



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
March 14, 2017, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:00 p.m. Council members John Klostermann, Donny Mason, Michael Hesse, Mike Hurst, and Leaca Caspari were all present. City staff members Ben White, Sandra Green, Paula Jackson, Adah Leah Wolf, Kim Morris, Rick Ranspot, Trisha Dowell, Brian Alford, and City Attorney, Alan Lathrom, were also present.
- Prayer was led by Fire Chief Kim Morris followed by the pledges to the United States flag and Texas flag.
- Proclamation declaring March 19-25, 2017, as Poison Prevention Week was read by Mayor Piwko.
- Mayor Piwko also commented on the new laundromat being open.

II. PUBLIC COMMENT

- Citizen, Randy Rice, who resides at 419 Haughton Street, addressed Council and spoke regarding the changing of zoning on U.S. Highway 380. The owner of the property is currently in violation of the Zoning Ordinance and the vehicles could house rodents and cause health issues. It is not the visual look we want the people in the city to have. Screening is not viable for a wrecking yard because it is not a great look either. The City of Farmersville's website states that Ordinances will be strictly enforced. He does not mind the business, but he does not want it in the present location. He wants the City to change the zoning, enforce the ordinances, and start ticketing the owners. He recommends the City give them a deadline and have them move from the location by April 30th.

III. CONSENT AGENDA

- Mayor Piwko wanted to pull the Code Enforcement/Animal Control Report, the Fire Department Report, and the Public Works Report

- Leaca Caspari wanted to pull the City Council Minutes
 - Motion to approve reports B, E, F, H, and I made by Michael Hesse
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor

- Leaca Caspari indicated that in the City Council Minutes on page 2 the comma for the amount owned by Oak Grove Apartments needed to be moved to show the accurate figure. Also, on page 6 she stated that at the bottom of the page in regards to the vote for Resolution #R-2017-0228-001 for signatories on the Texas Capital Fund Main Street Program, it needed to reflect that "all council members voted in favor" instead of "Mike Hurst abstained from the vote".
 - Motion to approve the City Council Minutes made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor

- Mayor Piwko wanted to point out that on the Code Enforcement/Animal Control Report they are finally getting what the Council has asked for. The reports are sorted by addresses and that helps see multiple incidents.
- Michael Hesse wanted clarification where the report stated the dog was picked up from the pound and returned to the owner. He wanted to know why the City was picking the animal up instead of the owner.
- Lieutenant Brian Alford indicated the Code Enforcement Officer was taking the animals from the City's holding area and returning them to their owner. She was not picking them up from the County pound.
 - Motion to approve the Code Enforcement/Animal Control Report made by Michael Hesse
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor

- Mayor Piwko asked Chief Kim Morris to clarify the MetLoop app.
- Chief Kim Morris explained the app is a hazardous weather warning system.
- Ben White included that it has analysis capabilities and it has a minimal cost for a trial license.
- Chief Kim Morris indicated the cost was around \$200.00 a year and it could be opened up to others for \$2.50 a month.
- Mayor Piwko asked how many licenses were included.
- Chief Kim Morris stated they were given so many pre-apps, but we would have to pay for any additional ones.
- Michael Hesse asked if the information for this app could be placed on the City's website so that citizens were aware of it.

- Ben White explained the City is still learning about the program right now.
- Chief Kim Morris stated the Fire Department has received the app, but there has not been a situation for them to activate it yet.
- Ben White indicated the program is in its infancy. The City has to follow the license agreements, but if there is a way to get the program out to the public then it will be done.
- Mayor Piwko asked that City Council members get a license if possible and to attend any training the Fire Department may have on the app.
 - Motion to approve the Fire Department Report made by John Klostermann
 - 2nd to approve was made by Leaca Caspari
 - All council members voted in favor

- Mayor Piwko wanted an update on the Library mold issue.
- Ben White explained the carpet tiles had mold under them and the City had it tested. The results showed the mold was not dangerous, but it was a growing mold. The City is currently obtaining bids to see how much the cost would be to fix it. There is an air space under the decking and it was closed up causing the mold to grow. The City would like to open the air space by placing vents on the outside of the building. Also, the north sidewalk is tilted toward the civic center and is causing problems. The City would be fixing the air space by adding vents, fixing floor joists, decking issues, and draining issues around in and around the library.
- Mayor Piwko asked if the work was coming out of City funds or if Centennial was helping with the cost.
- Ben White stated the City was hoping the Centennial Committee and 4A would help. He has met with them and will see how far they will go after the bids are in.

- Mike Hurst wanted an update on whether the wastewater treatment plant was on track
- Ben White indicated the City was a couple of weeks behind on professional procurement, but it was not necessarily holding the project up. The application was submitted to the Texas Water Development Board last week and that allows for the review of the application. They will look for gaps and the City will respond back to any requests they make in order for the application to be complete. The whole process was built into the calendar already.
 - Motion to approve Public Works Report made by Mike Hurst
 - 2nd to approve was made by Michael Hesse
 - All council members voted in favor

- Leaca Caspari made a motion to instruct Planning and Zoning to correct the use in the Ordinance that reflects their recommendation that the vehicle towing and outdoor motor vehicle storage business be allowed in Light Industrial with a Specific Use Permit and in Heavy Industrial by right.
- Mayor Piwko indicated that she did not like the word correct because that implies it was wrong. She stated they were not fixing a mistake they are adding a use that the City has never had.
- Leaca Caspari changed the wording in her motion to remove the word correct and replaced it with add.
 - Motion to instruct Planning and Zoning to add the use to the Ordinance that reflects their recommendation that the vehicle towing and outdoor motor vehicle storage business be allowed in Light Industrial with a Specific Use Permit and in Heavy Industrial by right was made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
- While the City Secretary was polling the Council, Mr. Hurst ask if he could receive some clarification on a few things. He stated that he was looking back over the minutes from the Planning and Zoning meeting and they never indicated anything about writing an Ordinance. He asked questions about the time limit they would be allowed.
- Mayor Piwko explained that was coming up on the agenda and the public hearing was only to determine if Council would add the use to be added to the Zoning Ordinance.
- Several members of the Council stated they were in a vote.
- Alan Lathrom clarified that he spoke about the Ordinance to show the process and apologized for any confusion.
- The polling of the Council continued with all members approving.
- After the motion was made on item V. A., the Council went back to discussing item VI. A concerning the cemetery.
- Leaca Caspari stated the Council member and other Board members of the City take an oath that they will uphold the laws of the State of Texas and the United States. She explained the cemetery has not been brought to this Council at all, and she has not talked about it. She indicated there would be several times that citizens would be allowed to speak and voice their concerns. City Council members all have email addresses and phone numbers so that anyone can contact them. She explained that no one has spoken to her about the issue. She stated the City Council is a government agency not a religious one. It is unethical and potentially illegal for Council to pit one religion against another. She explained as a Council they have everyone to consider and that this item should have come up at a later time.

- Mayor Piwko stated it was on the agenda because when a citizen takes the time to contact City Hall and wants to address Council then they will be placed on the agenda no matter what the topic is concerning.
- B. Consider, discuss and act upon Resolution #R-2017-0314-001 requesting financial participation from the Texas Water Development Board.
- Mayor Piwko asked Ben White if this item was the \$5 million loan process.
 - Ben White stated the item was one of the first steps to receiving approval of the loan.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor
- C. Consider, discuss and act upon Resolution #R-2017-0314-002 seeking designation as a management agency for wastewater collection and treatment.
- Ben White explained this item was prepared by Alan Lathrom to ensure the City was covering all of the basis and staff recommends approval.
 - Motion to approve made by John Klostermann
 - 2nd to approve was made by Mike Hurst
 - All council members voted in favor
- D. Consider, discuss and act upon procuring professional services for the Clean Water State Revolving Fund (CWSRF) project (wastewater treatment and collection project).
- Ben White asked that the City Engineer to recuse himself from discussions on this item. Ben indicated that we received several packages from firms as a result of our procurement process. He stated that an archeologist did not submit, but the City had already paid for that out of the sewer fund. He explained the list of contractors that he submitted to Council in the agenda packet were his choices after going through all the submittals and he recommends approval.
 - Mike Hurst asked what Ben White used to base his decisions on.
 - Ben White indicated that he read each submittal. He stated he chose Daniel and Brown because of the long standing relationship with the City and because they have already done a lot on this project. All companies were qualified to do the work.
 - Mike Hurst asked when the companies submit a bid proposal do they give a price for the work.

- Ben White explained the qualifications are the only thing that is considered, and the price would come later.
- Mayor Piwko inquired who would have been the 2nd recommendation for the civil engineer.
- Ben White indicated KSA.
- Michael Hesse asked if the City would be allowed to look at another company once they negotiate prices.
- Ben White indicated that would be possible.
- Leaca Caspari asked Ben White if the categories that only had one submittal were well qualified.
- Ben White indicated they were.
 - Motion to instruct staff to procure the professional services for the Clean Water State Revolving Fund project to those firms recommended by City staff was made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor

E. Consider, discuss and act upon Resolution #R-2017-0314-003 regarding a grant application from the Office of the Governor Criminal Division for the Incident Command Vehicle Program.

- Lieutenant Brian Alford stated the vehicle would cost approximately \$45,000 and that cost will outfit the vehicle. The vehicle would be given to Chief Mike Sullivan to use, but it is an incident vehicle that could be used for tornados or other events. It would have more radios and loaded down with lots of other things to help. This year was the first time the Police Department could ask for this type of vehicle.
 - Motion to approve made by John Klostermann
 - 2nd to approve was made by Leaca Caspari
 - All council members voted in favor

F. Consider, discuss, and act upon code enforcement regarding Keel Towing and Recovery located at 904 W. Audie Murphy Parkway.

- Mr. Billy Keel, owner of Teel Towing and Recovery, addressed Council and stated he was just trying to see if the City was going to allow him to stay at his present location or how long they were going to give him to move.
- Mayor Piwko expressed that people's lively hoods were at stake and she does not want the business to move out of town. Council needed to give them a fair amount of time.
- Leaca Caspari asked Mr. Keel how long they had operated out of the current location.
- Mr. Keel indicated the business had been there since October a year ago.

- Leaca Caspari asked if he had always had cars there. She included that it was her understanding that the cars were not supposed to stay there since the certificate of occupancy was for office use only.
- Mike Hurst explained this specific business type has no designation or use listed in the Zoning Ordinance. He feels the time limit of two years to find a new location was too long.
- Mr. Keel asked if there was a problem with his business.
- Mayor Piwko stated some new business owners have complained that they do not like the look on U.S. Highway 380.
- Mr. Keel explained he dealt strictly with repossessions of cars. Everyday cars turn, but no cars are sold there. He stated he actually works for different companies. They clean out the cars and then they go back to the lending companies.
- Leaca Caspari stated that given the certificate of occupancy was for office and the City will be adding the use to the Zoning Ordinance, she would like to move that Council allow the business to stay just until the proper zoning and ordinance is in place or 60 days from today, whichever occurred first.
- Mayor Piwko stated that she wanted to ask more questions.
- John Klostermann 2nd the motion
- Mayor Piwko asked Mr. Keel about sales tax generation from his business.
- Mr. Keel indicated it does draw some sales tax.
- Council members discussed the amount of time that should be given to Mr. Keel to find a new location.
 - Mike Hurst amended Leaca Caspari's motion by removing the 60 days to move the business and instead for Council to give the business six months to find another location.
 - 2nd to approve with a clarification that it would be six months from 3-14-17 was made by John Klostermann
 - All council members voted in favor

G. Consider, discuss, and act upon contract with Kimley-Horn as the City of Farmersville Planning Engineer and planning services.

- Ben White explained that Council had an amended contract that was given to them at the start of the meeting. He suggested that Council table the item until the next meeting so they could have time to go over the document.
- Several Council members asked that they be kept updated on the status of the project.
- Ben White explained he would invite anyone of the Council members to attend conference calls, staff could bring updates to Council, and there will be public meetings as well.

- It was agreed on by Council members and staff that an update be given to Council every month.
 - Mayor Piwko explained she would like to see less conference calls so Kimley-Horn could come to town and see the City and get to know the community.
 - Motion to table until the next City Council meeting giving Council enough time to review the revised contract made by Leaca Caspari
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor
- H. Consider, discuss, and act upon appointing a new Planning & Zoning Commissioner.
- Leaca Caspari indicated that she did not know either applicant.
 - Mike Hurst explained that Luke Ingram was a probation officer at Collin County. He was a very quiet family man and part of the community. He was very energetic, but quiet.
 - Leaca Caspari asked if anyone knew Mr. Lance Hudson.
 - No other Council members knew Mr. Hudson.
 - Motion to contact Mr. Luke Ingram to inform him that he has been selected as a member of the Planning and Zoning Commission was made by Mike Hurst
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor
- I. Consider, discuss, and act upon a request for approval of the Final Plat for the All Texas Addition.
- Ben White explained DBI had reviewed the plat and had stated it met all of the City's requirements. He also included that the property was located in the City's ETJ.
 - Eddy Daniel with DBI indicated it was his understanding that it would be used as residential lots. The City had requested easements and other roadway setbacks so they would meet the Ordinance.
 - Motion to approve the Final Plat for the All Texas Addition was made by Leaca Caspari.
 - 2nd to approve was made by Mike Hurst
 - All council members voted in favor
- J. Consider, discuss and act upon Resolution #R-2017-0314-004 repealing Resolution #R-2017-0228-001 regarding authorized signatories for the Texas Capital Fund Main Street Program, Contract No. 7216322.
- Due to a conflict of interest, Mike Hurst and Mayor Piwko left the room before the item was discussed and any action taken.
 - Michael Hesse took control of the meeting.

- Ben White explained the item was coming before the Council because staff thought it would be safer to bring it back and repeal the old one and reestablish a new ordinance due to the conflict of interest and the participation of Mike Hurst and Mayor Piwko at the previous City Council Meeting. Ben explained why there were blanks in the document and that the remaining Council members had to nominate someone to become a temporary Mayor Pro Tem for the Main Street Grant documents.
 - Alan Lathrom stated that under the law someone needed to run this section of the meeting. The remaining Council members could take a vote or just agree on someone to run it.
 - Motion to repeal the Resolution was made by Donny Mason.
 - 2nd to approve was made by John Klostermann
 - All council members voted in favor
- K. Consider, discuss and act upon Resolution #R-2017-0314-005 regarding the appointment of authorized signatories for the Texas Capital Fund Main Street Program, Contract No. 7216322.
- Ben White explained the body of this document was the same as the last time it came before Council, except it was selecting a Mayor Pro Tem.
 - Alan Lathrom recommended handling the action with one motion by identifying a person as Mayor Pro Tem and signatory for documents.
 - Motion to nominate Michael Hesse as Mayor Pro Tem for the purposes of signatory on the Resolution made by John Klostermann.
 - 2nd to approve was made by Donny Mason
 - All council members voted in favor
- L. Consider, discuss and act upon planning a citywide celebration when the City receives the National Historical designation.
- Mayor Piwko indicated the City should be receiving the designation in April.
 - Adah Leah Wolf stated The Texas Historical Commission would be sending out a letter with the designation. She suggested it be brought up at the April 29th Historical Preservation meeting.
 - Mayor Piwko stated she wanted a broader citywide celebration. The unveiling of the plats and other items around the August time frame. The City could have new signs made to enter Main Street. She stated it was a big thing for tourism and good for the city because there were so few of these districts within Collin County. Adah Leah Wolf, as the Main Street coordinator could work on the event.
 - Leaca Caspari asked if the topic had been discussed with the Main Street Board. They should have a voice if they are going to be

involved. She indicated that a big emphasis was going to be made at the Collin County Historical luncheon in regards to the designation.

- Leaca Caspari indicated that it is a conflict of interest for the Mayor to be discussing this topic.
- Mayor Piwko asked Alan Lathrom if it was a conflict of interest and he indicated that it was a possible conflict.
- Mayor Piwko and Mike Hurst recused themselves and left the room due to a conflict of interest.
- Michael Hesse took over meeting.
- Leaca Caspari asked Mr. Rice if he would come up and address the Council since he was a member of the Main Street Board.
- Randy Rice stated the Board had only had a discussion regarding the fact that the City was getting the designation and that they liked the idea of the signs. He also stated they discussed the lunch presentation with the Collin County Preservation. He stated he liked the idea of citywide, but they needed time to see what resources they had. He suggested they discuss it at their meeting coming up and then they could give a report at a future Council meeting.
 - Motion to table the item until the Main Street Board comes back to Council with a date.
 - 2nd to approve was made by Leaca Caspari
 - All council members voted in favor

M. Consider, discuss and act upon reorganizing key issues for the City of Farmersville.

- Ben White indicated he created a spreadsheet that showed the order and grading of the priorities by Council. He explained staff will begin to flush out tactical items associated with this for upcoming budget year to help with these areas. He stated there was no reason why changes could not be made as the process goes along. Staff will make recommendations and then City Council will work through the budget and re-prioritize.
 - No action taken, staff will start setting up goals.

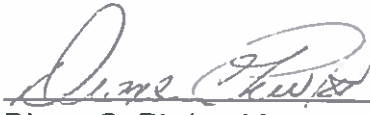
VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mike Hurst requested an update on Camden Park.

VIII. ADJOURNMENT

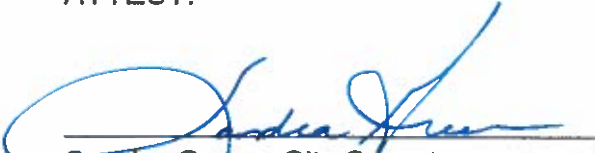
- Meeting was adjourned at 7:58 p.m.

APPROVE:



Diane C. Piwko, Mayor

ATTEST:



Sandra Green, City Secretary

