



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
January 14, 2020, 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, Dwain Mathers and Donny Mason were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Kim Morris, Rick Ranspot, Paula Jackson, Daphne Hamlin and City Attorney Alan Lathrom were also present.
- Prayer was led by Kim Morris, Fire Chief for the City of Farmersville, followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - City Hall will be closed on Monday, January 20th in observance of Martin Luther King, Jr. Day.
 - The first day to submit an application for the May City Council election will be Wednesday, January 15th. Application packets can be picked up at City Hall.
 - A free Skywarn training session will be held at the Collin College Conference Center on Saturday, January 18th at 8:30 a.m.
 - Mayor Rice also stated that the Collin County Citizens Prosecutor's Academy deadline for registration would be January 15th and he highly recommended the program.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 Financial Report
- J. City Manager’s Report

- Mike Hurst wanted to pull the City Manager’s Report.
 - Motion to approve items A-I made by Jim Hemby
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- Mike Hurst wanted an update regarding the progress of filling the position for the Building Official.
- Ben White stated since the title was changed to Building Official the city received more applications. He explained that we have interviewed someone for the position and a follow up interview will be soon.
 - Motion to approve the City Manager’s Report made by Mike Hurst
 - 2nd to approve was Craig Overstreet
 - 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. Minutes
 - 2. Financials
 - 3. Possible Council Liaison Report
 - Dwain Mathers stated there was no quorum.

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

- D. Main Street Board
 - 1. Annual Report
 - 2. Possible Council Liaison Report
 - Donny Mason stated he was out of town.

- E. Planning & Zoning Commission
 - 1. Possible Council Liaison Report
 - Craig Overstreet stated they last meet on Dec. 16th and they had a public hearing on the Tran 557 Addition that the City Council would hear later on the agenda.

- F. TIRZ Board
 - 1. Financials
 - 2. Possible Council Liaison Report

VI. PUBLIC HEARING

- Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0114-001 regarding a text amendment to Chapter 77, "Comprehensive Zoning Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend various provisions of said Chapter which regulate the building products, materials or methods used in the construction or renovation of residential or commercial buildings to bring such provisions into conformity with new state laws adopted by and through House Bill 2439.

- Ben White stated the Planning & Zoning Commission did review the changes and approved them. He recommended approval so the Zoning Ordinance would become compliant with state law.
- Mayor Rice opened the public hearing at 6:12 p.m. and asked if anyone wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 6:12 p.m.
- Mayor Rice read the caption of the Ordinance.

AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERSVILLE, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING SECTION 77-29, "DEFINITIONS," TO MODIFY THE DEFINITIONS OF "BUILDING" AND "STRUCTURE" AND ADD DEFINITIONS FOR THE PHRASES "HISTORICALLY SIGNIFICANT AREA" AND "SIGNIFICANTLY IMPORTANT BUILDING," AMENDING SECTION 77-51, "NON-CONFORMING USES AND STRUCTURES," BY AMENDING PARAGRAPHS (c) AND (d) THEREOF TO RECOGNIZE ADDITIONAL REQUIREMENTS APPLICABLE TO STRUCTURES LOCATED IN A HISTORICALLY SIGNIFICANT AREA OR WHICH ARE A SIGNIFICANTLY IMPORTANT BUILDING, AMENDING SECTION 77-66, "ACCESSORY BUILDING REGULATIONS," BY AMENDING PARAGRAPH (b)(6), "OTHER REGULATIONS," TO RECOGNIZE ADDITIONAL REQUIREMENTS APPLICABLE TO STRUCTURES LOCATED IN A HISTORICALLY SIGNIFICANT AREA OR WHICH ARE A SIGNIFICANTLY IMPORTANT BUILDING, AMENDING SECTION 77-67, "EXTERIOR CONSTRUCTION STANDARDS FOR STRUCTURES," BY RELETTERING PARAGRAPHS (a) THROUGH (i) AS PARAGRAPHS (b) THROUGH (j) AND INSERTING A NEW PARAGRAPH (a) TITLED "RESTRICTIONS ON EXTERIOR BUILDING MATERIAL

REGULATIONS,” AND, AMENDING SECTION 77-73, “EXTERIOR LIGHTING,” BY RELETTERING PARAGRAPHS (a) THROUGH (e) AS PARAGRAPHS (b) THROUGH (f) AND INSERTING A NEW PARAGRAPH (a) TITLED “RESTRICTIONS ON EXTERIOR LIGHTING REGULATIONS” TO BRING ALL OF SAID PROVISIONS INTO CONFORMITY WITH NEW STATE LAWS ADOPTED BY AND THROUGH HOUSE BILL 2439, ALL AS SET FORTH HEREIN BELOW; 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 upon its adoption and publication in accordance with and as provided by Texas law.

- Motion to approve made by Craig Overstreet
- 2nd to approve was Jim Hemby
- All council members voted in favor

- B. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding requested variances from the City's Subdivision Ordinance that require the proposed Tran 557 Addition to construct certain off-site public improvements as are needed to fully serve the property including (1) water lines and other appurtenant improvements required to provide the water volumes and flows sufficient for both domestic and fire-flow uses, (2) connections and sewer lines together with all other appurtenant improvements to the City's wastewater system required to allow the subdivision to tie in to the City's wastewater system, and/or (3) roadway improvements; and, consider, discuss, and act upon a recommendation to the City Council regarding the minor plat for the Tran 557 Addition as well as a proposed ETJ Facilities Agreement addressing the variances requested for the Tran 557 Addition.
- Mayor Rice opened the public hearing at 6:17 p.m. and asked if anyone wanted to speak for or against the item.
 - No one came forward so he closed the public hearing at 6:17 p.m.
 - Alan Lathrom stated the Council would need to approve the plat together with the Facilities Agreement that addresses some of the issues laid out in the letter from DBI Engineering.

- Craig Overstreet stated it does come with a recommendation from the Planning & Zoning Commission and the ETJ Facilities Agreement has been signed by the owners of the property.
 - Motion to approve the plat and Facilities Agreement made by Mike Hurst
 - 2nd to approve was Jim Hemby
 - All council members voted in favor

VII. READING OF ORDINANCES

A. Consider, discuss and act upon the first reading of Ordinance #O-2020-0114-002 granting an exception to the “inscription requirements” for city-owned vehicles.

- Chief Mike Sullivan stated he was unaware of this requirement and it is state law.
- Mayor Rice stated that all city vehicles have to have markings on them unless the exception is granted.
- Chief Sullivan explained that he does not believe other agencies know about the requirement because only a few have adopted the exception.
- Mayor Rice stated if the police officers drive the cars without the markings there could be a penalty. He explained that every time they drive a car on the street that is not properly marked it could cost a fine of \$100.00.
- Chief Sullivan stated he just wanted to make sure the law was being followed.
- Mayor Rice read the caption of the Ordinance.

AN ORDINANCE GRANTING AN EXCEPTION TO THE “INSCRIPTION REQUIREMENTS” OF TEXAS TRANSPORTATION CODE § 721.004 FOR CERTAIN CITY-OWNED VEHICLES USED TO PERFORM AN OFFICIAL DUTY OF THE FARMERSVILLE POLICE DEPARTMENT; 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 made by Craig Overstreet
- 2nd to approve was Mike Hurst
- All council members voted in favor

VIII. REGULAR AGENDA

- A. Consider, discuss and act upon presentation from SHG Land Investments of Farmersville, Ltd. regarding new project and incentives.
- Mayor Rice stated this item would be postponed until the next meeting.
- B. Update from Fire Department regarding Crisis Management Program.
- Chief Kim Morris stated that last year Mr. Brigandi was allowed by Council to form the Crisis Management Program and he was in attendance to give an update.
 - Mr. Brigandi stated they completed their first year as the newly formed unit. They have responded to 16 calls for services resulting in 84 citizens in the state being served. Four of the more challenging calls for service included a pediatric homicide, a line of duty death of a police chief, a fire lieutenant, two children and the perpetrator of the incident, three separate calls to assist suicidal firefighters from agencies in Texas, and the fatality car crash that took the lives of four Community High School students in Nevada. While the calls were challenging, he stated he was inspired and wants to take the program to the next level. He wants to add additional trained crisis counselors to his team and take the time to make them all more available to the surrounding areas once they have more people trained to serve. Calls for services has taken them to Johnson, Ellis, Dallas, and Hunt counties. They have been approached by fire departments in Grayson and Hunt counties to provide behavior health mutual aid when needed. He explained that other agencies are wanting to partner with them or calling to see how to start their own program. He thanked each of the Councilmembers for making the program possible. He explained that they always tell the people they provide service to that they are there on behalf of and because of the citizens of Farmersville. He also thanked Chief Morris and Chief Sullivan for their support.
 - Craig Overstreet asked how many people are involved in the program currently.
 - Mr. Brigandi stated there were three providers right now. He explained that he and Mrs. Brigandi are licensed professional counselors trained and board certified in crisis and another member is Mike Hudson. He is assisting with EMS coordination, has 40 years' experience as a paramedic and is currently in school for counseling.
 - Craig Overstreet stated it was very warming to hear of the number of people they assisted last year.

- C. Consider, discuss and act upon Resolution #R-2020-0114-001 regarding a Memorandum of Understanding between the City of Farmersville Fire Department and the City of Princeton Fire Department.
- Chief Kim Morris stated we have mutual aid agreements already with all nearby cities and we all respond if we are called, but automatic aid is different. He explained it would allow Princeton to come immediately and be dispatched at the same time as Farmersville. He stated they also needed this for the ISO 2 rating as well.
 - Craig Overstreet asked what the legal ramifications would be if the city was limited from being dispatched on a structure fire.
 - Alan Lathrom stated there was no obligation. He stated it would be up to the chief to decide if we have the equipment and support necessary to dispatch that equipment automatically.
 - Chief Morris explained that the county dispatchers would automatically dispatch Princeton at the same time they dispatch the City of Farmersville.
 - Mayor Rice stated it gives the advantage of minutes on a call.
 - Chief Morris stated there was a structure fire last week and it worked then. A lot of the structure was saved.
 - Motion to approve Resolution and the Memorandum of Understanding made by Donny Mason
 - 2nd to approve was Jim Hemby
 - All council members voted in favor
- D. Consider, discuss and act upon an interlocal agreement with Collin County for Ambulance Services.
- Ben White stated the agreement comes up every year. It was originally effective in 2018 and we are in the second year of the renewal. He recommends payment for this in the amount of \$27,036.55. We would pay it in four payments of \$6,759.14.
 - Alan Lathrom stated the contract was a one year contract with an additional four years of renewals.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- E. Update regarding boundary agreements.
- Ben White stated we are trying to establish a meeting with the City of Josephine. Mayor Holt wanted time to discuss with his engineer's and Council before the information is formally presented by the City of

Farmersville. He stated we are trying to set something up with the City of Blue Ridge as well.

- Craig Overstreet asked what cities were involved with the boundary agreements.
- Ben White explained the City of Josephine, City of Nevada, City of Blue Ridge and the City of Princeton are Farmersville's neighboring cities. He stated the City of Nevada and Princeton had already signed the agreements.

IX. EXECUTIVE SESSION

- Mayor Rice read the statement below and said the Council would go in to Executive Session at 6:39 p.m.

Discussion of matters permitted by Texas Government Code Chapter 551 as follows:

A. Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:

1. Consultation with City Attorney regarding mediation or contemplated litigation with United States Department of Justice concerning ADA.

X. 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 7:07 p.m.
 - Motion to move forward with mediation in regards to ADA compliance made by Craig Overstreet
 - 2nd to approve was Jim Hemby
 - All council members voted in favor


XI. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted an item about U.S. Highway 380 and State Highway 78 on the agenda.
- Donny Mason wanted an update on Hamilton Street.

XII. ADJOURNMENT

Meeting was adjourned at 7:09 p.m.

APPROVE:



Jack Randall Rice, Mayor

ATTEST:



Sandra Green, City Secretary

