



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
February 26, 2019, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Donny Mason, Mike Hurst and Todd Rolen were all present. Michael Hesse was not in attendance. City staff members Ben White, Sandra Green, Daphne Hamlin, Paula Jackson, Kim Morris, Rick Ranspot and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Farmersville Warrant Officer, followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - Mayor Rice indicated that a CPR class would be held in the Civic Center Friday night.
 - Mayor Rice announced that Main Street received State Accreditation again this year.
 - Mayor Rice also explained the first class for the Citizens Police Academy would be next Thursday.

II. PUBLIC COMMENT

- Cliff Hibbits who resides at 6018 County Road 572 stated he is in the process of opening an ice cream store in town. He complained about the City process to receive permits and inspections.
- Nadine Winterrowd who lives at 17250 County Road 656 stated her property backs up to the Chaparral Trail. She stated that she felt the presentation of Sugar Hill Adventures that was on the agenda showed no planning and the City would not receive any benefits from it. She asked the Council to vote no in regards to this project or to table it.

- Dennis Winterrowd who also lives at 17250 County Road 656 stated he came to the Council approximately one year ago to discuss his opposition to the Sugar Hill Adventures project. The properties that surround the proposed project are residential homes in a nice quiet area. He is concerned that opening up the Chaparral Trail to this project would be negative.
- Donna Williams who resides at 1985 State Highway 78 and owns the Red Door Antiques downtown spoke about the downtown music. She stated how the music adds to the downtown and people are enjoying it. She also stated that since the ADA has been completed on the square it is difficult to get into her store.
- Gordon Scott, 103 N. Washington, allowed Diane Piwko to speak on his behalf.
- Diane Piwko who resides at 200 McKinney Street read a statement that she had prepared and passed out to the City Council. She spoke in regards to the music playing downtown and was against it. She spoke of the City's noise ordinance and how the music was a nuisance because she resides in the downtown area.

III. CONSENT AGENDA

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

- A. City Council Minutes
- B. City Financial Report

- Motion to approve made by Mike Hurst
- 2nd 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 who serve as a liaison to a particular board or Commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also 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. **Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.**

Consideration and discussion regarding the following matters, minutes and reports, which consideration and discussion may also include or pertain to individual items and projects set forth in such matters, minutes and reports, as well as related background information and plans for future completion, performance or resolution as may be necessary to understand such individual items and projects and the City's related operation:

- A. City Amenities Board
 - 1. Possible Council Liaison Report

- B. Farmersville Community Development Board (Type B)
 - 1. Financials
 - 2. Possible Council Liaison Report

- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Financials
 - 2. Possible Council Liaison Report

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- D. Main Street Board
 - 1. Possible Council Liaison Report

- E. Planning & Zoning Commission
 - 1. Possible Council Liaison Report

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- F. Texoma Housing Authority
 - 1. Agenda and documents

V. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon changing City Hall hours to Monday through Thursday 7:30 am to 5:30 pm and on Friday from 7:30 am to 11:30 am.
 - Mayor Rice opened the public hearing at 6:28 p.m. and asked if anyone was in attendance who wanted to speak for or against the item.
 - No one came forward so he closed the public hearing at 6:29 p.m.
 - Ben White presented a survey of City Hall activity for the past two weeks.
 - Donny Mason asked what would happen if someone wanted a permit on Friday afternoon.
 - Ben White stated they could would have to obtain the permit Monday morning, but the City does have a 24 hour drop box for utility payments.
 - Craig Overstreet stated other cities are also going to these hours and the

City's on-call services, including Fire and Police, would remain available during all hours. He suggested doing a pilot program until June to see how it goes.

- Mike Hurst wanted to bring up that when construction picks up then people might need permits and other things on Fridays.
- Ben White explained he would continue to survey City Hall traffic for the next two weeks.
 - Motion to table made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

B. Public Hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding an application requesting a change in zoning on approximately 2.484 acres of land, more or less, in the W.B Williams Survey, Abstract A 982 and the D. J. Jaynes Survey, Abstract A 471, of Farmersville, Collin County, Texas, from C – Commercial District uses to MF-2 – Multifamily Residence – 2 District uses. The property is located generally on the north side of Audie Murphy Parkway (U.S. Highway 380) in an area that is east of Raymond Street, also known as 303 Raymond Street, Kings Ridge One Addition, in Farmersville, Collin County, Texas.

- Mayor Rice opened the public hearing at 6:37 p.m.
- Wahed Mohammad who owns the property stated he bought the property as an investment. He stated his plan was to start with about half the units and then the other half at a later date. He explained he was not going to open the development up to Waters Street. He also stated the property would not be for low incomes.
- Mike Goldstein who resides at 1453 N. Highway 78 stated he owns property west of Raymond Street and he was concerned about the roads that would lead to the apartments. He was in opposition of the development.
- John Cooper who resides at 307 Wilcoxson owns the three buildings near the Sonic and had concerns about the street conditions and if traffic was added how it would make the roads worse. He explained that Waters Street was just a gravel road and would not accommodate the traffic.
- Wahed Mohammad stated the property would not have an entrance on to Water Street. He also stated the project would bring added taxes to the City.
- Mayor Rice closed the public hearing at 6:44 p.m.
- Alan Lathrom explained because the Planning & Zoning Commission recommended denial of the rezone it would require a 75% majority vote if Council decided to approve it.
- Donny Mason stated he would make a motion to disapprove.
- Craig Overstreet stated he would make the second, but he wanted to explain why. He explained that he felt it should be commercial because it has been zoned that way for years.

- Mike Hurst stated he agreed with Craig Overstreet and Donny Mason.
 - Motion to deny made by Donny Mason
 - 2nd to approve was Craig Overstreet
 - All council members voted in favor

VI. READING OF ORDINANCES

A. Consider, discuss and act upon the first and only reading of Ordinance O-2019-0226-001 regarding a budget amendment for a Fire Department grant reimbursement.

- Mayor Rice read the caption of the Ordinance.
AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2018 – 2019 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.

- Daphne Hamlin stated the Fire Department received a grant where their match was \$15,000 and they would like to put those funds back in their clothing allowance.
- Donny Mason asked if they could just place it in the general fund in case they needed it for something else.
- Daphne Hamlin stated they were already down in the clothing allowance but they could move it later if was not used.
 - Motion to approve made by Craig Overstreet
 - 2nd 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-2019-0226-002 regarding a budget amendment for a police car insurance claim.

- Mayor Rice read the caption of the Ordinance.
AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2018 – 2019 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.

- Daphne Hamlin stated one of the police cars was involved in an accident where someone hit it. The Police Department had the car fixed, but we just received the money for the claim. They want to place that money in to their clothing allowance.
- Craig Overstreet asked for the amount of the claim
- Daphne Hamlin stated it was \$2,956.00
 - Motion to approve made by Mike Hurst
 - 2nd to approve was Todd Rolen
 - All council members voted in favor

VII. REGULAR AGENDA

- A. Yearly update and presentation from Community Waste Disposal (CWD).
 - Robert Medigovich from CWD presented the Power Point that was in the Council Packet. He explained one new service they are offering is CartWash.com to where people can pay to have their trash and recycle bins cleaned. He presented an award for recycling to Mayor Rice.
- B. Consider, discuss an act upon a recommendation from the Planning & Zoning Commission regarding the Winterrowd 2194 Addition Final Plat of Lots 1-3, Block 1.
 - Ben White stated the plat had been reviewed and approved by the City's engineering firm and the Planning & Zoning Commission recommended approval at their meeting.
 - Mike Hurst asked about the restrictions on the property.
 - Alan Lathrom stated he was not sure what deed restrictions were on the property but the City could not require or enforce those restrictions.
 - Nadine Winterrowd stated there were no mobile homes allowed on the property due to the deed restrictions and a house had to be at least 1,500 square feet.
 - Motion to approve made by Todd Rolen
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- C. Consider, discuss and act upon Sugar Hill Adventures regarding possible connection to the Chaparral Trail.
 - Sean Mosley addressed Council and presented the Power Point in the agenda packet. He explained his vision for the property was to have

recreational vehicle lots and cabins for people to come and enjoy the outdoors and the Chaparral Trail. He asked Council to grant him permission to access the trail from his property. He said he would have bicycle repair stations and a power wash at the entrance to the trail that people could utilize. The area of access would also have vending machines with drinks and snacks.

- Donny Mason asked if the City had the legal right to allow him to have access to the trail.
 - Ben White stated access could be granted because it had been allowed in other places. The accesses were granted for residences, but currently no commercial properties.
 - Sean Mosely stated that his property would be gated and no motorized vehicles would be allowed on the trail.
 - Craig Overstreet asked if Sean Mosley had spoken to the non-profit owner of the trail to see if they would have an issue with him connecting to it.
 - Sean Mosley stated he had spoken to the Coalition.
 - Ben White explained there were several owners of the trail. He stated the North East Texas Trail Coalition was the glue that held the trail together. It has a Board of Directors and a Director that runs the day to day operations.
 - Sean Mosley explained they would have on-site septic and they would receive water from Caddo Basin. He stated he had already spoken with TxDOT and the County Fire Marshall's Office regarding the entrance to his property.
 - Mayor Rice asked about the time frame people would be allowed to stay.
 - Sean Mosley stated they would be allowed to stay for 30 days.
 - Donny Mason asked if he was going to have a gate down by the trail to keep random people off his property.
 - Sean Mosely stated yes and the gates would only be opened during their business hours.
 - Mike Hurst stated he felt the Council should discuss and research it a little more before any action should be taken.
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- Mayor Rice called for a break at 7:32 p.m.
 - Mayor Rice reconvened the meeting at 7:40 p.m.

D. Consider, discuss and act upon downtown lighting and sound system.

- Ben White addressed Council and presented survey results.
- Mayor Rice stated that when he saw people from out of town he would introduce himself and ask what they thought about the music downtown. He explained that most of the people stated it added to the downtown area.
- Craig Overstreet stated that a compromise should be made regarding the music playing during the day and evening. He believes the music should

be played during downtown business hours and that it should be quiet on Sundays.

- Mike Hurst believes there should be a time limit set on the music. He felt that 9:00 a.m. to 6:00 p.m. would be okay and he thought Sunday should not have any music playing.
- Mayor Rice stated he liked the 9:00 a.m. – 8:00 p.m. schedule.
- Mike Hurst stated the people he had spoken to stated that the music was a little loud sometimes. He also stated testing the sound level would be appropriate.
- Donny Mason stated 9:30 a.m. to 6:30 p.m. and no Sundays.
- The overall consensus of the Council was the pilot program should be from 9:30 a.m. to 6:30 p.m. with no music on Sundays.
- Ben White suggested the lighting stay on the buildings, but the lighting in the median be taken down after Christmas. He indicated the trees have to be pruned and the cords run along the ground and become a tripping hazard. He explained it would be maintained by the City's electrical crew.
- The consensus of the Council agreed with Ben regarding the lighting.

E. Consider, discuss and act upon the possibility of running a fiber optic network.

- Ben White went over the Power Point presentation that was in the agenda packet. He is requesting that Council allow him to conduct a survey. The survey would investigate the desire of the citizens in regards to establishing a fiber optic utility system.
- Mayor Rice stated that recently we have had several outages from Spectrum. He wanted to know if a fiber optic system would help with this.
- Ben White stated they had recommended a redundant path so if one was down another would come online.
- Craig Overstreet asked what the cost would be in conducting a survey.
- Ben White explained he would print the survey and place it in the envelopes with the water bills.
- Craig Overstreet stated the City did not have the extra funds for the fiber optic network. He explained the City needed to take care of the current problems the City faces. He indicated that we have problems like getting inspections completed in a timely manner. He said the City has an aging water, sewer and electrical system and those needed to be fixed before we looked into something like fiber optic systems.
- Ben White explained the water, sewer and electrical systems are from the enterprise funds and not the general fund.
- Craig Overstreet stated that every citizen would like the fiber optic system, but the City has to distinguish between wants and needs. He explained he did not feel this was a high priority.

- Mike Hurst stated he felt the same way because if the City spent \$7 million on a fiber optic system and not fixed the streets then people would complain. He does not feel that it would be good for the City right now.
- Donny Mason agreed and stated the City had streets that needed to be fixed now.

VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Donny Mason stated Michael Hesse wanted utility bill costs for rental houses discussed.
- Donny Mason also wanted an update on Hamilton Street
- Mike Hurst requested the silent crossing on the agenda.
- Mike Hurst also wanted the Caddo Basin Agreement at Shinn Circle, Reliable Concrete and Camden Park updates on the agenda. He also stated the brush on site at Camden Park needed to be removed.
- Mike Hurst requested a training session for OpenGov.
- Craig Overstreet requested a review of outside inspection services, and updates on the replacing of stop signs and the restriping of downtown parking.

VIII. ADJOURNMENT

Meeting was adjourned at 8:30 p.m.

APPROVE:



Jack Randall Rice, Mayor

ATTEST:



Sandra Green, City Secretary

