



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
May 8, 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 Rolen and Michael Hesse were all present. City staff members Ben White, Sandra Green, Kim Morris, Rick Ranspot, Mike Sullivan, Reagan Rothenberger, Trisha Dowell, Kevin Lisman and City Attorney Alan Lathrom were also present.
- Prayer was led by Kevin Lisman, firefighter for the City of Farmersville, followed by the pledges to the United States flag and the Texas flag.
  - Calendar of upcoming holidays and meetings
  - Upcoming meetings are subject to change dates or locations due to early voting for the upcoming elections. Please refer to the calendars in the City Council Agenda Packet or the City's website for those changes.
  - Mayor Piwko announced the 4A Corporation has purchased 25 tickets for a luncheon for a business presentation at the Texas A&M University – Commerce. She indicated if anyone is interested in going please contact City Hall to obtain tickets.

**II. PUBLIC COMMENT**

- John Hart who resides at 18601 CR 646 asked about the status of the cemetery plat.
- Mayor Piwko explained the Council has not had any contact in the last few weeks but Alan Lathrom may inform them of new information during executive session.
- Johnny Feagin who lives at 930 Hwy. 78 S. discussed the proposed routes of U.S. Hwy. 380 to the South. He indicated it would cut through his property that has been in his family for 100 years. He was not in favor of the alignments.

- Troy Hill who resides at 522 CR 607 addressed Council and explained he was not in favor of the proposed alignments of U.S. Hwy. 380 that TxDOT is suggesting.

### 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 Council members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 4-3-2018
- 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 Council Minutes from 4-3-18 and the City Manager’s Report.
  - Motion to approve reports B through H made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor
- Mayor Piwko pointed out there were two spelling errors in the minutes. On page 1 Mr. Nerwich’s name was misspelled. She also stated on page 4 her last name was spelled incorrectly.
  - Motion to approve City Council Minutes as amended made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor
- Mayor Piwko asked for Ben White to explain what was discussed in the meeting he held with members of Collin College recently.
- Ben White explained they met to discuss the Development Agreement that was put in place five or six years ago. Specifically, they discussed utilities

available and roadways. There will be electric upgrades required by the City. Also, according to the Development Agreement the City will make the street improvements to Farmersville Parkway. The cost of the roadway will be approximately \$8 - \$10 million. He explained they did not state any timeframes, but he was asking for more time to build the roadway. He stated he was in the process of obtaining funds for the roadway improvements.

- Donny Mason asked about the status of the bullet proof glass for the City Hall lobby.
- Ben White stated the contractor is building the frame and they indicated it would be delivered this week.
  - Motion to approve the City Manager's Report made by Michael Hesse
  - 2<sup>nd</sup> to approve was Todd Rolen
  - 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. FCDC (4B) Meeting Minutes
- C. Main Street Board Minutes
- D. Main Street Report
  - Motion to approve made by Donny Mason
  - 2<sup>nd</sup> to approve was Michael Hesse
  - All council members voted in favor

#### **V. READING OF ORDINANCES**

- A. Consider, discuss and act upon the first and only reading of Ordinance #O-2018-0508-001 regarding the adoption of the proposed complete rewrite and revision of the City of Farmersville's Comprehensive Zoning Ordinance.
  - Mayor Piwko indicated on page 18 the definition of artisan's workshop should take out the wording "hand woven" and replace with "textile articles". She also had questions about home occupation on page 48. She wanted to

know why home occupation was not permitted in the Non-Residential and Mixed-Use Districts.

- Drew Brawner with Kimley-Horn explained that home occupations are allowed in residential areas. Since the Ordinance is not allowing residences in the Non-Residential and Mixed-Use Districts anymore, then home occupations would not be allowed in those districts.
- Sandra Green explained that a home occupation is when someone lives in their home and has an office they utilize for work. She also stated that under the old Zoning Ordinance residences were allowed in commercial zoned areas. The people that currently live in commercial zoned areas would be eligible for home occupations, but if they ever moved out and it was converted to commercial it would not be able to be used as a residence again unless it was rezoned.
- Craig Overstreet indicated he believed the new Zoning Ordinance addressed Mayor Piwko's concerns.
- Mayor Piwko indicated on page 56 she did not like the use of general merchandise stores. She stated she read the definition and believes that it should be removed and use the retail definition and use instead.
- Council decided to go with her suggestion.
- Mayor Piwko also asked about page 56 in regards to whether Council thought a studio for photographer, musician, and artist should be allowed by right in the neighborhood service district.
- Drew Brawner indicated it requires a specific use permit under the current Ordinance and they just moved that requirement over to the new Ordinance.
- Mike Hurst and Craig Overstreet suggested to leave it like it was.
  - Motion to approve as amended made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor

B. Consider, discuss and act upon the first and only reading of Ordinance #O-2018-0508-002 regarding the adoption of the proposed complete rewrite and revision of the City of Farmersville's Subdivision Ordinance.

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

C. Consider, discuss, and act upon Ordinance #O-2018-0508-003 regarding Rory & Linda Brannum's petition requesting inclusion of land into the City of Farmersville's Extra Territorial Jurisdiction (ETJ).

- Ben White explained that half of the property was in the City's ETJ and the other half was in the county. He indicated it is difficult when this happens to determine who has jurisdiction. He explained to make it easier it was recommended that the owners petition the City to allow all the property to be in the City's ETJ.
  - Motion to approve made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor

## VI. REGULAR AGENDA

- A. Presentation from TxDOT regarding U.S. Hwy. 380.
- Stephen Endres with TxDOT introduced himself with Chelsea Smith, and Tony Kimmey. He explained they have held several public meetings over the past weeks. He indicated all the information regarding the future plans for U.S. Hwy. 380 is on TxDOT's website. He went over a PowerPoint presentation of possible locations of U.S. Hwy. 380 and asked for people to go online at Drive380.com to get more information and updates.
  - Mayor Piwko asked Ben White about any input he may have given to TxDOT regarding the possible routes.
  - Ben White stated he has given no input except he just told them of developments currently being built, like Camden Park.
  - Stephen Endres stated they wanted an alignment chosen by the end of the year and they will hold more public hearings in the fall.
  - Craig Overstreet asked how citizens could take the survey he referred to.
  - Stephen Endres indicated survey.Drive380.com is where people can go to fill out the survey. He also stated they always take comments and people can call him in regards to any concerns.
  - Craig Overstreet asked what the next steps would be.
  - Stephen Endres referred to slide 29 that showed a timeline and explained what the process would be. He stated locations have not been decided, but it would take 6 to 9 years to even start construction.
  - Mike Hurst asked about if coming across the lake to the south was still on the table.
  - Stephen Endres indicated the Army Corps. of Engineers would not look favorably on adding another crossing over the lake.
  - Donny Mason asked why they did not think ahead and plan for this when they widened U.S. Hwy. 380 before.

- Stephen Endres explained it is usually the cost to build the roadway, because they have to spread the money through the whole region.
  - Mike Hurst asked if the funding is ample for the U.S. Hwy. 380 expansion.
  - Stephen Endres indicated it was his understanding there was \$250 million in COG's fund right now.
  - Mayor Piwko stated the City was just presented with a few options and the options are not attractive to anyone. She indicated the Farmersville residents have wanted a compromise between two of the routes for some time.
- B. Consider, discuss, and act upon Kimley-Horn's recommendation for a contractor regarding the Wastewater Treatment Plant 1 Rehabilitation.
- Ben White stated Kimley-Horn awarded the total base bid to Eagle Contracting, L.P.
  - Mayor Piwko asked about the funds for the project.
  - Ben White explained the bar screen was taken out of the project and may be added at a later date because of cost. Impact Fees from Camden Park could help pay for that. He referenced the proposed site plan and explained some of the changes that will be made. He indicated the trickling filter and impactor will receive the most changes. He also stated the chlorine basin might have sensors added to it to. The purpose of doing this project is to gain capacity to be at our TCEQ rating. We are using new material that are more expensive on this project.
  - Michael Hesse asked if there was a life span on the products being used.
  - Ben White explained he did not know the numbers, but he assumed it was several years.
  - Michael Hesse stated the point of the upgrades is to make sure the City is not breaking the laws every day regarding the plants.
  - Ben White explained the City needs the most capacity as possible and to also refocus on infiltration issues.
  - Mayor Piwko stated the City was adding a splitter as well.
  - Ben indicated it will split the flow and they will be able to process wastewater like they are supposed to. The engineer explained to him they were not changing a lot about the splitter. He also asked if he could have permission to sign the contracts and other documents for the project without them coming back to Council for approval.
  - Council gave him permission to sign the documents.
    - Motion to approve made by Michael Hesse
    - 2<sup>nd</sup> to approve was Todd Rolan
    - All council members voted in favor

- C. Consider, discuss, and act upon the Human Capital Management – SaaS License Agreement for the Police Department.
- Chief Mike Sullivan stated the program would allow them to keep up with tracking police equipment, reporting, policies, and other information.
  - Mayor Piwko asked if this was a part of the grant they were applying for.
  - Mike Sullivan stated it was not a part of a grant.
  - Ben White asked if Chief Sullivan could have permission to sign and renew the contract yearly.
  - Alan Lathrom stated the Council would have an opportunity to terminate the contract within 60 days of written notice prior to the annual renewal if it was not budgeted.
    - Motion to approve made by Donny Mason
    - 2<sup>nd</sup> to approve was Michael Hesse
    - All council members voted in favor
- D. Consider, discuss, and act upon appointment of a new member to the North Texas Municipal Water Board.
- Ben White asked for another two week delay because he did not have any names to recommend.
  - Mayor Piwko explained the board meets every 2<sup>nd</sup> and 4<sup>th</sup> Thursday of every month. She stated they assign each member to other committees besides the board meetings. She also indicated that every quarter there are trainings on Saturday that the member would have to attend. She said it would be a three year term and Mr. Mayes, who currently sits on the board, has stated it takes approximately 25 hours a month to fulfill the obligations.
    - Motion to table until next meeting made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Donny Mason
    - All council members voted in favor
- E. Presentation from Police Chief Mike Sullivan regarding police officer salaries.
- Chief Mike Sullivan read a statement about the recruiting of police officers for Farmersville. He explained the City salaries are not competitive. He said for the area the City is 23% below the starting salary. He is suggesting a step program and he referenced a PowerPoint to show how the program would work. He explained he spoke to Ben White and they

adjusted police salaries for the rest of the budget year. This would include removing the vacant position and hiring for Brian Alford's position that was vacated. Brian Alford joined the Farmersville Independent School District as Chief. He explained he is proposing a step program where the starting pay would be \$50,000.00. From years one to five there would be an increase every year for police officers. He explained the City currently has eight sworn police officers and there are times when there is only one person on duty. He stated he does not like to have one person on a shift because of the dangers. Firefighter Kevin Lisman's salary was increased to \$50,000.00 as well. He asked Council to approve the step program. He suggested the City wait an entire year to change the budget in 2019-2020 to adjust the salaries again because that would allow the City time to plan a little longer.

- Mayor Piwko asked when the officer's would receive the increase every year.
- Chief Sullivan stated that on the officer's anniversary date in the Fiscal Year 2019-2020 is when the employees would get the first step increase in pay. He explained he has had employees that have worked for the City two years and then go to McKinney after two years and make over \$60,000.00. He indicated the firemen would also be included in the step program.
- Michael Hesse stated in the teaching field he has seen that after a year or so of experience teachers would move to another district for more money. He explained that Princeton started a signing bonus to help keep teachers.
- Chief Sullivan stated our school district starts at \$46,000.00 or \$47,000.00 for officers.
- Michael Hesse explained the City needs to do everything to bring in revenue to help pay for some of the items like the pay.
- Craig Overstreet asked for the opinion of the City Manager.
- Ben White explained he is in support of the step program. The City survey that citizens filled out in previous years stated they wanted safety. He indicated he wanted the pay to be more competitive.
- Mike Hurst clarified the step program would not go into effect until the 2019-2020 budget year, and asked if it could be supported until then.
- Chief Sullivan stated that was correct and it could be supported until the 2019-2020 budget year.
- Ben White explained there are items in the police budget that Chief Sullivan can use as well to help fund the increases.
- Mayor Piwko asked Chief Sullivan if Marsha Phillips was promoted to second in command.
- Chief Sullivan stated she was.
- Mayor Piwko asked if there was a way to work with the county to help Farmersville more.



- Chief Sullivan explained the county focuses on the unincorporated areas of the county.
  - Mike Hurst asked if officers could be on call.
  - Chief Sullivan stated they do not have an overtime budget or comp-time, plus it is hard covering when people are off.
  - Craig Overstreet indicated police officer's pay was a priority in the budget discussions last year and he thinks the step program is a good idea.
  - Staff was directed to bring the item back at the next meeting for approval.
- F. Update on Camden Park.
- Ben White stated the contractors are working on and finishing the streets. He indicated the developer is also in the process of getting the final plat ready for submittal and approval. He explained the final plat should be submitted and ready for the Planning & Zoning Commission in two weeks. He also explained the City has ordered some meters for the properties.
  - Sandra Green stated she has not received a final plat from the developer yet on the subdivision, but she has talked to the engineer for the apartments and they indicated they would be submitting the plat soon.
- G. City Secretary Presentation regarding the utilization of technology for agenda packets.
- This item was pulled from the agenda.

## VII. EXECUTIVE SESSION

- Mayor Piwko read the statement below and stated the City Council would enter into executive session at 8:15 p.m.

Discussion of matters permitted by the following sections of Texas Government Code Chapter 551:

### A. Section 551.071, Consultation with Attorney

1. Consultation with City Attorney regarding 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

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

- Mayor Piwko stated the City Council would reconvene from Executive Session at 9:22 p.m. and no action would be taken.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Michael Hesse stated he did not know if this was a topic for the next meeting, but he wanted a culvert fixed by J.W. Spain before it caused a wreck.

X. ADJOURNMENT

Meeting was adjourned at 9:23 p.m.

APPROVE:



Mike Hurst, Mayor Pro-Tem

ATTEST:

  
Sandra Green, City Secretary