



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
August 22, 2017, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Donny Mason, Mike Hurst, and Michael Hesse were all present. Council member Tod Rolen was absent. City staff Sandra Green, Rick Ranspot, Daphne Hamlin, Paula Jackson, Kim Morris, Mike Sullivan and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Warrant Officer, for the City of Farmersville followed by the pledges to the United States flag and the Texas flag.
- The calendar of upcoming holidays and meetings were provided in the agenda packet.
- Mayor Piwko recognized the Farmersville Independent School District for receiving excellence in seven categories for the Junior High and High School. This places them in the top 5% of the schools in the State of Texas.

II. PUBLIC COMMENT

- Leaca Caspari, who resides at 405 Summit Street addressed Council and stated that on July 19th she received a call from City Manager Ben White. He explained that Council had banned her from being at City Hall, except for the lobby area. She stated she has asked for a written explanation of the reasoning behind Council's actions and has never received one. She explained she has served this community for over 26 years and wants Council to go on record to explain their decision. She said if she does not receive an explanation and apology she will request the item be placed on a future agenda.
- John Hart, who resides at 18601 CR 646 addressed Council and wanted to thank the Mayor for a phone call regarding the cemetery and the drainage

issue. He believes the Council and the IACC should work together to find a solution and then the plat should be approved.

III. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or “housekeeping” items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

A. City Council Minutes

B. City Financial Report

- Motion to approve reports made by Craig Overstreet
- 2nd to approve was Michael Hesse
- All council members voted in favor

IV. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon the 1st and only reading of Ordinance #O-2017-0822-001 regarding all matters incident and related to the issuance and sale of “City of Farmersville, Texas, Tax and Utility System Surplus Revenue Certificates of Obligation, Series 2017”, including the adoption of an ordinance authorizing the issuance of such certificates of obligation.

- David Medanich from First Southwest addressed Council and stated that notice of intent for the bond was given approximately six weeks ago. This is in order to sell bonds to the Texas Water Development Board because the City received a very favorable rate and they will subsidize the rate. The interest rate we received is 1.66%. The subsidy that was received from the Texas Water Development Board will save the City \$765,000.00. It is his recommendation that the City adopt the order authorizing the issuance of certificates of obligation.
- Mayor Piwko stated the first payment will be made September 1, 2018, so the City has to include this into next year’s budget. She stated Daphne Hamlin, Finance Director, has already included it in the budget.
 - Motion to approve Ordinance made by Mike Hurst
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

- B. Second Public Hearing on Tax Rate Increase to allow proponents and opponents of the tax rate increase to present their views.
- o Mayor Piwko opened the public hearing at 6:12 pm and no one came forward in favor or against the tax rate. She closed the public hearing at 6:13 p.m.

V. NOTICE OF MEETING FOR CITY COUNCIL VOTE ON PROPOSED TAX RATE

- A. The City Council will vote on the proposed tax rate at the City Council meeting on September 5, 2017, which meeting will begin at 6:00 p.m., in the City Council Chambers of City Hall situated at 205 S. Main Street, Farmersville, Texas.
- Mayor Piwko read the above caption for the Notice of Meeting.

VI. READING OF ORDINANCE

- A. Consider, discuss and act upon the 1st and only reading of Ordinance #2017-0822-002 regarding right-of-way management plan for installation of equipment, specifically wireless network equipment in the public right-of-way.
- Alan Lathrom stated this Ordinance was in response to HB 1004 that was adopted by the Texas Legislature. It allows for telecommunication providers to place small antennas on single telephone poles, light poles, and other places they want to place it. The City does not currently have a Right-of-Way Management Plan in place. Having this in place will allow the City to regulate and provide design criteria that the small antenna providers will have to adhere to. We can come back at a future date with modifications because the guidelines used were given by North Texas Council of Governments and it might need to be changed to fit the City of Farmersville's needs. The legislation becomes effective September 1, 2017.
 - Mayor Piwko stated it was her understanding this took away the City's leasing ability with telecommunications companies.
 - Alan Lathrom indicated that was correct and with this Ordinance the City could make them co-locate with other companies.
 - Mayor Piwko indicated on page 2 there was a rogue paragraph that needed to be removed. She also stated on page 4 "Administration", "the City Manager and his or her designee should appoint a City Manager" did not make sense.
 - Alan Lathrom stated he would change the errors, but it should read "the City Manager and his or her designee shall act as the Right Of Way Manager responsible for the administration of the right-of-way".
 - Mayor Piwko asked a question on page 11. She wondered if we really believe 30 days would be enough time to get maps from the users already existing in town.
 - Paula Jackson indicated the City may already have a few, but not many.
 - Alan Lathrom explained the City Council could extend that time.
 - Mayor Piwko suggested they would receive 30 days from receipt of notification.
 - Alan Lathrom stated we could rewrite it to say they would receive 30 days from receipt of notification regarding the passage of this Ordinance.

- Motion to approve Ordinance with changes noted made by Donny Mason
- 2nd to approve was Michael Hesse
- All council members voted in favor

VII. REGULAR AGENDA

- A. Consider, discuss and act upon temporary living in recreational vehicle on property located on Prospect Street.
- Mr. Steve Lawrence who lives at 115 Prospect Street addressed Council. He explained his house fell off its foundation and the insurance designated it as a total loss. He stated an Engineer described that high winds or a microburst caused the house to come off the foundation. The insurance company is going to allow him to rebuild his house, but he wants permission to let the insurance company place an RV on his property temporarily with water and electric hook ups. He asked that Council grant him a long enough time in the RV to get the house in a livable condition. He stated he would work on it when he gets a chance in his free time. The majority of the work will be done by contractors. He stated the insurance company estimated it should take approximately four months to complete the project, but any contractor knows that things could happen to where it would take longer.
 - Donny Mason asked if it would take four months.
 - Steve Lawrence stated the insurance company estimated it should take four months.
 - Craig Overstreet asked how long Mr. Lawrence was asking to live in the trailer.
 - Mr. Lawrence stated he assumed it would take four months, but could take up to six months.
 - Mayor Piwko asked about the age of the house.
 - Mr. Lawrence stated it was built in 1980, but the deed and title stated 1982.
 - Craig Overstreet explained to the City Council what the Planning & Zoning Commission was currently discussing. He explained they were talking about allowing an initial 90 days for temporary housing and then seeking permission from the City Manager/City Council for more time.
 - Mr. Lawrence stated the water and electric have been shut off. He would like to put a water meter in and set up a temporary electric pole. He explained he has a sewer line on his property he could connect to.

- Mayor Piwko suggested the City allow him the first 90 days from the date the trailer is delivered and then if it takes longer extend another 90 days. He would have to come in to City Hall and let staff know when the trailer is delivered and then significant progress would have to be shown before an extension would be granted for another 90 days.
 - Motion to approve initial 90 day period to start when the trailer is delivered. Then, any additional time would need to be applied for by a Specific Use Permit and reviewed by the City Manager for approve made by Craig Overstreet.
 - 2nd to approve was Michael Hesse
 - All council members voted in favor

- B. Consider, discuss and act upon leasing agreement with NEC regarding phone contract for public safety.
 - Chief Sullivan stated the application is for the same phone system that the City Hall currently has. The phone system the Police Departments has been using is really old and they are just needing it upgraded.
 - Mayor Piwko asked if this would be covered in the current budget.
 - Chief Sullivan indicated it would be.
 - Motion to approve made by Donny Mason
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

- C. Consider, discuss and act upon Interlocal Agreement with Collin County for dispatch services for fiscal year 2018.
 - Chief Sullivan stated the cost went up on dispatch services and will continue to go up as they add to the new system. They are expanding dispatch, towers, and other infrastructure to accommodate growth.
 - Motion to approve made by Michael Hesse
 - 2nd to approve was Donny Mason
 - All council members voted in favor

- D. Consider, discuss and act upon holding a workshop with surrounding cities to discuss and pursue boundary agreements.
 - Mayor Piwko stated the Council brought this idea up in years past. The goal would be to share ideas and goals. She is proposing Farmersville approach the City of Lavon to discuss boundary issues and maybe hold a workshop. The City Administrator of Lavon would like for us to consider possible interlocal agreements regarding certain services.
 - Chief Sullivan stated in regards to animal control there is absolutely no way his staff could absorb those services in Lavon. We might could

offer a temporary housing solution for the animals as long as they make arrangements to transport their animals to McKinney.

- Motion to approach other cities and schedule a workshop made by Mike Hurst. He suggested we contact all cities quickly to work on boundaries.
- 2nd to approve was Craig Overstreet who also stated the City should pursue the boundary agreements specifically.
- All council members voted in favor

E. Consider, discuss and act upon nominating an individual to serve on the Resource Conservation Council.

- Mayor Piwko asked if anyone has mentioned wanting to sit on this board.
- Sandra Green explained she received an email stating they were requesting someone to sit on the board who would be able to keep the Council apprised of what is happening and report back to the City Council.
- Mayor Piwko stated it was for the North Central Texas Council of Governments Resource Conservation Council which covers recycling and conservation. She indicated no one came to mind that was not already overloaded with other things. She explained the meetings would be in Arlington and asked Council if they wanted to find someone or did they want to pass on the opportunity.
- Michael Hesse asked who would be eligible.
- Mayor Piwko stated any citizen the Council wanted to appoint.
- Sandra Green stated the deadline had passed by a few days, but she would contact them to see if it was possible if Council wanted to appoint someone.
- Mayor Piwko asked if there was anyone in the audience who wanted to volunteer for the board. No one volunteered.
 - No action to take because City Council passed on the opportunity.

F. Update concerning citywide cleaning day.

- Chief Sullivan stated the committee met and chose Saturday, November 4th as the citywide clean-up day. This date was chosen so there would be time to send out mailers in the utility bills and advertise it. It is for citizens of Farmersville only. We are going to utilize people with trailers to help citizens who cannot physically participate.
- Mayor Piwko asked if we would you go into a person's house to remove refrigerators and other appliances for them.

- Chief Sullivan stated we are generally going to stay on the outside of the house unless there was a special circumstance.
 - Craig Overstreet asked if they have been reaching out to the non-profit organizations.
 - Chief Sullivan explained they have contacted several organizations and the clean-up day will be from 8-4. The service center will be open so people can bring what they can there. We are going to encourage people to get rid of cars that are junk vehicles as well.
 - Michael Hesse stated there is a place in Princeton where people can donate cars for education.
 - Mayor Piwko stated the City is looking at spending \$4,000 and wondered if there was enough in the budget to cover that amount or if the City should request money from 4B.
 - Paula Jackson stated she was thinking on a smaller scale when planning the event because we do not have the money in the City budget.
 - Donny Mason asked if someone is going to check identification to ensure the people that are dropping off at the service center live in the City.
 - Chief Sullivan stated yes.
 - Michael Hesse asked if the notices could be bilingual.
 - Chief Sullivan stated he could make it bilingual.
 - Mayor Piwko stated Council should probably ask the City Manager to go before 4B and ask for an amount of \$5,000.00 to cover the expenses.
- G. Training from City Secretary regarding becoming a city official, code of ethics, open meetings, and required trainings.
- Sandra Green explained she gave each Council Member a book that contained a lot of information. She walked through each section of the book pointing out important information that each member should be familiar with. She then gave examples of scenarios and discussed whether or not the scenario would break the Open Meetings Act. She also explained some of the rules and regulations for the Open Meetings Act and consequences for violations.

VIII. BUDGET WORKSHOP

- Daphne Hamlin addressed Council and stated the first page indicated changes that were made since the previous workshop. She explained Ben White came to her and stated Council wanted to help employees with the

increase in medical costs. She explained in order to accomplish that they had to reduce some areas and the first page shows the items we chose to cut. The City is going to give the employees an additional \$57.00 a month to help with insurance costs.

- Mayor Piwko asked how much of the overall cost the City was covering.
- Daphne Hamlin stated only a quarter is being covered. She explained she was asked to cut the deficit. We added additional items such as a \$10,000 match for a \$90,000 grant that the Fire Department received, Home Rule costs, computer software, and insurance premiums that are going up. The budget is still approximately in a \$244,000.00 deficit. Even with TIRZ helping with the water line from AFI to the Hunt County Line, we are still in a deficit of \$87,000. She and Ben White reviewed the budget and they are hoping Shell and Big D come in and help with the deficit.
- Mayor Piwko stated it would help if new homeowners move to town and if the electric and water use goes up due to the weather.
- Craig Overstreet stated everyone could benefit from a workshop and suggested one be planned to go over the budget in more detail. He stated he wants to plan for the worst and hope we do not have to take from reserves.
- Daphne Hamlin agreed with Craig Overstreet and stated something drastically was going to have to happen if we keep dipping into the reserves to balance the budget.
- Craig Overstreet explained he would like to see alternatives to what the City should do now and in the future to balance the budget.
- Michael Hesse stated he also agreed with Craig Overstreet and would like to see some kind of plan.
- Craig Overstreet pointed out that money had to be pulled from the reserves the previous year to balance the budget as well.
- Mayor Piwko indicated that it was not as much.
 - Staff to set up workshop to discuss budget and the process that needs to be in place to help balance the budget now and in the future.

IX. EXECUTIVE SESSION

- Mayor Piwko announced the City Council would go into executive session at 7:22 p.m. and she read the following:

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

1. Discussion of matters protected by the attorney-client privilege:

- a) Discussion regarding contemplated litigation involving cemetery plat.
- b) Discussion regarding retention and archiving records.

X. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE.

- Mayor Piwko announced the City Council reconvened from executive session at 8:25 p.m. She stated there was no action to be taken regarding the litigation because Alan Lathrom would be drafting a tentative letter.

XI. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mayor Piwko requested an update from Michael Hesse regarding the Farmersville Independent School District because she is concerned about the flooding at Tatum Elementary.

XII. ADJOURNMENT


Meeting was adjourned at 8:27 p.m.

APPROVE:



Diane C. Piwko, Mayor

ATTEST:


Sandra Green, City Secretary