



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
May 14, 2019, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Michael Hesse, Mike Hurst and Donny Mason were all present. Todd Rolen was not in attendance. City staff members Ben White, Sandra Green, Kim Morris, Paula Jackson, Daphne Hamlin, Rick Ranspot, Mike Sullivan, Dana Mingo and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Warrant Officer, followed by the pledges to the United States and Texas flags.
- **Recognition of Departing Councilmembers**
 - Mayor Rice thanked Michael Hesse and Todd Rolen for their dedication and service to the city.
 - Sandra Green presented a plaque to Michael Hesse.
- **Oath of Office for Re-Elected and Newly elected Councilmembers**
 - Craig Overstreet, Place 1
 - Jim Hemby, Place 3
 - Dwain Mathers, Place 5
 - Sandra Green administered the oaths of office to Craig Overstreet, Jim Hemby, and Dwain Mathers.
 - Calendar of upcoming holidays and meetings.
 - City offices will be closed on Monday, May 27th in observance of Memorial Day.
 - The City-Wide Clean Up Day will be Saturday, May 18th from 8 a.m. to 4 p.m. See flyer in agenda packet for more information.

II. PUBLIC COMMENT

- Mark Moss who resides at 15898 CR 616 addressed Council regarding the U.S.

Highway 380 alignment. He stated the Council appeared to be in favor of the route that would go right down the current U.S. Highway 380. He stated that TxDOT chose the southern route that is best for everyone. He discussed that widening the existing U.S. Highway 380 would cost a lot more than building the southern route.

- Mike Goldstein who lives at 1453 State Highway 78 North addressed Council and spoke about the U.S. Highway 380 alignment. He explained that he believed TxDOT chose the correct path. He believes that widening the existing highway would displace more people and business.
- Kevin McGuire who resides at 15266 CR 614 spoke in regards to the U.S. Highway 380 alignment as well. He explained that he stands with TxDOT to go with the southern route. The cost the city would incur to move the utilities would be expensive. He stated taxpayers needed to know they would incur the cost to relocate those utility lines. He indicated the people along the current U.S. Highway 380 would be displaced.
- Alisha Moss who resides at 15898 CR 616 also spoke as a real estate broker and wanted to explain her company fought hard to bring businesses to U.S. Highway 380 and a lot of developers are on hold to see what will happen with the alignment before they develop in the area.
- Billie Goldstein who lives at 1453 Highway 78 North stated she agreed with TxDOT and she did not want to see people displaced.
- Leaca Caspari who resides at 405 Summit gave her time to Kevin McGuire. He continued his previous statements by saying another highway would support Farmersville by including industrial centers, jobs, and more commercial. He explained he has experience working with Walmart, PepsiCo and other businesses and stated we must do what is right for the town.
- Marguerite Ellis who lives at 401 Sid Nelson stated she believes the southern route is the best for Farmersville because it will miss her house. She questioned how Farmersville would look if the road came down the current route because of the loss of businesses and homes.
- Pradeep Alluri who lives at 1098 Fossil Lake Drive in Frisco stated he owns property on U.S. Highway 380 and some of his projects were on hold because TxDOT had not made a decision concerning the route. He is in favor of the southern route because he could not develop or sell his property if TxDOT went down the current roadway.
- Julia Deleon who lives at 703 N. Main Street addressed Council and stated she has had several issues with her neighbor's property being a nuisance. She complained about Code Enforcement and how she has called many times with no response. She wants the neighbor's house to be demolished because of the maintenance issues, rodents, and overall issues with the property.
- Donna Williams who lives at 1985 State Highway 78 North stated the alignment that would widen the current U.S. Highway 380 would hinder the downtown. She thinks the southern route is best.
- Jim Foy who resides at 211 College Street explained he did not want to have a public hearing and wants to put the U.S. Highway 380 alignment behind the city.

He wants the Council to accept the southern route and move on. He stated TxDOT has done extensive studies and they have made a decision. He stated that the current U.S. Highway 380 route would displace too many businesses and homes.

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. Board of Adjustment Minutes
- 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 Manager's Report

- Mike Hurst wanted to pull the Public Works Report.
- Craig Overstreet pulled the City Manager's Report.
 - Motion to approve reports A-F, H and I made by Mike Hurst
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- Donny Mason asked a question regarding information that was in the Public Works' Report. He wanted an update regarding Hamilton Street.
- Ben White stated that one of the owners finally signed all the documents and the city will have to relocate a fence. He stated the engineering should be done soon and it should go out for bidding in the next few months. He also explained the plat would be going before the Planning & Zoning Commission.

- Mike Hurst asked a few questions about Reliable Concrete's water line and petition for annexation.
- Ben stated the city received a check for the \$150,000 escrow for the water line and he stated the first public hearing for the petition for annexation was on the agenda.
- Craig Overstreet asked about the boundary agreements with other cities.
- Ben White stated that Sandra Green had worked with the border cities before and she has not received many responses from them.
- Mike Hurst stated the boundary agreements are important and they need to be agreed on prior to TxDOT putting in the highway.
 - Motion to approve the Public Works Report made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- Mike Hurst wanted to see if anything else was holding up Reliable Concrete other than what was stated in the City Manager's Report.
- Ben White stated the annexation just has to follow procedures.
 - Motion to approve the City Manager's 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 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. Minutes
3. Possible Council Liaison Report
 - Mike Hurst stated the board members were brought up to date regarding Texas 21 which is a service they have joined. He stated they are looking at the electrical issues and how the city is competing with Texas New-Mexico for Collin College.

D. Main Street Board

1. Monthly Report
2. Possible Council Liaison Report
 - Donny Mason stated they are going to talk to more people about Farmers and Fleas and they had discussions about events that can take place on the square.

E. Planning & Zoning Commission

1. Possible Council Liaison Report

V. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon a petition for annexation of approximately 5.050 acres of land located on the northwest corner of U.S. Highway 380 and County Road 699 in Collin County, Texas.
- Ben White stated the 5.050 acres is the land for Reliable Concrete. He stated they have provided the petition for annexation and the \$150,000 escrow payment.
 - Mayor Rice opened the public hearing at 6:46 p.m. and asked if anyone wanted to speak for or against the item.
 - Leaca Caspari who resides at 405 Summit Street stated she was not taking a stance either for or against the petition. She indicated talks about the batch plant have been going on since 2016. She stated the land use map and Comprehensive Plan shows the area to be estate residential and

not industrial and she recommended that Council take that in to consideration before accepting the annexation.

- Randy Smith who resides at 508 CR 610 stated he was more against the petition than for it because he owns property just west of the land in question. He explained he wanted to know more about the improvements to County Road 699. He stated the signed Development Agreement stated the city would provide the labor for the roadway and Listocon would provide the concrete. He explained it was his understanding that the road would be deferred for construction. He stated the amount of trucks from the batch plant would destroy the road and he feels that it should be improved now and not later.
- Mayor Rice closed the public hearing at 6:53 p.m.

VI. REGULAR AGENDA

A. Presentation of city audit report.

- Louis Breedlove from Brooks & Watson went over a Power Point and explained the overview of the audit process. He stated the city received the highest level of assurance they could give.
- Craig Overstreet asked if any of the deficiencies were repeated from the prior year.
- Louise Breedlove stated the pooled cash comment was repeated from last year. He explained that when the pooled cash account gets low on funds then funds should be transferred in so there is not a deficiency. Also, there were some old items that needed to be reconciled but it was cleared up soon.
- Dwain Mathers asked if sales tax revenues vary from year to year.
- Louise Breedlove stated they use the State Comptroller figures and he does expect it to be consistent from year to year. He explained city staff did state they researched why it was so low last year and they found that some business did not have as many sales as the prior year.

B. Consider, discuss and act upon the election of Mayor Pro Tem and Treasurer.

- Craig Overstreet nominated Mike Hurst as Mayor Pro Tem.
 - o All council members voted in favor
- Donny Mason nominated Craig Overstreet for Treasurer.
 - o All council members voted in favor

- C. Consider, discuss and act upon Resolution #R-2019-0514-002 regarding signatories for all accounts for the City with the First National Bank of Trenton, Farmersville Branch.
- Mike Hurst nominated Craig Overstreet since he was selected as Treasurer.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was Jim Hemby
 - All council members voted in favor
- D. Consider, discuss and act upon the assignment of Council liaisons to City boards and commissions
- Dwain Mathers stated he did not want to be on the City Amenities Board, but if Jim Hemby did not care he would be the liaison to the FCDC (4B).
 - Jim Hemby stated he did not mind.
 - All the other Councilmembers kept the same boards and commissions as the previous year.
 - The following is the assignments:
 - Mayor Rice – None
 - Craig Overstreet – P&Z
 - Mike Hurst – FEDC (4A)
 - Jim Hemby – City Amenities
 - Donny Mason – Building & Property Standards, Main Street, and School Board
 - Dwain Mathers – FCDC (4B)
- E. Consider, discuss and act upon addendum to OpenGov software.
- Daphne Hamlin addressed Council and stated she learned that as of April 24th there were 54 visitors to the OpenGov site. She stated the city would have the option to terminate the addendum as it was spelled out in the contract. The contract was constructed on a year by year basis.
 - Craig Overstreet stated he was disappointed with the progress that has been made so far with OpenGov.
 - Ben White asked what he would like to see.
 - Craig Overstreet stated he felt like the Council needed to see the budget cycle first before he approves the money for it.
 - Daphne stated the Stories addendum would help with creating the budget.
 - Ben White stated he would like to use it this year to show the Council what it could do and how it will look.

- Motion to approve the addendum made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- F. Discussion on whether or not Council should hold a public hearing to discuss U.S. Highway 380 alignment.
- Mayor Rice stated this past week TxDOT announced they had selected the southern route for the U.S. Highway 380 alignment through the Farmersville area. He felt the public should have an opportunity to state their opinion on the matter before a Resolution was voted on.
 - Mike Hurst stated he agreed with Jim Foy about not having a public hearing. He explained to the audience and new Councilmembers the background of the routes and how they came about. He stated TxDOT had held public hearings and the city was asked not to adopt a Resolution favoring one route or the other until May 2019. He explained Council was presented with a petition where people did not want the southern route. He stated there would be a \$30 million difference in construction costs of the two routes TxDOT picked from. He stated Mr. Overstreet and himself visited with the Commissioners and with TxDOT. He explained that he asked TxDOT why they could not leave the road alone through Farmersville. He indicated that TxDOT stated that was a possibility. He thought it would be in the best interest of the city to leave the road like it currently is because of all the hard work that has been put in to Main Street and other areas of the city. He explained the city had a Resolution drafted but a special meeting was not approved to adopt the Resolution. He does not feel that what TxDOT decided will be accepted throughout the county. He felt like they made a decision without regards for the Council thoughts. He stated he was opposed to a public hearing and he feels TxDOT will do what they please anyway.
 - Craig Overstreet stated the process has not been transparent. He explained he was not in favor of another public hearing. He said no decision was made by the Council at the urging of TxDOT. He stated that what TxDOT is doing in McKinney is being choked down to four lanes and he believes it could be done here. He said he feels it is a huge waste of money. He stated he believed the City Manager was not forthcoming with information to Council.
 - Dwain Mathers asked if the Council wanted to decide on a Resolution because he was confused as to what Council's intentions were.

- Mike Hurst stated he does not feel like a Resolution would change anything. He explained he does believe the routes chosen by TxDOT will change because of the push back from McKinney and Prosper.
- Dwain Mathers asked which route Mike Hurst wanted because he was unclear.
- Mike Hurst stated he wanted it down the current U.S. Highway 380 by choking the road down and not opening it up. He explained that he does not want to see anything happen to the downtown area and he does not believe the southern red route was the right route for Farmersville.
- Mayor Rice stated the item was on the agenda to see if Council should receive public comments before a Resolution is drafted.
- Donny Mason stated TxDOT came to the city and gave a presentation two times. He explained the meeting with TxDOT recently was a waste of time because TxDOT had already chosen the route they wanted to take.
- Dwain Mathers stated TxDOT had already picked the route and he feels the Council is just putting the city on hold by discussing it further. He does not want to leave discussions on the topic open for a long time because it will start confusing the public.
- Jim Hemby stated he agreed with Mr. Hurst and Mr. Overstreet. He does not want a public hearing because they cannot control TxDOT's decision. He does not want to cause dissention in the city any more. He explained he felt there was no point in arguing about the routes anymore and the Council just needed to work together, help the city grow and do the things that are in the best interest of the City of Farmersville.

VI. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted a discussion on a TxDOT resolution.

VII. ADJOURNMENT


Meeting was adjourned at 7:51p.m.

APPROVE:



 Jack Randall Rice, Mayor

ATTEST:


Sandra Green, City Secretary

