



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION AGENDA
May 9, 2023, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

WATCH THE LIVE BROADCAST

This meeting will be broadcast live through the City's website and by telephone. Members of the public who wish to watch this meeting, and not speak or participate in the discussion, may watch the live broadcast by

1. Going to the City's website;
2. Clicking on "GOVERNMENT";
3. Clicking on "AGENDAS AND MINUTES";
4. Clicking on the "[click here](#)" link that is located to the right of "LIVE STREAMING."

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements
 - Calendar of upcoming holidays and meetings.
 - We are accepting applications to serve on various City Boards and Commissions.

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

If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

If you wish to address the City Council on a matter not posted on this agenda, please fill out a " Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to a total of thirty (30) minutes.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 (04-11-2023 Revised)
- B. City Council Minutes (04-25-2023)
- C. Public Works Report
- D. City Manager Report

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

C. FEDC Farmersville Economic Development Board (Type A)

1. Possible council Liaison Report

D. Parks & Recreation Board

1. Possible council Liaison Report

E. Planning & Zoning Commission

1. Possible Council Liaison Report

F. TIRZ Board

1. Possible Council Liaison Report

VI. PUBLIC HEARINGS AND ORDINANCES

A. Continued from the April 25, 2023 City Council Meeting: Consider, discuss and act upon a request to change the zoning on three lots containing approximately 0.77 acres of land, more or less, from SF-2 – Single-Family Dwelling-2 District uses on certain of said lots and HC - Highway Commercial District Uses on certain of said lots to C - Commercial District uses subject to the HC - Highway Commercial Overlay District on the entirety of said property to allow for the platting and development of a commercial project. The property is generally situated on the north side of Audie Murphy Parkway (U.S. Highway 380) and the west side of Orange Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

B. Consider, discuss and act upon Ordinance, O-2023-0509-001, regarding change to traffic flow at the Farmersville Intermediate School.

C. Consider, discuss and act upon Ordinance, O-2023-0509-002, regarding modification to the parking ordinance requirements to encompass parking on city property.

VII. REGULAR AGENDA

A. Consider, discuss and act upon Resolution, R- 2023-0509-001, regarding City Manager signatures on City contracts and agreements.

B. Consider, discuss and act upon appointments to various City of Farmersville Boards and Commissions.

C. Consider, discuss and act upon appointments of 2 Board members to the Community Development Corporation Board (Type B).

D. Discussion and possible direction regarding updated budget workshop timeline for FY 2023-2024.

VIII. EXECUTIVE SESSION --

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

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

1. Purchase of certain real property for the improvement and/or expansion of Hamilton Street in an area south of Audie Murphy Parkway (U.S. Highway 380); and

IX. ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION

- A. Consider, discuss, and act upon purchasing certain real property for improvement and /or expansion of Hamilton Street in an area south of Audie Murphy Parkway (U.S. Highway 380).

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

XI. ADJOURNMENT

Dated this 4th day of May 2023.

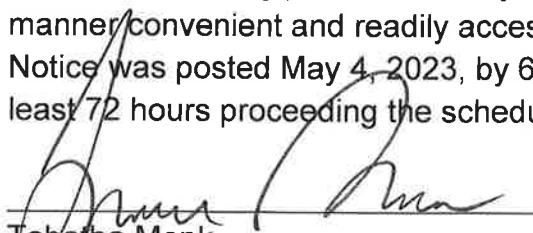


Bryon Wiebold, Mayor

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advise necessitated by the deliberation or discussion of said items (as needed) listed on the agenda, as authorized by Texas Government code Section 551.071(a) ("Consultation with Attorney, Closed Meeting").

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted May 4, 2023, by 6:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



Tabatha Monk
City Secretary



I. Preliminary Matters

MAY 2023

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--|---|-----------|--|---|--|
| | | | | | | |
| | 1 Early Voting 7am – 7pm | 2 Early Voting 7am – 7pm | 3 | 4 Parks & Recs Board Meeting 5:00 pm | 5 | 6 Farmersville Market 9:00 am Election Day 7 am - 7 pm |
| 7 | 8 | 9 City Council Meeting 6:00 pm | 10 | 11 | 12 | 13 |
| | FCDC (4B) Meeting 6:00 pm | | | | | |
| 14 | 15 Canvassing Election 9:00 a.m. | 16 P&Z Meeting 6:00 pm | 17 | 18 FEDC (4A) Meeting 6:00 pm | 19 | 20 |
| | | | | | | |
| 21 | 22 | 23 Zoning Board of Adjustment Meeting 5:30 p.m. City Council Meeting 6:00 pm | 24 | 25 City Amenities Board Meeting 4:00 pm | 26 (tentative) Budget Workshop 9:00 a.m. – 11:30 | 27 |
| | | | | | | |
| 28 | 29 City Hall Closed – Memorial Day | 30 | 31 | | | |

JUNE 2023

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|------------------------------------|---------------------------------------|-----------|--|--------|-------------------------------------|
| | | | | 1 Parks & Recs Board Meeting 5:00 pm | 2 | 3 Farmersville Market 9:00 am |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 Audie Murphy Day |
| 11 | 12 FCDC (4B) Meeting 6:00 pm | 13 City Council Meeting 6:00 pm | 14 | 15 FEDC (4A) Meeting 6:00 pm | 16 | 17 |
| 18 | 19 | 20 P&Z Meeting 6:00 pm | 21 | 22 City Amenities Board Meeting 4:00 pm | 23 | 24 |
| 25 | 26 | 27 City Council Meeting 6:00 pm | 28 | 29 | 30 | |

**II. Public Comment on agenda items (FOR NON-
PUBLIC HEARING AGENDA ITEMS)**

| | |
|------------------------------|--|
| Agenda Section | Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS) |
| Section Number | II. |
| Subject | Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS) |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | NA |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency. |
| Action | NA |

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

| | |
|------------------------------|--|
| Agenda Section | CITIZENS COMMENTS ON MATTERS NOT ON THE AGENDA |
| Section Number | III. |
| Subject | cITIZEN COMMENTS ON MATTERS NOT ON AGENDA CITIZENS COMMENTS ON MATTERS NOT ON THE AGENDA |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 09, 2023 |
| Attachment(s) | NA |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | If you wish to address the City Council on a matter not posted on this agenda, please fill out a " Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to a total of thirty (30) minutes. |
| Action | NA |

IV. Consent Agenda

| | |
|------------------------------|--|
| Agenda Section | Consent Agenda |
| Section Number | IV A. |
| Subject | CC Minutes 04-11-23 Revised Regular Agenda Item G. |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
April 11, 2023, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

I. PRELIMINARY MATTERS

- Mayor Bryon Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Terry Williams, Ted Wagner, Mike Henry and Lance Hudson were in attendance. City staff members in attendance were City Manager, Ben White, Assistant City Manager, Mike Sullivan; City Secretary, Tabatha Monk, Police Chief Marsha Phillips, Fire Chief Gregg Massey, Warrant Officer Rick Ranspot and City Attorney, Alan Lathrom.
- Prayer was led by Councilmember Overstreet and the pledges to the United States and Texas flags were led by Mayor Wiebold.
- Mayor Wiebold announced to check the City Calendar for any upcoming closings for holidays and meetings and advised starting April 24th will be the first day of early voting at Collin College Farmersville Campus.
- Mayor Wiebold brought to everyone's attention we are accepting applications to serve on various boards and commissions and there are applications on the table by the entrance to the Council Chamber.

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

- Glynis Box addressed the City Council and spoke regarding the ETJ and annexation.
- Randy Smith addressed the City Council regarding who can vote in the ETJ and how that is determined.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- No one spoke under this item.

IV. CONSENT AGENDA

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Councilmember Overstreet made a motion to pull all items for discussion.
Councilmember Henry seconded the motion.
The motion was carried unanimously (5-0).

- A. City Council Minutes (03-28-2023).
On the March 28, 2023, City Council meeting **Councilmember Overstreet** requested that the items (R-2023-0328-001 and R-2023-0328-002) involving the Opioid Settlements, have an accounting be done annually stipulating what the City could specifically do with the funds This information was left off the March 28th minutes and it is being requested to add this information to them.
Councilmember Henry made a motion to approve the City Council minutes.
Councilmember Overstreet seconded the motion to approve the minutes.
The motion was carried unanimously (5-0).
- B. Financial Report.
Councilmember Henry requested a reconciliation for the next CC meeting of water, wastewater, and electricity. Mr. White answered questions and advised that with the answering of those questions for now we will not need to come back with the reconciliation.
Councilmember Overstreet made a motion to approve the Financial Report.
Councilmember Henry seconded the motion to approve.
The motion was carried unanimously (5-0).
- C. Public Works Report.
Mr. White answered questions regarding streets.
Councilmember Henry approved the Public Works Report.
Councilmember Williams seconded the motion.
The motion was carried unanimously (5-0).
- D. City Managers Report.
Mr. White answered the City Councils questions.
Councilmember Henry approved the Public Works Report.
Councilmember Williams seconded the motion.
The motion was carried unanimously (5-0).

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: (**Councilmember Wagner** advised no meeting.)
- B. Farmersville Community Development Board (Type B)
 - 1. Possible Council Liaison Report: (**Councilmember Henry** advised they had a meeting last night; they confirmed their \$100,000.00 contribution for the onion shed to be in conjunction with the Collin County Open Space Grant, same for the \$50,000.00 for Rambler Park. They reviewed some additional grant requests and approved Southlake fish project \$4,320.00. City Park wall completion \$200,000.00. Bain Honaker \$42,000.00. Spain Complex \$60,000.00. Miscellaneous set aside of \$20,000.00 in case any of those ran over or they need additional funds for attorney fees.
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Possible Council Liaison Report: (**Councilmember Williams** advised no meeting.)
- D. Parks & Recreation Board
 - 1. Possible Council Liaison Report: (**Councilmember Wagner** advised they entered new changes to the Little League Baseball Contract. They discussed baseball league new changes. They discussed updates of vendors and entertainers for Music in the Park and they already have all of those picked out. They discussed the new banners they have in for Rails to Trails.
- E. Planning & Zoning Commission

1. Possible Council Liaison Report: (**Councilmember Hudson** advised no meeting).
- F. TIRZ Board
1. Possible Council Liaison Report: (**Councilmember Overstreet** advised no meeting).

VI. PUBLIC HEARINGS AND ORDINANCES

A. "Consider, discuss, and act upon Ordinance, O-2023-0411-001, regarding the Annexation of area commonly referred to as the Chaparral Rails to Trails or the Chaparral Trail."

- Mr. White updated the City Council and answered their questions regarding this item.
- **Councilmember Henry** made a motion to approve ordinance, O-2023-0411-001.
- **Councilmember Williams** seconded the motion to approve.
- The motion was carried unanimously (5-0).

VII., REGULAR AGENDA

A. "Consider, discuss and act upon a upon a preliminary Plat for Sandy Landing generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas on approximately 26.0183 acres of land more or less."

- Mr. White updated the Council on this item and answered their questions.
- **Councilmember Williams** made a motion to approve the Preliminary Plat.
- **Councilmember Wagner** seconded the motion.
- The motion was carried unanimously (5-0).

B. "Discussion regarding general concepts and approaches to economic development projects presented by Larry Tucker, Farmersville Economic Development Director."

- This item was skipped and tabled as Mr. Tucker did not attend the meeting.

C. "Consider, discuss and act upon the Athletic Complex Joint Use Agreement between the City of Farmersville and the Farmersville Little League Baseball Association."

- This item was tabled due to no signature from the Little League Board.

D. "Consider, discuss and act upon the appointment of 3 Board members to the Community Development Corporation Board (4B). "

- Councilmember Henry updated the City Council on this item. This is a 7-member board that is down to 4 members.
- **Mayor Wiebold** nominated Mike Henry to the 4B Board.
- **Councilmember Williams** seconded the nomination.

- **Councilmember Williams** made a motion to appoint Mike Henry to the 4B Board.
- **Councilmember Hudson** seconded the motion.
- The motion was carried unanimously (5-0).

E. "Discussion, possible direction and action regarding the upcoming City Board and Commission Appointments."

- Mr. White updated the City Council on this item and answered their questions.
- City Council discussed this item and reminded citizens to please pick up an application from the back table and consider volunteering.
- No action was needed.

F. "Consider, discuss and act upon declaring certain City-owned personal property (used by the Police Department, Fire Department and Public Works) as salvage or surplus personal property and authorizing the City to sell, convey or dispose of said salvage or surplus personal property."

- Mr. Sullivan updated the Council on this item and answered their questions.
- **Councilmember Williams** made a motion to approve.
- **Councilmember Wagner** seconded the motion.
- The motion was carried unanimously (5-0).

G. "Consider, discuss and action authorizing the City Manager to negotiate an agreement with Thrive Broadband and Broadband Telecom Services for the development of a Broadband Fiber Network in Farmersville in accordance with the Request for Proposal issued by the City with any resulting final agreement being considered by the City Council at a regular public meeting."

- Mr. White updated the Council on this item.
- James Lightfoot, owner of the engineering firm working with Thrive addressed the City Council.
- Zachary Schmidt with Thrive Broadband addressed the Council.
- Brent Bethel with Thrive Broadband addressed the Council.
- **Mayor Wiebold** advised that he thinks this is a blessing for the City of Farmersville and this puts us in a position, as Thrive presenters mentioned, in the front of other municipalities around us as far as economic development and actually being able to court serious companies that we would want here as opposed to just smoke stacks and dust and all the other things that might want to come out to Farmersville. All that is being asked tonight is that we move forward and walk through this next gate, this next door and sit down and further discuss. Possibly having a workshop with Thrive Broadband to answer any questions and explain and learn, take a deeper look, a deeper dive and again there is no harm to the city. If we get into contract negotiations and it doesn't look favorable, we can always vote no on the

contract and not move forward with it. Mayor thinks we would be doing the citizens and the town a disservice if we don't move forward with this and take a further look at a potential relationship with this RFP.

- **Councilmember Wagner** agrees with the Mayor to move forward with this.
- **Councilmember Overstreet** stated that he believes it would behoove the city to have a disinterested but informed person or persons to look at this over the next 2 or 3 weeks. As far as the revenue sharing agreement and as far as the cost breakdown that was provided, he is delighted of Thrive Broadband's interest, but this body, (City Council), is not in this business and does not have the knowledge as it relates to fiber as that is an ever-changing industry to make an informed decision. Councilmember Overstreet also states both parties presenting, (Thrive Broadband and City Manager), are very interested, so it would be in the City's best interest to get feedback from a third party who is informed but does not have an interest.
- **Councilmember Williams** made a motion to proceed with the next steps, taking the advice of the city attorney, we open up the negotiations, we look to see if it is doable, take the time and effort to learn more and make decisions at that time, but he believes it is time to take the next step and authorize the City Manager to negotiate an agreement with Thrive Broadband.
- **Councilmember Wagner** seconded the motion to move forward.
- The motion passed (3-2; Hudson, Wagner and Williams voting yes and Henry and Overstreet voting no.).

H. "Consider, discuss, and act upon a recommendation to award the contract for the Onion Shed Improvement Project to the lowest responsible bidder A & C Construction, Inc., of Irving, Texas together with an accompanying deductive change order for a total contract price not to exceed \$220,000.00. "

- Mayor Wiebold opened agenda item I. for discussion at this time as well.

I. "Consider, discuss, and act upon a recommendation to award the contract for the Rambler Park Improvement Project to the lowest responsible bidder A & C Construction, Inc., of Irving, Texas together with an accompanying deductive change order for a total contract price not to exceed \$122,500.00."

- Mr. White updated the Council on both items H and I.
- Mr. White answered the Council's questions.
- **Councilmember Henry** made a motion to approve the Onion Shed Project with the caveat that the change order be concluded and the price not to exceed \$220,000.00 and in addition approve Rambler Park Project and the change order not to exceed \$122,500.00.
- **Councilmember Hudson** seconded the motion.
- The motion was carried unanimously (5-0).

J. "Consider, discuss and act upon a performance agreement with the Farmersville Community Development Corporation for the acquisition of a certain tract of land to be conveyed to the City for park purposes through the use of funds supplied in part by a grant from Collin County through the Collin County 2018 Parks and Open Space Bond Program with the balance provided by the Farmersville Community Development Corporation."

- Mr. Lathrom updated the City Council on this item.
- Mr. Lathrom answered questions from the City Council.
- Aaron Distefano with the CDC board discussed this item and answered questions from the City Council.
- **Councilmember Henry** made a motion to approve.
- **Councilmember Overstreet** seconded the motion.
- The motion was carried unanimously (5-0).

K. "Consider, discuss and act upon Resolution, R-2023-0411-001, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the 2022 Texas Community Development Block Grant Program (TXCDBG), Grant Agreement Number CDV21-0422."

- Mr. White updated the City Council on this item.
- **Councilmember Williams** made a motion to approve.
- **Councilmember Henry** seconded the motion.
- The motion was carried unanimously (5-0).

L. "Consider, discuss and act upon Resolution, R-2023-0411-002, adopting required Community Development Block Grant Civil Rights Policies."

- **Councilmember Henry** made a motion to approve.
- **Councilmember Williams** seconded the motion.
- The motion was carried unanimously (5-0).

M. "Consider, discuss and act upon a Proclamation declaring the month of April as Fair Housing Month."

- **Mayor Wiebold** read the Proclamation into record.
- **Councilmember Williams** made a motion to approve.
- **Councilmember Henry** seconded the motion.
- The motion was carried unanimously (5-0).

N. "Consider, discuss and act on Resolution, R-2023-0411-003, expressing opposition to House Bill 2127 and Senate Bill 814."

- Mr. Lathrom updated the Council regarding this item.
- **Councilmember Henry** moved approval of resolution R-2023-0411-003.
- **Councilmember Williams** seconded the motion.
- The motion was carried unanimously (5-0).

O. "Consider, discuss and act on resolution R-2023-0411-004, expressing opposition to House Bill 2265."

- Mr. Lathrom updated the Council regarding this item.
 - **Councilmember Henry** moved approval of resolution R-2023-0411-004.
 - **Councilmember Overstreet** seconded the motion.
 - The motion was carried unanimously (5-0).
- P.** “Consider, discuss and act upon Farmersville Community Development Corporation’s (Type B’s) First Amended Project List and Budget for Fiscal Year 2022-2023.”
- This item is tabled until the next City Council meeting.
- Q.** “Consider, discuss and act upon resolution R-2023-0411-005 regarding membership into Texas SmartBuy.”
- Mr. White updated the Council on this item.
 - **Councilmember Hudson** moved approval of resolution R-2023-0411-005.
 - **Councilmember Overstreet** seconded the motion.
 - The motion was carried unanimously (5-0).

**VII.VIII. EXECUTIVE SESSION –WENT INTO EXECUTIVE SESSION AT 7:52 PM
RECONVENED FROM EXECUTIVE SESSION AT 8:16 PM**

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

- A.** Section 551.072, **DELIBERATION REGARDING REAL PROPERTY,**
1. Deliberation regarding the purchase of certain real property for the improvement and/or expansion of Hamilton Street in an area south of Audie Murphy Parkway (U.S. Highway 380).

• **ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION**

- A.** Consider, discuss and act upon purchasing certain real property for the improvement and/or expansion of Hamilton Street in an area south of Audie Murphy Parkway (U.S. Highway 380).
- No action was taken, and Mr. White has received direction.

• **REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- **Councilmember Overstreet:** Request items that were already requested previously. Code enforcement, Wastewater plant, EDC Director report to City Council, 380 Bypass Project and Hwy. 78 Project.

• **ADJOURNMENT**

ADJOURNMENT

Mayor Wiebold adjourned the meeting at 8:17 p.m.

APPROVE:

Bryon Wiebold, Mayor

ATTEST:

Tabatha Monk, City Secretary

| | |
|------------------------------|--|
| Agenda Section | Consent Agenda |
| Section Number | IV B |
| Subject | CC Minutes 04-25-23 |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
April 25, 2023, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

I. PRELIMINARY MATTERS

- Mayor Bryon Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Terry Williams, Ted Wagner, Mike Henry and Lance Hudson were in attendance. City staff members in attendance were City Manager, Ben White, Assistant City Manager, Mike Sullivan; City Secretary, Tabatha Monk, Police Chief Marsha Phillips, Fire Chief Gregg Massey, Warrant Officer Rick Ranspot and City Attorney, Alan Lathrom.
- Prayer was led by Councilmember Overstreet and the pledges to the United States and Texas flags were led by Mayor Wiebold.
- Mayor Wiebold announced to check the City Calendar for any upcoming closings for holidays and meetings.
- Mayor Wiebold brought to everyone's attention we are accepting applications to serve on various boards and commissions and there are applications on the table by the entrance or they can be picked up at City Hall from the ladies up front.
- Special appreciation presentation by Chief Massey to Atmos Energy for a donation to the Fire Department.

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

- No one spoke under this item.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- Richard Hill spoke against the Farmersville ETJ and asked the City of Farmersville to de-annex the Chaparral Trail.
- Sue Williams spoke in favor of the MDD and to give out true and information regarding the ETJ and clear up rumors.

- Jamie NeSmith spoke against the ETJ and wanted to know why no one came and spoke with the residents in Merit area explaining what was going on regarding the ETJ and MDD election. She would like something in writing explaining everything so they can feel comfortable with what is really happening and not rumors and hearsay.
- David White spoke against the MDD and ETJ (trail).
- Chris Russmann spoke against the ETJ and asking the City to reverse the trail annexation. He also asked if the MDD passes he wants to make sure people in the ETJ are put on the MDD Board to make sure the monies are spent in the "right way."
- Karen Sourber spoke against the ETJ and asked that she would like the City to reverse the ETJ.
- Aaron DeStefano spoke about his disappointment over the response to the ETJ and MDD and personal attacks of the Council and Mayor on social media. He advised ways in which would be positives to make positive changes in the community.

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. Councilmember Overstreet asked to withdraw for discussion the Financial Budget Report, Public Works Report and City Manager Report.

Councilmember Overstreet made a motion to pull the minutes for discussion and approve the Investment and Budget Report.

Councilmember Henry seconded the motion.

The motion was carried unanimously (5-0).

A. City Council Minutes (04-11-2023).

On the April 11, 2023, City Council meeting "Item G Consider, discuss and action authorizing the City Manager to negotiate an agreement with Thrive Broadband and Broadband Telecom Services for the development of a Broadband Fiber Network in Farmersville in accordance with the Request for Proposal issued by the City with any resulting final agreement being considered by the City Council at a regular public meeting" **Councilmember Overstreet** stated he does not feel the minutes accurately reflect the discussion regarding Councilmember Overstreet's requested analysis from

an independent third party to review the requested proposal between the City and the Fiber Provider.

Councilmember Overstreet made a motion to have this statement reflected in the April 11, 2023, City Council meeting minutes then brought back at the next meeting for approval.

Councilmember Henry seconded the motion.

The motion was carried unanimously (5-0).

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: (**Councilmember Wagner** advised no meeting.)
- B. Farmersville Community Development Board (Type B)**
 - 1. Possible Council Liaison Report: (**Councilmember Henry** advised no meeting.)
- C. FEDC Farmersville Economic Development Board (Type A)**
 - 1. Possible Council Liaison Report: (**Councilmember Williams** advised the group met and have posted an attempt to get more applications for Economic Development Director position.)
- D. Parks & Recreation Board**
 - 1. Possible Council Liaison Report: (**Councilmember Wagner** advised no meeting.)
- E. Planning & Zoning Commission**

1. Possible Council Liaison Report: (**Councilmember Hudson** advised he was unable to attend.)
- F. TIRZ Board
 1. Possible Council Liaison Report: (**Councilmember Overstreet** advised no meeting.

VI. PUBLIC HEARINGS AND ORDINANCES

A. “Public Hearing to consider, discuss and act upon a request to change the zoning on three lots containing approximately 0.77 acres of land, more or less, from SF-2 – Single-Family Dwelling-2 District uses on certain of said lots and HC - Highway Commercial District Uses on certain of said lots to C - Commercial District uses subject to the HC - Highway Commercial Overlay District on the entirety of said property to allow for the platting and development of a commercial project. The property is generally situated on the north side of Audie Murphy Parkway (U.S. Highway 380) and the west side of Orange Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.”

- Mayor Wiebold opened the public hearing at 6:32 p.m.
- Brent Ahrend spoke against this zoning to commercial. He shared his opinions regarding this request.
- Stephanie Roberts spoke against this zoning to commercial. She thanked the Mayor and Council for keeping the City safe. She shared her opinions and experiences with commercial property near her home (Dairy Queen).
- Chris Roberts spoke against zoning to commercial. He stated this is a residential area where people are raising families and his biggest concern is the traffic flow in the residential area.
- Scott Douglas spoke against zoning to commercial. He's really wanting to keep the integrity of the town. He also worries about increased traffic near the residential home for the elderly.
- Amy Saffell spoke against zoning to commercial. She does not feel it would be in the neighborhood's best interests to allow more commercial to encroach on the residential space.
- Miller McClure spoke against zoning to commercial. He states the neighborhood is very lovely and hopes to keep more traffic out of the neighborhood. He stated his other concerns turning more lots to commercial.
- Tony Gray, listing agent for the property spoke for the commercial zoning. He states this lot has been vacant for 35 years. He states his other opinions regarding this zoning variance request.

- Chris Russmann spoke neither for or against this item he was just wanting to set the record straight that the owner of this property has lived in this community for 49 years. He thought that should be noted.
 - Dan Day, property owner, spoke for the zoning of the commercial. He stated his reasons for wanting this zoning variance.
- Mayor Wiebold closed the public hearing at 6:50 p.m.
- Mr. White and Alan Lathrom answered questions from the City Council regarding this item.
 - **Councilmember Henry** stated he would like an answer from the City Attorney to **Councilmember Overstreet's** question, that is if this use were to change, would there have to be a buffer being some type of wall, and of course they would have to abide by all lighting standards. Is there a wall or some type of buffer between the 2 zones?
 - **Mayor Wiebold** asked the citizens if they were against all commercial, certain types of commercial or only wished to have residential.
 - The Citizens that spoke during the PH, as well as Sarah Ahrend, voiced their various thoughts.
 - **Sue Williams**, Planning and Zoning Commissioner, addressed the City Council regarding the thoughts of the Planning and Zoning Board regarding this item. She advised they were having the same concerns that Councilmember Henry is voicing regarding the residents. She then explained the P&Z Chairman, Joe Helmberger, pointed out was this lot has been vacant for many years and the City is losing out on the ability to make any money if this land just sits empty. She did advise they voted to recommend approval of the commercial zoning unanimously.
 - Alan Lathrom advised there is a requirement in 77-69 of the zoning ordinance that does require a solid screening wall or fence of not less than 6ft or more than 8ft. in height erected along the entire property line between the 2 zoning districts. The required materials for the wall are brick masonry, stone masonry, or other architectural masonry finish. Tubular steel or wrought iron fence with masonry columns spaced a maximum 20 feet on center with structural support every 10 feet and with sufficient evergreen landscaping to create a screening effect or alternate equivalent approved by the Planning and Zoning Commission and/or City Council depending upon who has final approval authority over the Site Plan. Anything else would require an alternate approval process.
 - **Mayor Wiebold** asked the City Attorney what are the lighting requirements down the wall.

- **Mr. Lathrom** advised there were no lighting requirements that the wall be lit, there are no requirements that the property be lit. If the property does have lighting, there will be requirements.
- **Councilmember Overstreet** gave his thoughts on this item.
- **Councilmember Henry** made a motion to continue this item to the next City Council meeting, (May 9th), for discussion and resolution.
- **Councilmember Williams** seconded the motion.
- The motion was carried unanimously (5-0).
- **Mayor Wiebold** and the City Council expressed their appreciation to everyone that came out and expressed their thoughts and opinions to them and to each other. The Mayor stated that is very commendable.

VII., REGULAR AGENDA

- A.** "Certificate of Appreciation presented by Fire Chief, Greg Massey, to Atmos Energy for a \$2,500.00 donation of the Farmersville Fire Department to purchase 2 RKI Multi Gas Detectors and Calibration Kit."
- This item was addressed earlier in the meeting.
 - No action was needed.
- B.** "Consider, discuss and act upon Resolution, R- 2023-0425-001 regarding denial of Texas New Mexico Power Company's application for approval to amend its distribution cost recovery factor to increase distribution rates."
- Mr. White updated the City Council on this item.
 - **Councilmember Henry** made a motion to approve Resolution, R-2023-0425-001.
 - **Councilmember Hudson** seconded the motion.
 - The motion was carried unanimously (5-0).
- C.** "Consider, discuss and act upon appointments to various City of Farmersville Boards and Commissions."
- Mr. White updated the Council on this item.
 - City Council gave direction to keep this item on each agenda until after they have made appointments to the various Boards and Commissions.
- D.** "Consider, discuss and act upon appointments of 2 Board members to the Community Development Corporation Board (Type B)."
- Mr. White updated the Council on this item.
 - City Council gave direction to keep this item on each agenda until after they have made the appointments to the 4B board.
- E.** "Consider, discuss and act upon Farmersville Community Development Corporations (Type B), First Amended Project List and Budget for Fiscal Year 2022-2023. "

- **Councilmember Henry** updated the Council on this item. He advised that this was discussed when he gave the report for 4B at the beginning of the month. 4B had several grant requests come in and they are trying to get them wrapped up and in their amended budget.
 - Southlake Fish Project \$4320
 - City Park Walls Completion \$200,000
 - Bain Honaker Repairs \$42,000
 - Spain Complex Netting \$60,000
 - Miscellaneous Expenses \$20,000

(The miscellaneous expenses are to cover any additional engineering, architectural, legal or cost overages that may come in all those projects.).
- **Councilmember Overstreet** ask the City Attorney as these are budgeted items that may or may not be complete in this City fiscal year, will those be allocated specifically for this purpose if the 4B corporation should dissolve after the election, will these budget items be honored?
- City Attorney advised yes, and **Councilmember Henry** went on to explain that how this process works is they have their commitments, and they will continue forward until they have finished those commitments if their dissolution happens. It will move into next year in all likelihood and those monies will be set aside for that purpose.
- Mr. Lathrom advised there will be Performance Agreements with each of those projects.
- Mike Sullivan advised the netting expense is direct through the Little League and not through the City Parks and Recreation.
- **Councilmember Williams** advised on the City Park Walls Completion project, that he has seen a lot of cracks in the mortar and patches on the wall so is there something wrong or what is the issue with this?
- **Councilmember Henry** advised they can have that looked at by the Engineer and figure out how to correct it.
- **Councilmember Williams** also advised on the east side of the wall walking towards the street, there is a good-sized hole.
- **Councilmember Henry** advised they would have it looked at.
- **Steve Caspari, President of the Community Development Corporation (4B)**, addressed the Council that they did notice that and have talked to Mr. Alvarez about coming back out to take a look at this and that Mr. Alvarez would come back and address any other issues they see.
- **Councilmember Overstreet** made a motion to approve the budget amendments (listed above) between the CDC President and the City.
- **Councilmember Hudson** seconded the motion.
- The motion was carried unanimously (5-0).

**VIII. EXECUTIVE SESSION –WENT INTO EXECUTIVE SESSION AT 7:26 PM
RECONVENED FROM EXECUTIVE SESSION AT 8:06 PM**

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

- A. Section 551.071, **CONSULTATION WITH ATTORNEY**,
 - 1. Section 551.071(1) Deliberation regarding pending or contemplated litigation:
 - i. Cit of Farmersville v. Charles Louis Hopkins,
 - 2. Section 551.071(2) Consultation with Attorney regarding any item requiring confidential attorney/client advice:
 - i. Establishing an uncertain boundary line on a tract of City-owned real property.
- B. Section 551.072, **DELIBERATION REGARDING REAL PROPERTY**,
 - 1. Purchase of certain real property for the improvement and/or expansion of Hamilton Street in an area south of Audie Murphy Parkway (U.S. Highway 380).
 - 2. Termination of lease agreement with AMR; and
 - 3. Lease of certain City-owned real property.

• **ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION**

- A. Consider, discuss and act upon matters discussed in Executive Session.
 - **Councilmember Henry** made a motion to direct staff and the Attorney to move forward in the termination of the lease agreement with AMR.
 - **Councilmember Overstreet** seconded the motion.
 - The motion was carried unanimously (5-0).

• **REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- **Councilmember Overstreet:** Update on the filtration arm for the wastewater treatment plant and ask that this Council continue consideration on the 380 Bypass Project and Hwy. 78 Project.
- **Councilmember Wagner:** Update on the Grass Carp and update on the overflow grate.
- **Councilmember Henry:** Update from the Economic Development Director for 4A.

ADJOURNMENT

Mayor Wiebold adjourned the meeting at 8:08 p.m.

APPROVE:

Bryon Wiebold, Mayor

ATTEST:

Tabatha Monk, City Secretary

| | |
|------------------------------|--|
| Agenda Section | Consent Agenda |
| Section Number | IV C |
| Subject | Public Works Report |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |



Public Works Monthly Report

Metrics

For metrics associated with this report go online to the City of Farmersville website using the following steps:

1. Navigate to: www.farmersvilletx.com
2. Select <OPENGOV> button
3. Navigate within OpenGOV menu to select the metric of choice

Public Works General

1. Lost time accidents for the year.
 - a. Total Number for 2022-2023: 0
 - b. Accidents in Month: 0
2. Project progress below uses the following terminology in order of maturity: concept, engineering, preconstruction, construction, completed. Completion percentages shown are tracking overall project progress through all phases.

Street System

1. Currently active projects in priority order
 - a. For the last month the following streets received repairs:
 - None
 - b. Texas Community Development Block Grant, Community Development Fund. (phase: concept, completion percentage: 2%)
 - Reconstruction and drainage improvements, Davis (Prospect) between Rike and Austin, North Rike: Houston to Davis, Austin: Davis to Houston
 - \$350K grant, \$52.5K match, CDV21-0422
 - Grant has been awarded by Texas Department of Agriculture. Awaiting contract.
 - c. Texas Community Development Block Grant, Main Street Development Fund. (phase: engineering, completion percentage: 5%)
 - Street and accessibility improvements, Farmersville Parkway South Main to Washington
 - \$350K grant, \$52.5K match, CDM21-0423
 - Received project environmental approval from the State.
 - Project is out for bid. Bid opening is scheduled for June 1st.

2. Priority backlog items
 - a. Stripe curb as no parking along Onion Alley
 - b. Stripe along Main Street at railroad
 - c. No parking and fire lane painted curbs downtown
 - d. US Economic Development Administration (EDA) Grant
 - e. Develop thoroughfare impact fees
 - f. Institute railroad silent crossings

Water System

1. Currently active projects in priority order
 - a. None.
2. Large water leak repairs
 - a. Farmersville Parkway
3. Priority backlog items
 - a. Recoat/rehab north elevated water tank.
 - b. Increase pumping capacity at underground storage tank to 1500 GPM pumps.
 - c. Update AMI/meter system with Utility Hawk software to display customer usage.
 - d. Replace cast iron/galvanized water lines:
 - Maple between Windom and Washington
 - Rolling Hills galvanized water lines
 - Windom Street from 7th Street alley to Sycamore
 - Hill Street between Orange and Bois D' Arc
 - Lee Street
 - Maple between Wilcoxson and SH 78
 - e. Chlorine injection system.
 - f. Security cameras at water system focal points.

Wastewater System

1. Currently active projects in priority order
 - a. Continued review of the trickling arm filter operation.
 - i. The trickling filter repair actions are underway. The plastic gasket has been replaced however contractor is awaiting delivery of additional parts before the system can placed back online.
 - b. Lake Haven Wastewater Treatment Plant construction status
 - i. Lift Station: Contract awarded. Construction is underway.
 - ii. High Value Treatment Equipment: Contract awarded. Equipment on order.
 - iii. Structural Equipment: Contract awarded. Start in May.
 - iv. Site Finish Out: Contract opening in May. Contract award in June.
2. Large wastewater collection system repairs
 - a. Floyd Road lift station pump repair.
 - b. High school lift station pump repair.
3. Priority backlog items
 - a. Infiltration project: North of WWTP #1/#2, Replace crushed clay tile line between MH119 and MH129. Downstream of MH129, between 150 and 200 feet. Recommend replacing 200 feet of line downstream of MH129. This is a 15" line.

- b. Develop possible financial plans for interceptor line.
- c. Floyd Road lift station reconstruction with force main.
- d. South side lift station construction
- e. North side lift station SCADA installation
- f. Infiltration project: Replace floor and top of MH119. Install bolt-down top. Pipe to south may be bad.

Storm Water System

- 1. Relocate storm water line between Main Street and City Park drainage ditch. (phase: construction, completion percentage: 100%)

Property and Buildings

- 1. Currently active projects in priority order
 - a. Stock carp in South Lake and fix morning glory outflow structure. (in progress)
 - b. JW Spain concession improvements. (phase: construction, completion percentage: 90%)
 - c. Install Big Bertha emergency siren at Farmersville Heritage Museum. (phase: construction, completion percentage: 65%).
 - d. Onion Shed improvements, Collin County Open Space Grant/FCDC. (phase: preconstruction, completion percentage: 5%)
 - i. Awarded contract. Awaiting construction start date and schedule.
 - e. Rambler Park: ADA swing set and non-ADA swing set installation. (Collin County Open Space Grant/FCDC, phase: preconstruction, completion percentage: 5%)
 - i. Awarded contract. Awaiting construction start date and schedule.
 - f. Chaparral Trail Improvements. (phase: engineering, completion percentage: 2%).
 - i. Grant: 4 X \$200K grant/\$50K match
 - 1. City of Farmersville RTT-SECTION0.00
 - 2. Farmersville Chamber of Commerce RTT-SECTION100
 - 3. Farmersville 4B RTT-SECTION220
 - 4. Hunt County RTT-SECTION320
 - ii. Awaiting contract from State of Texas
- 2. Backlog items
 - a. Stripe parking lot at Senior Center.
 - b. Stripe north downtown parking lot.
 - c. Install remaining banner mounts downtown.
 - d. Riding Arena: greeting sign with rules
 - e. Southlake Park: playground equipment repair

Electrical System

- 1. Currently active projects in priority order
 - a. Pole replacements
 - 400 block Wilcoxson
 - 700 block Maple
 - 900 block North 78
 - West Santa Fe and Bois D Arc
 - b. Removed one span of open wire secondary on 500 block Pendleton

- c. Removed two spans of open wire secondary on 400 block Haughton
- d. Removed three spans of open wire secondary on 400 block North Washington
- e. Removed two spans of open wire secondary on 900 block North SH 78
- f. Installed street light, Main Street at FM 2194
- g. High School indoor practice facility. (phase: construction, completion percentage: 75%)
- h. High School remodel. (phase: construction, completion percentage: 4%)
- 2. Substation and transmission line improvements (phase: concept only, completion percentage: 70%)
 - a. Continued substation site investigation.
 - b. Received substation site appraisal.
- 3. Priority backlog projects
 - a. Complete circuit 1 open wire secondary replacement.

Refuse System

- 1. No new news.

High Speed Internet Service

- 1. Negotiating contract with Thrive Broadband.
- 2. CARES Act Broadband Grant
 - a. \$2.9M grant, \$730K match
- 3. American Rescue Plan Grant
 - a. \$899.4K total
 - b. Used as match for CARES Act Broadband Grant

| | |
|------------------------------|--|
| Agenda Section | Consent Agenda |
| Section Number | IV D. |
| Subject | City Manager Report |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |



City Manager Monthly Report

Metrics

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2. Select <OPENGOV> button
3. Navigate within OpenGOV menu to select the metric of choice

City Manager General

1. Top priority items:
 - a. Economic Development
 - i. Hire Economic Development Director.
 - ii. Fiber
 - iii. New sources of ad valorem/sales tax
 - b. Code enforcement
 - c. Streets
 - d. Water/Sewer lines
 - e. Municipal Development District (MDD)
 - f. Employee compensation and benefits
 - g. Farmersville Electric rates

Ordinances, Resolutions, and Public Hearings (In Priority Order)

1. Street ordinance regarding change of traffic flow at the intermediate school.
2. Modify outdoor fuel storage requirements.
3. Public Hearing for Upper Trinity Regional Water District crossing of the Chaparral Trail close to CR 1098.
4. Modify parking ordinance requirements to encompass parking on city property. (backlog)
5. Modify zoning ordinance to achieve the following (backlog)
 - a. Consider deleting SF3 category.
 - b. Enhance remaining SF categories to promote quality neighborhoods.
6. Subdivision ordinance change to accommodate increased park land dedication and when a plat is required concerning five acres or less. (backlog)
7. Impact fee study and related ordinances. (backlog)
8. VFW SUP Ordinance. (backlog)
9. SH 78 speed study resolution. (backlog)
10. Truck weight capacity ordinance. (backlog)
11. Water design manual change to accommodate rural water pipe designs. (backlog)

Contracts/Agreements/Grants

1. Thrive Broadband Fiber network contract.

2. Lakehaven ILA for emergency services.
3. Little league contract revision.
4. Collin County Open Space grant applications pending ILA.
 - a. Caddo Park Improvements (Estimated Project Cost: \$200K, Collin County Grant: \$100K, Project Coordinator: USACE)
5. Hunt County ILA for public safety mutual aid.
6. The Loop at Farmersville apartments development agreement.
7. CDBG Community Development Fund Grant. \$350K grant/\$52.5K match. Applied for in May 2021. Awaiting contract award from the State.
8. CDBG Main Street Development Fund Grant. \$350K grant/\$52.5K match. Applied for in May 2021.
 - a. Drawing package is complete.
 - b. Awaiting project environmental approval from the State.
9. Caddo Basin CCN agreement for area at the corner of CR 653 and Audie Murphy Parkway.
10. Boundary and lease agreement with Farmersville Grain.
11. Montgomery Farms wholesale wastewater agreement amendment.
12. EDA Planning Grant. (backlog)
13. TP&W Small Communities Parks Grant 50% grant/50% match. (backlog)
14. TP&W Outdoor Recreation Grant. (backlog)
15. State of Texas Historical Preservation Grant. (backlog)

Planning/Plats/Site Plans/Zoning/Variances

1. Tatum Elementary School Plat.
2. High School Plat.
3. Resubmittal of the Orange 380 addition replat, Orange Street at Audie Murphy Parkway.
4. The Loop at Farmersville apartments concept plan.
5. Trevino Estates (1922 CR 554) Preliminary Plat to create 3 residential lots.
6. Rolling Hills Phase 2 (807 CR 655) replat into 2 residential lots.
7. Sandy Landing (CR550) Preliminary Plat.
8. Hunt Energy storage facility on West Audie Murphy Parkway.
9. 301 Rolling Hills variance.
10. Update comprehensive plan. (backlog)
11. Farmersville 14 Lots 1-7, Block A, 14.0145 acres, 19139 CR 656 (NWC CR 656 & CR 700) Platting

Policy/Procedural Changes

1. No new news.

Customer Service Window

1. No new news.

Personnel Related Matters

1. One open police patrol officer position.

Budget/Finance

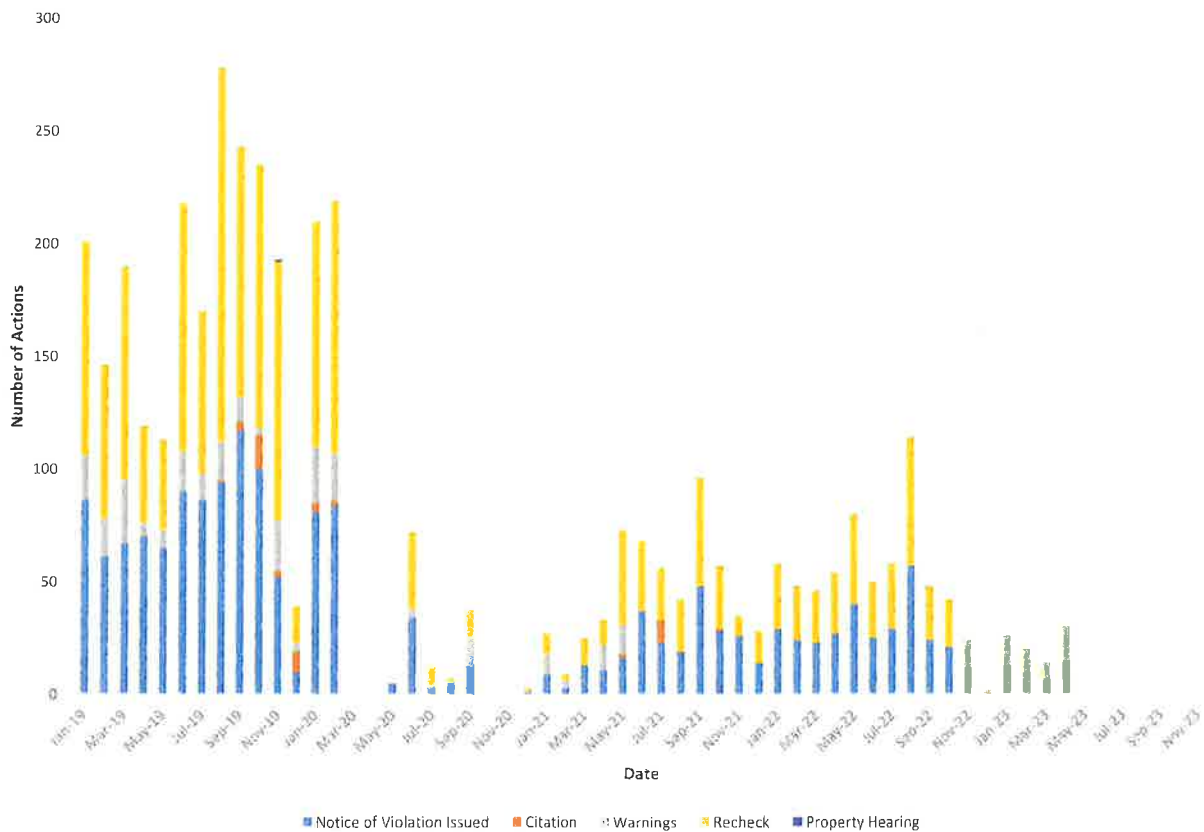
1. End of year auditors continuing their audit process.

Development Services

1. FISC
 - High School 2nd Floor addition
 - High School multipurpose building with practice field

- High School remodel
- 2. Farmersville Loop Apartments
 - Approximately 350 units
 - Preliminary plat approved contingent upon development agreement approval for off-site improvements
- 3. Fountainview Apartments
 - 290 apartment units, 7 buildings in phase 1, 3 buildings in phase 2
 - Preliminary platting approved, awaiting infrastructure construction
- 4. Camden Park
 - Phase IV infrastructure, 110 total
 - Preliminary platting approved, awaiting infrastructure construction
- 5. Code Compliance Update

Code Enforcement Activity



| Case number | Date | Address | Violation | Open/ Close | Revisit |
|-------------|------------|----------------|------------|-------------|---------------------------|
| 040323-1 | 04/03/2023 | 415 S Main St | Grass | Open | Cut grass message left |
| 040423-1 | 04/04/2023 | 1406 Red Oak | Vehicle | Open | Remove vehicle |
| 040523-1 | 04/05/2023 | 502 N Main St | Live Stock | Closed | Remove pigs from property |
| 040623-1 | 04/06/2023 | 204 Maple st | Building | Open | Working with out permit |
| 041223-1 | 04/12/2023 | 216 Dartmouth | Grass | Open | Grass over 12 inches |
| 041223-2 | 04/12/2023 | 1701 Princeton | Grass | Open | Grass over 12 inches |
| 041223-3 | 04/12/2023 | 2008 Princeton | Grass | Open | Grass over 12 inches |
| 041223-4 | 04/12/2023 | 1704 Yale | Grass | Open | Grass over 12 inches |
| 041223-5 | 04/12/2023 | 2008 Yale St | Grass | Open | Grass over 12 inches |
| 041223-6 | 04/12/2023 | 2011 Yale St | Grass | Open | Grass over 12 inches |
| 041223-7 | 04/12/2023 | 208 Dartmouth | Grass | Open | Grass and debris |
| 041223-8 | 04/12/2023 | 212 Dartmouth | Grass | Open | Grass and junk vehicle |
| 041223-9 | 04/12/2023 | 114 Providence | Grass | Open | Grass over 12 inches |
| 041223-10 | 04/12/2023 | 203 University | Grass | Open | Grass over 12 inches |
| 041223-11 | 04/12/2023 | 201 University | Grass | Open | Grass over 12 inches |

Information Technology

1. No new news.

Special Events/Projects

1. No new news.

V. Informational Items

| | |
|------------------------------|--|
| Agenda Section | Informational Items |
| Section Number | V.A. |
| Subject | Amenities Board |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

| | |
|------------------------------|--|
| Agenda Section | Informational Items |
| Section Number | V.B. |
| Subject | Farmersville Community Development Board (Type B) |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

| | |
|------------------------------|--|
| Agenda Section | Informational Items |
| Section Number | V.C. |
| Subject | Farmersville Economic Development Corporation (4A) |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

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| Agenda Section | Informational Items |
| Section Number | V.D. |
| Subject | Parks and Recreation |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

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|------------------------------|--|
| Agenda Section | Informational Items |
| Section Number | V.E. |
| Subject | Planning and Zoning |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

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| Agenda Section | Informational Items |
| Section Number | V.F. |
| Subject | TIRZ Board |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | 1. Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

VI. PUBLIC HEARINGS AND ORDINANCES

| | |
|------------------------------|--|
| Agenda Section | Public Hearings and Ordinances |
| Section Number | VI. A. |
| Subject | Continued from April 25 th CC meeting (Zoning PH Orange/380) |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | PH Notice |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

City of Farmersville Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, April 18, 2023, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on three lots containing approximately 0.77 acres of land, more or less, from SF-2 – Single-Family Dwelling-2 District uses on certain of said lots and HC - Highway Commercial District Uses on certain of said lots to C - Commercial District uses subject to the HC - Highway Commercial Overlay District on the entirety of said property to allow for the platting and development of a commercial project. The property is generally situated on the north side of Audie Murphy Parkway (U.S. Highway 380) and the west side of Orange Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

City of Farmersville Notice of Public Hearing

The Farmersville City Council will hold a public hearing on Tuesday, April 25, 2023, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on three lots containing approximately 0.77 acres of land, more or less, from SF-2 – Single-Family Dwelling-2 District uses on certain of said lots and HC - Highway Commercial District Uses on certain of said lots to C - Commercial District uses subject to the HC - Highway Commercial Overlay District on the entirety of said property to allow for the platting and development of a commercial project. The property is generally situated on the north side of Audie Murphy Parkway (U.S. Highway 380) and the west side of Orange Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

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| Agenda Section | Public Hearings and Ordinances |
| Section Number | VI. B.. |
| Subject | Ordinance O-2023-0509-001 Traffic Flow Farmersville Intermediate School |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Ordinance |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

ORDINANCE NO. O-2023-0509-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 71, "TRAFFIC AND VEHICLES," THROUGH THE AMENDMENT OF ARTICLE VI, "SCHOOL ZONES ESTABLISHED," BY ADOPTING A NEW SECTION 71-201, "FARMERSVILLE INTERMEDIATE ELEMENTARY SCHOOL — ONE-WAY TRAFFIC PATTERN"; THROUGH THE AMENDMENT OF ARTICLE VIII, "ONE-WAY STREETS," BY DELETING SECTION 71-247, "DESIGNATED," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 71-247, ALSO ENTITLED "DESIGNATED," AS SET FORTH HEREIN BELOW; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Farmersville, Texas (the "City") is a Home Rule City possessing the full power of local self-government pursuant to Article XI, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code, and its Home Rule Charter; and

WHEREAS, the City Council of the City of Farmersville, Texas ("City Council"), pursuant to Texas Local Government Code, Sections 51.001 and 51.012, is authorized to adopt an ordinance, not inconsistent with state law, that is for the good government, interest, welfare, peace, or order of the City of Farmersville ("City"), and that is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas for the protection of the public health and general welfare; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

WHEREAS, the City Council finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Farmersville, Texas, to amend certain provisions of Chapter 71, "Traffic and Vehicles," of the Farmersville Code as provided herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct legislative determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. AMENDMENT OF CHAPTER 71, "TRAFFIC AND VEHICLES," THROUGH THE AMENDMENT OF ARTICLE VI, "SCHOOL ZONES ESTABLISHED," BY ADOPTING A NEW SECTION 71-201, "FARMERSVILLE INTERMEDIATE SCHOOL — ONE-WAY TRAFFIC PATTERN"

From and after the effective date of this Ordinance, a new Section 71-201 entitled "Farmersville Intermediate School One-Way Traffic Pattern" is hereby adopted to read as follows:

"Sec. 71-201. – Farmersville Intermediate Elementary School — One-way traffic pattern.

A one-way traffic pattern shall be established during the school zone time during the afternoon for the following streets around Farmersville Intermediate Elementary School:

| Street | Start Limit | End Limit | Direction |
|--------|-------------|-----------|-----------|
| Windom | Sycamore | Wright | North |
| Wright | Windom | Main | East |

SECTION 3. AMENDMENT OF CHAPTER 71, "TRAFFIC AND VEHICLES," THROUGH THE AMENDMENT OF ARTICLE VIII, "ONE-WAY STREETS," BY DELETING SECTION 71-247, "DESIGNATED," IN ITS ENTIRETY AND REPLACING SAID SECTION WITH A NEW SECTION 71-247, ALSO ENTITLED "DESIGNATED"

From and after the effective date of this Ordinance, Section 71-247, "Designated," is hereby deleted in its entirety and replaced with a new Section 71-247, also entitled "Designated," to hereafter read as follows:

"Sec. 71-247. — Designated.

- (a) Any vehicle traveling eastbound on Farmersville Parkway from South Washington to South Main Street shall be limited to traveling eastbound only on the south side of the Best Community Meeting Center.

- (b) Any vehicle traveling westbound on Farmersville Parkway from South Main Street to South Washington Street shall be limited to traveling westbound only on the north side of the Best Community Meeting Center.
- (c) No person shall drive or operate a motor vehicle on King Street from Park Street to Pendleton Street at any time except in a southbound direction.
- (d) No person shall leave, stand or park a motor vehicle at any time on the east side of King Street from a point beginning approximately 165 feet south of its intersection with Park Street and continuing south from that location a distance of 95 feet
- (e) See Sections 71-199 and 71-201 of the Farmersville Code for additional one-way streets and traffic patterns around schools."

SECTION 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SECTION 8. INJUNCTIONS

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

SECTION 9: PUBLICATION

The City Secretary is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty, and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

SECTION 10. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

SECTION 11. PENALTY

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Farmersville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each violation. Each day a violation continues, after the passage of 75 days from the date of filing of the initial complaint with the administrator, shall constitute a separate and distinct offense.

SECTION 12. PUBLICATION

The City Secretary of the City of Farmersville is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

SECTION 13. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

PASSED on first reading on the 9th day of May 2023, and second reading on the 23rd day of May 2023 at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS _____ DAY OF MAY 2023.

APPROVED:

BY: _____
Bryon Wiebold, Mayor

ATTEST:

BY: _____
Tabatha Monk, City Secretary

| | |
|------------------------------|--|
| Agenda Section | Public Hearings and Ordinances |
| Section Number | VI. C.. |
| Subject | Ordinance O-2023-0509-002 modification of parking Ordinance |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Ordinance |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

ORDINANCE NO. O-2023-0509-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 71, "TRAFFIC AND VEHICLES," BY DELETING SECTION 71-172, "UNATTENDED VEHICLES IN PUBLIC PLACES," IN ITS ENTIRETY AND ADOPTING A NEW SECTION 71-172, "UNATTENDED VEHICLES IN PUBLIC PLACES," AND BY ADOPTING A NEW SECTION 71-1725 "PARKING OR STORING OR LEAVING WRECKED, JUNKED, INOPERATIVE, OR UNLICENSED VEHICLES UNATTENDED IN PUBLIC PLACES"; EXCEPTIONS"; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Farmersville, Texas (the "City") is a Home Rule City possessing the full power of local self-government pursuant to Article XI, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code, and its Home Rule Charter; and

WHEREAS, the City Council of the City of Farmersville, Texas ("City Council"), pursuant to Texas Local Government Code, Sections 51.001 and 51.012, is authorized to adopt an ordinance, not inconsistent with state law, that is for the good government, interest, welfare, peace, or order of the City of Farmersville ("City"), and that is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas for the protection of the public health and general welfare; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

WHEREAS, the City Council finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Farmersville, Texas, to amend certain provisions of Chapter 71, "Traffic and Vehicles," of the Farmersville Code as provided herein below .

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct legislative determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. AMENDMENT OF CHAPTER 71, "TRAFFIC AND VEHICLES," BY DELETING SECTION 71-172, "UNATTENDED VEHICLES IN PUBLIC PLACES," IN ITS ENTIRETY AND ADOPTING A NEW SECTION 71-172, "UNATTENDED VEHICLES IN PUBLIC PLACES"

From and after the effective date of this Ordinance, Section 71-172, "Unattended Vehicles In Public Places," is hereby deleted in its entirety and replaced with a new Section 71-172, also entitled "Unattended Vehicles In Public Places," to hereafter read as follows:

"Sec. 71-172. - Unattended Vehicles In Public Places.

- a. No person shall allow a vehicle that is *currently in operable condition* and a *state of good repair* to remain unattended in any place owned or maintained by any governmental entity for a period of time in excess of 48 hours. After such a period of time, if the owner thereof cannot be located by reasonable effort, such vehicle may be impounded. The occasional movement of a vehicle within the same public area for the purpose or effect of evading the restriction imposed by this section shall not stop the running of the 48-hour period prescribed herein.
- b. No person shall park a vehicle in any *place owned or maintained by any governmental entity* unless such vehicle is currently in operable condition and in a state of good repair.
- c. For the purpose of this Section 71-172:
 1. "*Currently in operable condition*" means presently capable of being lawfully operated on the streets and highways of the state, being currently registered with proper license plates displayed, having a current safety inspection and being in running condition without the necessity of first being repaired such as, but not limited to, the inflating of tires or charging of the battery.
 2. "*Place owned or maintained by any governmental entity*" means, but is not limited to, a street, alley, highway, park or public parking area including the grounds of a public school and the grounds of any City building or facility.

3. *"State of good repair"* means the absence of such items as broken glass, substantial body damage (including, but not limited to, crushed or missing fenders, body panels, doors, hoods, or truck deck) or missing parts otherwise necessary for operable condition.
- d. The affixing of a legible notice to the vehicle regarding the prohibition of this section shall be deemed to be a reasonable effort to locate the owner.
- e. This section shall not apply to storage or repair facilities owned, operated or maintained by a governmental entity. Nothing contained in this section shall be construed to restrict or prevent the immediate removal of a vehicle in such cases otherwise allowed by law.

SECTION 3. AND BY ADOPTING A NEW SECTION 71-1725 "PARKING OR STORING OR LEAVING WRECKED, JUNKED, INOPERATIVE, OR UNLICENSED VEHICLES UNATTENDED IN PUBLIC PLACES"

From and after the effective date of this Ordinance, a new Section 71-1725, entitled "Parking or Storing or Leaving Wrecked, Junked, Inoperative, or Unlicensed Vehicles Unattended in Public Places," is hereby adopted to read as follows:

Sec. 71-1725 "PARKING OR STORING OR LEAVING WRECKED, JUNKED, INOPERATIVE, OR UNLICENSED VEHICLES UNATTENDED IN PUBLIC PLACES.

- a. No person may park or store or leave a *wrecked, junked, inoperative, or unlicensed vehicle* unattended in any public parking area owned or maintained by any governmental entity including, but not limited to, the grounds or parking lot of any City building or facility for any period of time. In the event a wrecked, junked, inoperative, or unlicensed vehicle is found unattended within such a public place, including a city owned parking lot, such vehicle will be impounded at the owner's sole expense.
- b. For purposes of this section:
 1. *"Wrecked"* vehicle means a discarded, junked, damaged, or worn-out vehicle that is not in a condition to be lawfully operated on a public road.
 2. *"Junked"* vehicle means a vehicle that is missing any component parts that are required for the lawful operation of the vehicle on a public road.

3. *"Inoperative"* vehicle means any vehicle not capable of moving itself, or of being moved, from place to place upon wheels, skids or endless tracks, which by reason of mechanical failure or the absence of any component or part cannot be operated as originally intended
 4. *"Unlicensed"* vehicle means any vehicle not displaying a current valid license or registration.
- c. This section shall not apply to storage or repair facilities owned, operated or maintained by a governmental entity. Nothing contained in this section shall be construed to restrict or prevent the immediate removal of a vehicle in such cases otherwise allowed by law.

SECTION 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SECTION 8. INJUNCTIONS

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

SECTION 9: PUBLICATION

The City Secretary is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty, and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

SECTION 10. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

SECTION 11. PENALTY

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Farmersville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each violation. Each day a violation continues, after the passage of 75 days from the date of filing of the initial complaint with the administrator, shall constitute a separate and distinct offense.

SECTION 12. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

PASSED on first reading on the 9th day of May 2023, and second reading on the 23rd day of May 2023 at properly scheduled meetings of the City Council of the City of Farmersville,

Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS _____ DAY OF MAY 2023.

APPROVED:

BY: _____
Bryon Wiebold, Mayor

ATTEST:

BY: _____
Tabatha Monk, City Secretary

VII. REGULAR AGENDA

| | |
|------------------------------|--|
| Agenda Section | Regular Agenda |
| Section Number | VII A. |
| Subject | Resolution R-2023-0509-001 Approval for City Manger to sign contracts and agreements |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Resolution |
| Related Link(s) | |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

**CITY OF FARMERSVILLE
RESOLUTION #R-2023-0509-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FARMERSVILLE, TEXAS, AUTHORIZING THE FARMERSVILLE CITY
MANAGER TO SIGN CERTAIN DOCUMENTS AND AGREEMENTS ON
BEHALF OF THE CITY.**

WHEREAS, the City of Farmersville has adopted a Council – Manager form of Government; and

WHEREAS, the City Manager who is appointed by and serves at the will and pleasure of the City Council is responsible for the day-to-day operation of the City and managing the finances and expenditure of City funds in accordance with the City Budget approved by the City Council; and

WHEREAS, the City Manager is also charged with overseeing the delivery of services and the day-to-day operations of the City of Farmersville; and

WHEREAS, the City Manager is charged with carrying out the policies and enforcing the regulations and ordinances adopted by the City Council with an emphasis on effective, efficient and equitable service delivery and to further ensure that the entire community is being served; and

WHEREAS, the City Council desires to authorize the City Manager to sign certain documents and agreements on behalf of the City of Farmersville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE THAT:

SECTION 1: All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2: The City Manager is hereby authorized to execute deeds, when duly authorized, and to make and execute all contracts on behalf of the City when authorized by the Charter, ordinance, resolution, or direction of the City Council.

SECTION 3: This Resolution shall take effect immediately from and after the date of passage and is so resolved.

[Signatures begin on following page.]

PASSED AND APPROVED, by the City Council of the City of Farmersville, Texas on this 9th day of May 2023.

APPROVED:

BRYON WIEBOLD
Mayor

ATTEST:

TABATHA MONK
City Secretary

| | |
|------------------------------|--|
| Agenda Section | Regular Agenda |
| Section Number | VII B. |
| Subject | Appointments to various boards |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Resolution |
| Related Link(s) | |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

| | |
|------------------------------|--|
| Agenda Section | Regular Agenda |
| Section Number | VII C. |
| Subject | Appointments to 4B |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Resolution |
| Related Link(s) | |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |

| | |
|------------------------------|--|
| Agenda Section | Regular Agenda |
| Section Number | VII D. |
| Subject | Updated Budget Workshop Timeline for FY 2023-2024 |
| To | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | May 9, 2023 |
| Attachment(s) | Document |
| Related Link(s) | |
| Consideration and Discussion | City Council discussion as required. |
| Action | <ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action |



Farmersville

DISCOVER A TEXAS TREASURE

TO: Mayor and City Council
FROM: Daphne Hamlin, Finance Director
DATE: March 23, 2023
SUBJECT: Budget Calendar

| FY23 Budget Calendar | |
|--|---|
| April 6 th | Collin Cad Appraisal Meeting |
| Thursday, May 25 th @ 9:00 am | Offsite Budget Workshop |
| June 27 th | City Council Budget Work Session |
| July 25 th | Receive Certified Tax Roll City Council Discuss Tax Rate Budget Work Session |
| July 25 th | Receive Certified Tax Roll |
| August 22 nd | City Council Budget Work Session Set Tax Rate |
| September 12 th | Public Hearing on Tax Rate Public Hearing to Adopt FY23 Budget Adopt Tax Rate and FY23 Budget |
| September 16 th | County Filing Date |

VIII. EXECUTIVE SESSION

XI. ACTION REGARDING EXECUTIVE SESSION

X. REQUEST TO BE PLACED ON FUTURE AGENDAS

XI. ADJOURNMENT