



**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

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 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
RECONVIENED FROM EXEUTIVE 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

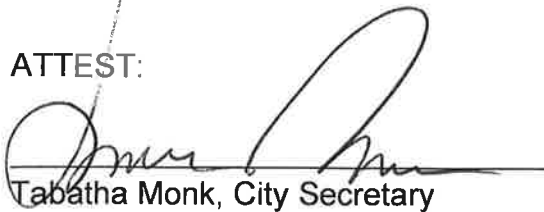
Mayor Wiebold adjourned the meeting at 8:17 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:



Tabatha Monk, City Secretary

