



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
December 10, 2019, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Jim Hemby, Mike Hurst, Craig Overstreet and Donny Mason were all present. Council member Dwain Mathers was not in attendance. City staff members Ben White, Sandra Green, Michael Sullivan, Kim Morris, Rick Ranspot 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 and Texas flags.
  - Calendar of upcoming holidays and meetings.
  - The Christmas Parade will be on Saturday, December 14th.
    - Mayor Rice stated the Museum would also be open at 2:00 p.m.
  - City Hall will be closed on December 24<sup>th</sup> and 25<sup>th</sup> for the Holidays.
    - Mayor Rice stated recycle services would be moved to the 26<sup>th</sup>.
  - City hall will be closed on January 1<sup>st</sup> in observance of the New Year.
    - Mayor Rice stated this would be the only Council meeting for this month.

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

- No one came forward.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- No one came forward.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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

- Mayor Rice asked Craig Overstreet if he had a chance to look at OpenGov and if the changes meet his approval.
- Craig Overstreet stated the changes were like he and the Council wanted.
  - Motion to approve made by Mike Hurst
  - 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor

#### V. 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. Possible Council Liaison Report
    - Ben White stated they went over Rambler Park and the improvements they are making. He said the swing sets were ordered and it would be completed before the beginning of the summer season. They also discussed the J.W. Spain parking lot changes that were being made.
  
- C. Farmersville Economic Development Board (Type A)
  - 1. Minutes
  - 2. Possible Council Liaison Report
  
- D. Main Street Board
  - 1. Possible Council Liaison Report
    - Donny Mason stated they approved the minutes and they considered the monthly payments. They also finalized the Main Street report for the year.
  
- E. Planning & Zoning Commission
  - 1. Possible Council Liaison Report
    - Craig Overstreet stated they heard a case for rezoning the property north of McCloud's and it was tabled because the Commission wanted more information. They also tabled the Camden Park rezoning because the incorrect Ordinance number was used for the notice. He explained they also discussed the Comprehensive Zoning Ordinance changes due to new legislation and that was approved.
  
- F. Building & Property Standards Commission
  - 1. Possible Council Liaison Report
  
- G. TIRZ Board
  - 1. Financials
  - 2. Possible Council Liaison Report

## VI. READING OF ORDINANCES

A. Consider, discuss and act upon the second reading of Ordinance #O-2019-1210-001 regarding Food Establishment Rules.

- Mayor Rice read the caption of the Ordinance  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS BY AMENDING CHAPTER 32, "HEALTH AND SANITATION," OF THE CITY'S CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE II TO BE TITLED "FOOD ESTABLISHMENT REGULATIONS"; ADOPTING THE CURRENT TEXAS FOOD ESTABLISHMENT RULES; REQUIRING CERTAIN PERMITS FOR FOOD ESTABLISHMENTS; REQUIRING INSPECTIONS OF FOOD ESTABLISHMENTS; REQUIRING COMPETENCY OF INSPECTORS; ADOPTING CERTIFIED FOOD PROTECTION MANAGER AND FOOD HANDLER REQUIREMENTS; ADOPTING EMPLOYEE HEALTH REQUIREMENTS; REQUIRING TIME/TEMPERATURE CONTROL FOR SAFETY REQUIREMENTS; ADOPTING HAIR RESTRAINTS REQUIREMENTS; ADOPTING PHYSICAL FACILITIES REQUIREMENTS; ADOPTING REQUIREMENTS FOR OUTDOOR AREAS; PROVIDING FOR SUSPENSION OF A FOOD ESTABLISHMENT PERMIT; PROVIDING FOR THE REVOCATION OF A FOOD ESTABLISHMENT PERMIT; PROVIDING FOR THE EXAMINATION AND CONDEMNATION OF FOOD; PROVIDING FOR HEARINGS; PROVIDING FOR NOTICE OF HEARINGS; PROVIDING FOR A FEE SCHEDULE; AMENDING APPENDIX A, "MASTER FEE SCHEDULE"; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

- Craig Overstreet asked if the redlines were the only changes.

- Alan Lathrom stated they were.
- Jim Hemby asked that the ordinance be changed to show that an exemption of fees be extended to the concession stands for Farmersville ISD.
- Alan Lathrom apologized for misunderstanding the Council's request and stated he would fix the ordinance. He stated he would change the wording on Page 7 to say, "This exemption extends to any Concession Stand situated on property owned by the Farmersville Independent School District".
  - Motion to approve with change made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

## VII. REGULAR AGENDA

- A. Consider, discuss and act upon a recommendation from DBI Engineering for the Hamilton Street Reconstruction Project.
  - Mayor Rice stated this item would be moved to the end of the agenda after the Executive Session since they were related.
  
- B. Consider, discuss and act upon Resolution #R-2019-1210-001 regarding the designation of the newspaper for City notices.
  - Ben White stated this is required every year.
  - Alan Lathrom stated it is required by state law to designate the newspaper the city will post notices in.
    - Motion to approve made by Jim Hemby
    - 2<sup>nd</sup> to approve was Donny Mason
    - All council members voted in favor
  
- C. Consider, discuss and act upon contract from Brooks Watson & Co. for audit services.
  - Ben White stated this is something our auditor has asked us to do because we have to have a single audit for the Texas Water Development Board project.
  - Craig Overstreet asked if their contract was expired or if this was just an addition because of the single audit.
  - Ben White stated he considered it as an addition.

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

D. Consider, discuss and act upon a donation for the Senior Citizens Center.

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

E. Consider, discuss and act upon a request for annexation from Nelson Bros. Ready Mix.

- Ben White stated the city has been in anticipation of this petition.
- Alan Lathrom stated this is just to initiate the process and then schedule the public hearings.
- Craig Overstreet asked about how it relates to the Development Agreement.
- Alan Lathrom stated the Development Agreement just calls out for the petition for annexation. The annexation does not make the Development Agreement go away.
- Staff was directed by the Council to move forward with the process and hold the required public hearings.

## VIII. EXECUTIVE SESSION

- Mayor Rice read the statement below and said the Council would go in to Executive Session at 6:22 p.m.

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

### A. Section 551.072, DELIBERATION REGARDING REAL PROPERTY,

Deliberation regarding the purchase of certain real property for the expansion of Hamilton Street that is identified as being approximately:

1. 0.25 acres out of the W.B. Williams Survey, Abstract No. A-952, City of Farmersville, Collin County, Texas.

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

- Mayor Rice stated the Council would reconvene from Executive Session at 7:15 p.m.
  - Craig Overstreet made a motion to authorize the City Manager to negotiate and execute a contract in accordance with the terms discussed in Executive Session.
  - 2<sup>nd</sup> to approve was Jim Hemby.
  - All council member voted in favor
- Mayor Rice went back to Item A from the Regular Agenda.
- Ben White stated the item was a rebid of the Hamilton Street Project. The lowest bidder was Vessels Construction out of Sherman, Texas. He said they have done several projects in the city. The bid was for \$1,083,874.18 and a bid bond in the amount of 5% was submitted. He said staff recommends awarding the contract to Vessels Construction.
  - Motion to award contract to Vessels Construction made by Donny Mason
- Craig Overstreet asked for an amended motion to allow the City Manager to have signing authority on the project.
- Donny Mason accepted the amendment to the motion.
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor


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

- Craig Overstreet asked for an update on boundary agreements.


**XI. ADJOURNMENT**

Meeting was adjourned at 7:18 p.m.

APPROVE:

  
\_\_\_\_\_  
Jack Randall Rice, Mayor

ATTEST:

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

