - 2<sup>nd</sup> to approve was Michael Hesse
  - All council members voted in favor

#### **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. City Amenities Board Minutes
- F. Main Street Board Minutes
- G. Main Street Report
- H. Texoma Housing Partners Agenda & Documents
  - Motion to approve was made by Michael Hesse
  - 2<sup>nd</sup> to approve was Todd Rolen
  - All council members voted in favor

## **V. READING OF ORDINANCES**

- A. Consider, discuss and act upon the first and only reading of Ordinance #O-2018-0213-001 regarding a budget amendment to purchase Fire Department and Public Works radios.

**AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2017 – 2018 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS, APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

- Motion to approve was made by Craig Overstreet
- 2<sup>nd</sup> to approve was Donny Mason
- All council members voted in favor

## **VI. REGULAR AGENDA**

- Mayor Piwko stated the Council would hear to item D. regarding roadways first because the speaker had another meeting he had to attend.
- Jeff Neal, Program Manager with the North Central Texas Council of Governments showed a Power Point presentation to the Council and gave a background on how Collin County is growing and how they came to a decision to conduct studies related to roadways. He indicated they have received a lot of comments from residents and are looking at how they can address all their concerns. He explained how roadways have been aligned and proposed up to this point by the growth of the county. He stated there would not be a lake corridor or Lavon bridge, but there would be a thoroughfare with the possibility of four lanes each way. He discussed they want to keep the public outreach going so they can help people understand the drafts and build consensus. They want to put the money they have to use so they would like to get alignments and construction started.
- Craig Overstreet asked if the Resolution just needed to be presented and signed by June.
- Jeff Neal stated a resolution would be helpful. He explained they wanted all the opportunities to work with the City.
- Mayor Piwko asked about the funds for the State Highway 78 corridor and whether it had been moved up to the 10 year plan. As a City, she explained, we are hoping State Highway 78 does make the 10 year plan.

- Jeff Neal stated it is too premature to say that it will be on the 10 year plan at this point. It cannot receive environmental clearance until there is clear project recommendation for the plan.
- Mayor Piwko asked about Lavon and Nevada's reaction to the plan.
- Jeff Neal stated he has received cautiousness from the City of Lavon's Council, but there is the idea that they are willing to work with the North Central Texas Council of Governments. He stated he had not spoken directly to Nevada or Josephine's Council's, but they are obviously concerned because over the past 15 or so years they have been getting use to the idea that there would be a loop passing between them. They are wondering what is going to happen if the Outer Loop is moved to the State Highway 78 corridor. He said the North Central Texas Council of Governments is going to look at what else can be done in that area if the Outer Loop does not go through their towns.
- Mayor Piwko stated that Mr. Darrell Hale, who is running for Collin County Commissioner Precinct 3, wanted to ask a question.
- Darrell Hale went to the podium and said one thing seemed to be missing from the North Central Texas Council of Governments calculations. He stated they have 399 coming right up to the lake along with State Highway 78 and U.S. Highway 380 added on. He stated he has not heard anything about what happens to the bridge crossing where U.S. Highway 380 comes across Farmersville's bridge. He explained that it would appear to be inadequate to handle all the additional traffic. He asked Mr. Neal what the plans for that would be.
- Jeff Neal addressed Mr. Hale's comments and stated they would definitely look at that. He indicated if U.S. State Highway 380 did turn in to a limited access roadway then the lanes out there now would not be sufficient. The Army Corps. of Engineers indicated the current crossing would be utilized, but it would have to be looked at to see if there would be enough space and lanes available. It would be important, even from an environmental stand point, to stay within the current right-of-way that is allowed for the bridge.
- Mayor Piwko wanted to skip to Item F, which is a request for a tax abatement for Ted Zadeh regarding the apartment complex that will be located within the Camden Park development.
- Ben White stated there were some changes made to the application by Ted Zadeh before the meeting. He explained that on page 6 it showed 1,300 residents and that has been changed to reflect 536. There was also a minor modification on the spreadsheet to add a note on the bottom.

- Ted Zadeh, with Camden Homes, addressed Council and explained economically the apartments would have a positive impact on the City because of taxes and revenue. He stated the cost of the project would be approximately \$28 million to \$30 million. They have not completed engineering at this point, but they have had an architect lay out the development. The tax abatement could help with funding the project. He indicated all the buildings would have to be built at the same time, not one building and then another.
- Alan Lathrom stated he pulled the Ordinances after he noticed this item was on the agenda, and he explained that according to the City's Ordinances a tax abatement can only be given to commercial development in that area. In the event the Council wanted to approve the tax abatement for a residential multi-family project, they would have to modify the Ordinance to include residential and modify the TIRZ zone from industrial/commercial to include residential. It would also have to go before the TIRZ board for approval.
- Mayor Piwko asked if the new zoning, subdivision, or comprehensive ordinances the City was in the process of adopting would include this information.
- Alan Lathrom stated it is a completely different process.
- Mayor Piwko asked if it would have to go before the Collin County Commissioner's for approval.
- Alan Lathrom explained that reclassifying a TIRZ zone is different from a tax abatement.
- Mayor Piwko asked what would be required to allow this.
- Alan Lathrom indicated it does require a public hearing and other requirements. He stated it would require the other governmental entities that are in the TIRZ zone to receive notice, but Collin College could not participate in the TIRZ because they are a school.
- Ted Zadeh stated he thought that apartment complexes would be considered commercial.
- Alan Lathrom indicated that under the City's Code of Ordinances they do not fit in the category of industrial/commercial.
- Ben White stated he suggested the Council continue to review the material and determine whether they wanted to go forward with the tax abatement process that would require changing the Ordinance.
- Mayor Piwko stated they would listen to the presentation from Ted Zadeh.
- Alan Lathrom indicated it would be a good idea to hear the presentation, but they could not make a motion for approval.
- Ted Zadeh stated the apartments would be a great asset to help bring the work force in the area. He explained it would help boost Brookshire's and other businesses, along with Collin College when it is built.



- Mayor Piwko asked about the cost of the apartment complex and cost per unit. She indicated that according to the figures it appeared that each unit would cost approximately \$88,000.00 to build. She asked about the quality of the apartments based on the costs. She wanted to know about the amenities they would be offering and if they would have granite countertops, upgraded appliances, and other upgrades.
- Ted Zadeh stated he would have to inject some of his money because they can only get \$28 million. He explained the complex would have covered parking and stone and granite in all of the houses and apartments. They have standards his company uses throughout the development. It will also have a pool and clubhouse. He did indicate the property would not be sold in two or three years. His company plans to hold on to the property.
- Mayor Piwko asked Ben White to walk the Council through the spreadsheet.
- Ben White explained the whole project would be constructed before 2019. He explained the numbers for the 1 bedroom, 2, bedroom, and 3 bedroom units and stated there would be two floorplans for 1 bedrooms and two floorplans for the 2 bedrooms. He explained how each entity of the City and other organizations would be affected. He reminded the Council that the apartments would be in a TIRZ area and the sales taxes shown on the spreadsheet were calculated based on studies from Ted Zadeh. Ad valorem to the City would be a small amount compared to what the TIRZ would receive. The biggest impact would be the water and wastewater revenue. The City might have to fix some infiltration issues, but he also indicated the amounts shown did not factor in impact fees.
- Mayor Piwko asked about the water and wastewater numbers and wondered if they would not be higher than what was shown.
- Ben White stated they used a more conservative approach, but it was calculated to be two - 6" meters. It seemed like a more conservative method instead of using one meter for each unit. According to the numbers, jobs would be impacted by 18 people being employed in the area. We did not factor in supplying any public improvements to the facility. He explained Mr. Zadeh would have to pay for any improvements on the water or wastewater for the property. He stated it would cause a large economic impact to the area because of 500 residents moving in. He said if the Council wanted to create a tax abatement for this property then the City would probably want to place certain performance criteria on the facility. Some of the performance criteria could require so many units of 1 bedrooms, 2 bedrooms or 3 bedrooms.
- Mayor Piwko asked how the City would require certain numbers of 1 bedroom, 2 bedroom or 3 bedroom units if the preliminary plat was not required for the tax abatement process.

- Alan Lathrom stated that it is a requirement that a plat or site plan would have to be submitted with the formal request for a tax abatement once it is established to include a residential zoned area.
- Mayor Piwko asked if the conceptual drawings would not meet the requirements.
- Alan Lathrom stated it would depend on the guidelines that would be set up by Council when they established the criteria for the tax abatement. There would also be performance criteria set out in the abatement agreement and if those criteria were not met Mr. Zadeh would be obligated to reimburse a certain percentage of the tax abatement funds back to the City.
- Michael Hesse told Mr. Zadeh that he appreciates his interest in the community, but he would also like to see him invest in other ways to help the community. He suggested maybe with some affordable housing.
- Ted Zadeh explained the people in the multi-family unit community will bring more activity to the City. He is currently looking at other property that he could buy in Farmersville. He is wanting to develop medical facilities in the area.
- Mike Hurst said he wants it to be a nice facility and the Council's main concern is that the product will make other developer's want to move to the area.
- Ted Zadeh stated he believes it would work and he would not be going into a \$28 million development if he did not think it would.
- Craig Overstreet stated that over 1,000 to 1,200 people will be moving in within a year, so he wants the tax abatement to be performance based.
- Ted Zadeh explained the engineering phase will take several months and the architecture, engineering and finances involved in this project is huge and challenging. It will not be 1,600 or 500 units all in one shot.
- Mayor Piwko stated the Council would instruct City staff to move forward with the tax abatement program to include residential uses. She indicated it would take several months to get approved.

A. Consider, discuss, and act upon bids for the west side force main, lift station, and gravity main.

- Eddy Daniel from Daniel and Brown, Inc. addressed Council and stated they went out for three bids concerning the wastewater project. The loan has been closed on, but they are waiting on the final environmental clearance with regards to the FONSI (finding of no significant impact). With the FONSI people have a 30 day comment period to respond with any concerns. They have had several conversations trying to get this processes finished. He explained he does not foresee any issues. Once all of these steps have been taken and approved the funding will be released. He explained in anticipation of receiving approval they went out for the three bids to help

expedite the process. We split them into three items, the gravity main, lift station and force main. He indicated they had three recommendation letters. One was for Vessels Construction in the amount of \$501,168.25 for the lift station project. Also Vessels Construction for the force main project in the amount of \$343,935.32 was selected. For the gravity main he stated they recommended THB Construction for the amount of \$326,885.00. He explained that THB Construction is currently doing work for the City so we know their work product. There was a slight irregularity with the bidding process because some of the contractors did not acknowledge all the addendums, but the City Attorney has stated that if the contractor's send confirmation that they received them that would be fine. It was strictly an administrative error and they did send the confirmation that they received all the addendums. He stated they would like to go with the lowest bidders and they are comfortable with those bidders.

- Mayor Piwko asked what projects Vessels have done in the City.
- Eddy Daniel stated they have worked on some streets.
- Ben White explained you can go down Hamilton Street and Washington Street and see the difference in where they did work.
- Eddy Daniel stated the contractors have to complete the work before they get paid.
- Ben White asked Eddy Daniel if THB is the company installing the water line in Camden Park.
- Eddy Daniel stated that THB is installing all the utilities for Camden Park and they have been working with them and inspecting their product.
- Mike Hurst asked why there was a large difference between the final dollar amounts of the bids.
- Eddy Daniel explained all the companies bid on the same criteria. He explained they put their numbers together and hope they will be the only company bidding on the project. He stated his firm sees the numbers fluctuate all the time and it is common to see the numbers as they were on these bids.
- Craig Overstreet asked what the addendums referenced.
- Eddy Daniel stated they were all incidental items. For example, addendum #1 was regarding tree trimming on the route. They did not change the overall cost of the project.
- Ben White asked if Daniel and Brown was considering a change order.
- Eddy Daniel stated they would if the City wanted to add a section of the line to Home Grown Plants.

- Motion to approve Vessels for the force main and lift station and THB for the gravity main bids made by Donny Mason
  - 2<sup>nd</sup> to approve was Craig Overstreet
  - All council members voted in favor
- B. Consider, discuss, and act upon Resolution #R-2018-0213-001 regarding signatories for items related to the west side force main, lift station, and gravity main.
- Mayor Piwko stated this was a routine item just allowing for signatories.
    - Motion to approve was made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Todd Rolen
    - All council members voted in favor
- C. Consider, discuss, and act upon accepting bids for the Main Street Revitalization Grant 7216322.
- Mayor Piwko and Mike Hurst recused themselves due to a conflict of interest because they own property in the downtown area.
  - Eddy Daniel explained they had four bidders this time around for the ADA ramps, railing, and other items. They have an ADA transition plan that was provided in the agenda packet that had been approved by a previous Council. The low bidder was Axis Contracting, Inc. for the amount of \$265,225.00. This project includes ADA, sidewalks, and the drainage issues behind the buildings. The bids came in a little over the budget, but the deadline is still being met even though we had to re-notice and re-bid. He suggested the Council award the base bid and then the City could decide to put more money in the project or maybe not stripe as many spaces. For example, it was stated in the grant there would be 18 spaces stripped, but the City is planning on doing more. To stripe the spaces it is approximately \$3,600.00 each. The bid came in about \$55,000 over the budget amount. There are a number of ways we can reduce the amount and bring it into the budget and not affect the grant.
  - Michael Hesse asked how the contractor would react to the changes in the project.
  - Eddy Daniel stated they would understand because all the contractor's had to bid it as a unit price.
  - Michael Hesse explained we could choose another contractor that would go with our budget.
  - Eddy Daniel stated they spoke with Axis and they were okay with the changes. They have worked on projects here in Farmersville and they have

been good to work with. He explained they placed ramps up near Candy Street, but there is not a lot of traffic there. We would like to keep them in the plan, but they are not necessary.

- Michael Hesse explained that all items that were stated as priorities need to be kept as priorities.
  - Eddy Daniel explained if there was less striping done then the City could come back later and do more themselves.
  - Michael Hesse asked how the interruptions downtown will be handled while construction is going on.
  - Eddy Daniel stated they met with the business owners concerning the work and they indicated they would try to accommodate and be patient.
  - Michael Hesse explained he wanted safety to be a priority.
  - Craig Overstreet asked what the differences were in the bid Council rejected compared to the current bids.
  - Eddy Daniel explained the other company was under the impression they had to re-level all the ADA spaces, but they do not.
    - Motion to approve was made by Donny Mason
    - 2<sup>nd</sup> to approve was Todd Rolen
    - All council members voted in favor
  - Mayor Piwko and Mike Hurst came back into the Council Chambers.
  - Mayor Piwko announced there would be a short break at 8:26 p.m. before hearing the other items on the agenda.
  - Mayor Piwko announced meeting was back in session at 8:31 p.m.
- E. Discussion regarding City utility infrastructure tours.
- Ben White told the Council he would like to open himself up to take Councilmembers on tours to see the infrastructure of the City.
  - Michael Hesse wanted to see the issues, like the infiltration or manholes.
  - All Councilmembers indicated they would like the opportunity, but they would limit the number at one time to prevent a traveling workshop that would require an agenda.
- G. Consider, discuss, and act upon an interlocal agreement with the Collin County Elections Office for overseeing the City election.
- Mayor Piwko stated the contract was standard and it would be more expensive this year because there was no shared costs with the school district.

- Motion to approve was made by Mike Hurst
  - 2<sup>nd</sup> to approve was Michael Hesse
  - All council members voted in favor
- H. Consider, discuss, and act upon the Texas Department of Agriculture contract for grant 7217129 regarding Rike Street improvements.
- Ben White pointed out the contract was a standard form the City would see for these types of grants. He explained it also included the implementation plan for the grant. He indicated he would budget for the City's match in next year's budget.
  - Craig Overstreet stated this grant is to improve Beech Street to the railroad.
  - Ben White stated Rike Street was moved up in the list because it met the criteria for the grant.
    - Motion to approve was made by Mike Hurst
    - 2<sup>nd</sup> to approve was Michael Hesse
    - All council members voted in favor
- I. Consider, discuss, and act upon Resolution #R-2018-0213-002 regarding surplus items from the Fire Department to be sold at auction.
- Ben White explained the Public Works Department was using the truck on loan from the Fire Department.
    - Motion to approve was made by Donny Mason
    - 2<sup>nd</sup> to approve was Craig Overstreet
    - All council members voted in favor
- J. Consider, discuss, and act upon Resolution #R-2018-0213-003 regarding a change to the retirement section of the Personnel Policy Manual.
- Mayor Piwko explained this item was a follow-up to an Executive Session the Council had several months ago. This Resolution is putting in place a policy that would allow someone who is wanting to retire to work 32 hours a week. They would already have to be eligible to retire and their benefits would be decreased as well.
  - Craig Overstreet clarified that the employee would only have one year to work in this manner before retiring, and it would require a written agreement.
  - Ben White indicated that was correct. He explained the benefit would be to allow training for someone to take over their position. Plus, it is one more benefit the City can offer their employees.

- Motion to approve was made by Craig Overstreet
- 2<sup>nd</sup> to approve was Mike Hurst
- All council members voted in favor

**VII. EXECUTIVE SESSION**

- Mayor Piwko read the statement below and stated the Council would go into Executive Session at 8:42 p.m.

Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY and 551.072, DELIBERATION REGARDING REAL ESTATE:

1. Discussion of matters protected by the attorney-client privilege and 551.071 CONSULTATION WITH ATTORNEY:
  - a) Discussion of laws and issues applicable to cemeteries and plats and the plat of the cemetery proposed by the Islamic Association of Collin County in the City's ETJ.
  
2. Discussion of Matters Permitted by Texas Government Code Section 551.072, DELIBERATION REGARDING REAL PROPERTY:
  - a) Discussion regarding property at 213 Orange Street.
  - b) Discussion regarding right-of-way on Hamilton Street.

**VIII. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE.**

- Mayor Piwko stated the Council would reconvene from Executive Session at 9:35 p.m. with no actions to be taken.


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

- Craig Overstreet wanted an update on the J.W. Spain Little League Contract, the Riding Arena Contract, and the Historical Preservation Ordinance.

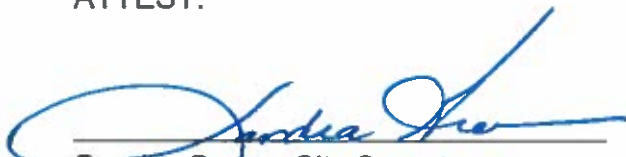
X. ADJOURNMENT

Meeting was adjourned at 9:35 p.m.

APPROVE:

  
\_\_\_\_\_  
Diane C. Piwko, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra Green, City Secretary

