

Agenda Section	Consent Agenda
Section Number	III.I
Subject	City Manager's Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	City Manager'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

City Manager General

1. Top priority items:
 - a. Be ready for and promote growth.
 - i. Support Big D Concrete and LaFarge/Holcim expansion
 - ii. Make Camden Park a success.
 - b. Secure funding for wastewater system.
 - c. Secure funding for Farmersville Parkway.
 - d. Keep the Police and Fire Department running optimally.
 - e. Complete Bond related projects.
 - i. Hamilton Street
 - ii. Street signs

ID	Task Name	Notes	12/17	1/18	2/18	3/18	4/18	5/18	6/18	7/18	8/18	9/18	10/18	11/18	12/18
1	West Side Lift Station Construction	Contractor													
2	Waterline Extension for Big D Concrete	Public Works													
3	Substation Acquisition	City Manager													
4	Main Street Grant Construction	Contractor													
5	Senior Citizens Center Parking Lot	Public Works													
6	Murphy Crossing Lift Station Reconfig	Contractor													
7	Farmersville Parkway Financing Concept	City Manager													
8	Main/Summit Railroad Bore Construction	Contractor													
9	WWTP #1/#2 Upgrades Design	Contractor													

Ordinances and Ordinance Changes

1. New
 - a. Create preservation ordinance. Preliminary version complete and ready for initial P&Z review in April. (in-progress)
 - b. Materials left in public view. We have changed direction and are going to place these requirement into the existing ordinances. (in-progress)
2. Change
 - a. Sign ordinance including Quilt Trail. (in-progress)
 - b. Storm water design manual. (backlog)
 - c. Water and Sewer design manual. (backlog)

Contracts/Interlocal Agreements

1. Boundary agreements with the Cities of Blue Ridge, Nevada, Josephine, Caddo Mills. (in-progress)
2. Caddo Basin SUD CCN agreement. (in-progress)
3. Big D annexation petition. (in-progress)
4. Review and make changes as necessary to the Riding Club ILA. (in-progress)
5. Review and make changes as necessary to the Peewee Football ILA. (backlog)

Planning

1. Update comprehensive zoning document. (in-progress)
2. Update subdivision regulations document (in-progress)
3. Update comprehensive plan. (in-progress)
 - a. Board/Committee review complete: May 2018
 - b. Interim rewrite: July 2018
 - c. Planning and Zoning review and Public Workshop: September 2018
 - d. City Council review: November 2018
 - e. Public hearing and Council approval: January 2019

Policy/Procedural Changes

1. Financial procedure. Accounts payable process. (backlog)
2. Logo policy. (backlog)
3. Website development and maintenance policy. (backlog)

Personnel Related Matters

1. No new news.

Customer Service Window

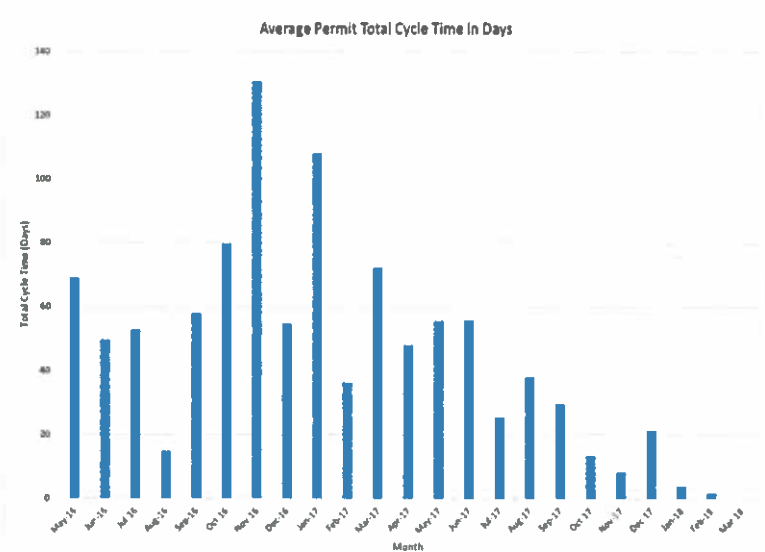
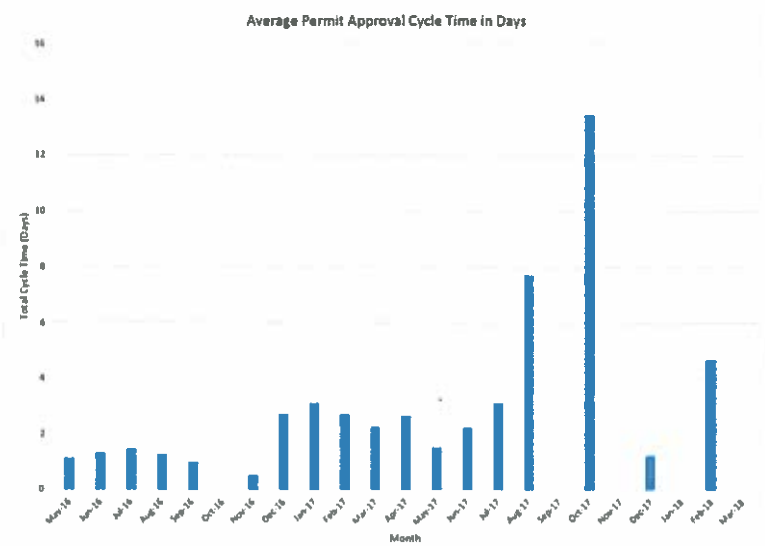
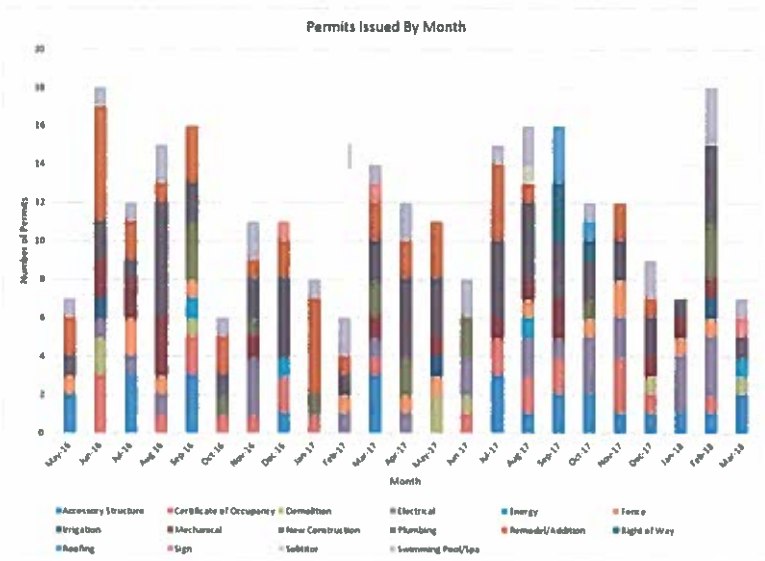
1. Reordered the service window bullet-proof glass from a different vendor. Installation should occur by the end of April. (in-progress)

Budget/Finance

1. Beginning budget revision process.

Development Services

1. Camden Park
 - a. Development work continues.
 - i. Sewer lines are substantially complete.
 - ii. Water lines substantially complete.
 - iii. Storm water drainage work substantially complete.
 - iv. Started paving streets.
 - b. Work has begun associated with the lift station, gravity main, and force main projects.
 - c. FONSI approved. Currently working on reimbursement of project costs with Texas Water Development Board.
2. Big D Concrete
 - a. Working on annexation petition documentation and TIRZ agreements.
3. See metrics following.



Information Technology

1. Data migration from old server storage to new server storage. (80% complete)
2. Installed RF link between City Hall and the Public Works Service Center to improve network throughput rate. (complete)

Special Events/Projects

1. No new news.

IV. Informational Items

Agenda Section	Informational Items
Section Number	IV.A
Subject	FEDC (4A) Meeting Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	FEDC (4A) Meeting Minutes
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
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**FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION
MEETING MINUTES**

February 15th, 2018

The Farmersville EDC met in regular session on February 15th, 2018 at 6:34 p.m. in the City Hall Council Chambers with the following members present: Jason Lane, George Crump, Kevin Meguire, Robbie Tedford and Randy Smith. Staff members present were City Accountant Daphne Hamlin, City Manager Ben White. Special guest recognized Mayor Diane Piwko, Councilman Hurst, Randy Rice, and Donna Williams

CALL TO ORDER

Chairman Meguire convened the meeting at 6:34 p.m. and announced a quorum was present.

RECOGNITION OF CITIZENS AND VISITORS

Special guest recognized Mayor Diane Piwko, Councilman Hurst, Randy Rice, and Donna Williams

PUBLIC COMMENT

No public comment taken.

REVIEW, CONSIDER AND DISCUSS 2018 KEY INITIATIVE AREA GOALS (KIA'S)

Chairman Meguire started by stating the EDC board may have not had time to begin the research on the new 2018 KIA's. Chairman Meguire began with reviewing the funding mechanisms assigned to Mr. Smith and Mr. Lane. Mr. Smith stated he had begun research and started with TML League, also researched the comprehensive plan study on the funding sources allowed under the EDC section. Mr. Smith also had spoken with the City Attorney after City Council, asking if he is aware of any other existing funding facilities and if the EDC Board had previously issued any bonds. Mr. Lathrom stated since his tenor at the City he is not aware of any bond issuance under EDC. Mr. Lathrom also, suggested to review the language in the EDC by-laws to make sure the EDC board has the ability to borrow funds.

Chairman Meguire addressed the EDC Board regarding the Property purchase search that this will need to be discussed in an executive session. Mr. Tedford said he did get an opportunity to speak with Johnny Pat with Independent Bank. Independent Bank is extremely interested and already has the experience with the purchase of the property north of the ball park with CDC Board. Mr. Tedford stated the EDC Board is a little different compared to the CDC Board. CDC Board is keeping the property, whereas for the EDC Board will use the property as a business incentive.

Chairman Meguire asked if Mr. Smith and Mr. Lane will review the EDC Board by-laws, to make sure we can endure debt. Mr. Smith said this is critical issue and will review EDC by-laws to make sure we have the capacity to incur debt. Chairman Meguire stated that each board member has a task and to own it and come back together and see what we can do with the information.

Chairman Meguire stated the actual property search assigned to Mr. Crump and Mr. Tedford, they have not had the opportunity to begin research of actual property other than to say they have already talked with the bank about financing.

Chairman Meguire stated one of the KIA'S items was left off of the agenda, "Highway 78 and Highway 380 Outer loop". This project is assigned to Mr. Tedford, Mr. Crump and Chairman Meguire. Chairman Meguire stated this will be added to the next agenda for discussion. Mr. Smith wanted to add the retention program on the next agenda. Mr. Smith felt this program was a success last year and wants to continue. Chairman Meguire asked Daphne to add to the next agenda as well.

Chairman Meguire asked if Mr. White had anything to share regarding the broker visits. Mr. White stated he has meet with approximately 10 brokers, 3 more left to visit. One is scheduled for the 28th, Mr. Bobby Young with only 2 more to schedule and this project will be completed. Chairman Meguire asked now that we have meet with the brokers what is the next phase. Mr. White stated the brokers asked that we keep in touch, keep developing a relationship, send emails, and communicate when something is happening in our area. Chairman Meguire asked Mr. White in (4) months to send an email out to the brokers giving them an update of what is happening in Farmersville. Chairman Meguire asked how the board felt about contacting additional brokers. Mr. Tedford felt it would be best to stay with the brokers we have already contacted and develop that relationship.

Chairman Meguire asked the board if there were anything else they would like to discuss regarding the KIA'S. Mr. Smith want to bring up the Small Business Development information.

RECEIVE UPDATE ON COLLIN COLLEGE

Mr. White updated the EDC Board regarding the Collin College. Mr. White had spoken with Dr. Bob Collins complete date is 2021. Dr. Collins stated they have selected their project manager for phase 2. Mr. White stated that part of this development the College is opposed to any freeways going in or near the College area taking up right of way. This could be detrimental to their development. Mr. White stated at the next regular EDC meeting give debrief on the NCTCOG plans on Highway 380. Chairman Meguire asked Daphne to add to next regular agenda. Mr. White spoke about the County Road 611, Collin College may help with the grant on Farmersville Parkway. Trying to get the

matching funds from Collin County. This grant will help access around the Collin College area. Collin College is going to research and get back with us. ATMOS is planning on installing a gas terminal west of Brookshire's, south side of Highway 380. Intent is to provide gas in the area and help with the bottle neck in this area. Started due to Camden homes and Collin College. Mr. Smith asked about the design work for the Collin Campus, when will it be completed. Mr. White stated they will complete the design work this year and Campus completed by 2021. City is trying to get a new transmission line for the campus and currently researching this with Garland. Will be talking to Texas New Mexico, funding is through TCOS. It is something the City has requested not a direct charge to the City.

CONSIDER, DISCUSS AND ACT UPON REGIONAL EDC COMMITTEE.

Mr. White said he had some info from Jason Greiner, he has contact info and is ready to get started. Mr. Greiner will draft letter to send out to area EDC's.

CONDISER, DISCUSS AND ACT UPON TEX 21 COMMITTEE

Mr. White stated he has spoken with Linda Harper, have a meeting set for March 16th, if anyone would like to attend. Chairman Meguire asked if the EDC Board wanted to pursue. Mr. White said he included some of the information in the packet a letter of support to join the group. Mr. Smith said one of the main functions is related to harbors. Mr. White said this is one of their key initiatives is to become a major sea port. Chairman Meguire asked if this politically tied can the EDC sponsor. Mr. White said this is a good point, but not aware of them favoring any party. Mr. Lane spoke with a lobbyist for major ports in Texas, he knew Mr. Dean and his comment is that Mr. Dean is really good at putting groups together. But not sure of concrete accomplishments. Mr. Lane felt that Mr. White go to this meeting and get more info before we make a decision. EDC Board was in favor of continued information

CONSIDER, DISCUSS AND ACT UPON COLLIN COLLEGE SCHOOL BUSINESS DISTRICT

Mr. Smith said this is the information he had brought to the EDC workshop. Small Business Development Center, what I would like to see is getting this information out to inform the public, promoting businesses, possibly having a workshop to promote this. Mr. Smith said this would be information an entrepreneur would need to get their business started. Mr. Smith said work with the Chamber, talk to the newspaper. Mr. Smith said having a little difficulty not sure how to bring this into town. Chairman Meguire said this sounds like a great program, maybe post to Cities website, have an ad in the paper. Mr. White stated one of the ideas was to have a satellite office to help support small business

district. Mr. White said this could be a goal of ours to help support the SBDC. Mr. Smith is going to compile information for the website.

RECEIVE UPDATE ON BIG D CONCRETE

Mr. White said City Council has signed an agreement with Big D and TIRZ will also have an agreement to install the waterline, will need to be signed before waterline is installed. A letter has not been signed by Big D as of yet. Deadline is February 16, 2018. Big D signed up for permits in December with the County and is working on contracts with KCS. Mr. Smith asked about LaForge, Mr. White said they are looking at expanding their land base right now.

CONSIDER, DISCUSS AND ACT UPON COMPREHENSIVE PLAN GRANT

Mr. White said in your package you have the outcome of this grant. Also, have additional handout, Land Use Section need to look at heavily. Mr. White asked to set up separate meeting to look over these two sections. Council wants us to get the comprehensive plan down. Mr. White asked to review the land use map, this has a lot of information, we will take this map directly to the brokers we are talking with currently. Mr. White said what we need to do is take the current land use map showing the industrial area locations. Mr. White is asking Daphne to send Land use map to EDC Board members. Mr. White asked to set up workshop to make changes to these two documents. Main Street is working on Central Business District, CDC is working on EDC portion, and Parks Board is working on Central Business District. Chairman Meguire asked so what are you wanting us to do. Mr. White said add to next meeting and review, or send me your comments in advance. Chairman Meguire asked to add to the next agenda. Both sections EDC and Land Use Map

RECEIVE UPDATE ON CAMDEN PARK PROJECT

Mr. White said sewer system done at the site, working on completing storm water system, this is phase one. Received word today on the Texas Water Development Board Loan, deadline of the 15th. received email they intent to meet that, what this means is they are developing wording for FONZY. They put out a FONZY, waiting for responses. Bids went out for gravity main, force main, and lift station, this has been awarded and documents were signed today. Will be in place by June 2018 to support first home. In the Camden Park they have included 290 apartments units, 11 buildings, on 18 acre, south just behind water tower. Council consider tax abatement last night.

CONSIDER, DISCUSS AND ACT UPON FINANCIAL STATEMENTS FOR JANUARY 2018, AND RQUIRED BUDGET AMENDMENTS

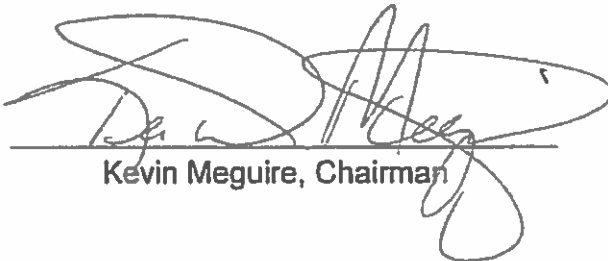
On a motion from Mr. Crump to accept financial statements as presented, but make it larger print, second by Mr. Smith, motion passed unanimously.

CONSIDER DISCUSS AND ACT UPON MEETING MINUTES FOR JANUARY 18TH, 2018.

On a motion from Mr. Crump to accept January 18th, 2018 meeting minutes as presented, second by Mr. Lane, motion passed unanimously


ADJOURNMENT:

Meeting adjourned at pm. 8:00



Kevin Meguire, Chairman

ATTEST:



George Crump, Secretary

Agenda Section	Informational Items
Section Number	IV.B
Subject	FEDC (4A) Financial Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	FEDC (4A) Financial Report: NO BANK STATEMENT
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 Economic Development Corp 4A
Investment and Budget Report**

March 2018

Prepared by: Daphne Hamlin

Farmersville Economic Development Corp 4A
March 2018

Statement Balance 3-1-2018	\$191,905.38
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Deposits:	
Sales Tax:	\$18,954.31
Cking Int .05%	\$8.26
CD Interest	\$115.07
Transfer to Texpool check	

Statement balance 4-1-2018	\$210,983.02
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Outstanding Transactions

Sales Tax	
Transfer to Texpool	
CD Interest	
Outstanding checks 1299	\$(500.00)

Balance 4-6-2018	\$210,483.02
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Farmersville Economic Development Corporation
Cumulative Income Statement
For the 12 Months Ended, September 30, 2018

FY 2018	October	November	December	January	February	March	YTD
Budget							
Beginning Bank Balance	\$151,370.45	\$148,089.53	\$154,014.17	\$162,578.23	\$171,635.92	\$191,905.38	
Deposits							
Sales Tax Collections	\$264,800.00	\$19,322.84	\$19,542.30	\$17,078.99	\$16,423.31	\$18,954.31	\$111,457.12
Interest Income	\$3,000.00	\$6.24	\$6.11	\$6.78	\$6.99	\$8.26	\$41.07
CD Interest Earned			\$146.23	\$123.29	\$127.39	\$115.07	\$639.38
Total Revenue	\$267,800.00	\$170,699.53	\$167,784.17	\$171,223.23	\$179,135.92	\$210,983.02	-\$112,137.57
Expenses:							
Administration	\$1,000.00						\$-
Meeting Expenses	\$1,000.00						\$-
Dues/School/Travel	\$500.00						\$-
Office Supplies	\$200.00						\$-
Legal Service	\$2,500.00						\$-
Marketing/promotion Expenses							
Marketing/Promotion	\$16,900.00						\$-
Expenses/Advertising	\$7,500.00			\$7,500.00			\$7,500.00
Collin College Sponsorship							
Small Business							
Entrepreneurship Conf	\$500.00						\$-
Farmersville Chamber	\$1,000.00						\$-
Farmersville Rotary	\$500.00					\$500.00	\$500.00
Total Expenditures	\$31,600.00	\$-	\$-	\$7,500.00	\$-	\$500.00	\$8,000.00
Directive Business Incentives							
Zoning Ordinance Re-write	\$52,960.00	\$22,610.00	\$13,770.00	\$8,645.00			\$45,025.00
Collin College							
Project(sewer/street/electric)	\$150,000.00						\$-
Fiber Optic Cable							\$-
Facade Grant Program	\$50,000.00						\$-
Total Development Cost	\$252,960.00	\$22,610.00	\$13,770.00	\$8,645.00			\$45,025.00
Total Expenditures	\$284,560.00	\$22,610.00	\$13,770.00	\$8,645.00	\$-	\$500.00	\$53,025.00
Revenue vs Expenditures (\$16,760)							
From Reserves							
Total Expenditures	\$22,610.00	\$13,770.00	\$8,645.00	\$7,500.00	\$-	\$500.00	\$53,025.00
Ending Bank Balance	\$148,089.53	\$154,014.17	\$162,578.23	\$171,635.92	\$191,905.38	\$210,483.02	
CD Investment	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	
Texpool Balance	\$874,562.60	\$875,317.76	\$876,192.32	\$877,158.88	\$878,063.10	\$879,193.31	
Interest Earned	\$765.73	\$755.16	\$874.56	\$966.56	\$904.22	\$1,130.21	\$5,396.44
Total Available Funds	\$1,272,652.13	\$1,279,331.93	\$1,288,770.55	\$1,298,794.80	\$1,319,968.48	\$1,339,676.33	

Agenda Section	Informational Items
Section Number	IV.C
Subject	FCDC (4B) Meeting Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	FEDC (4B) Meeting Minutes
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
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FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD (4B)

MINUTES ~ February 12, 2018

5:45 P.M. City Council Chambers

PRELIMINARY MATTERS

The Farmersville Community Development Corporation Board met on February 12, 2018 in the City Council Chambers at City Hall. President John Politz called the meeting to order at 5:49 p.m. and announced that a quorum was present after roll call. The following board members were present: John Politz, Katherine Hershey, John Garcia, Jesse Nelsen, Tobey Ferguson, and Mike Goldstein. Others recognized were Mayor Diane Piwko, Reagan Rothenberger, Main Street Manager; City Manager Ben White, Jim Foy, Leaca Caspari, Steve Caspari, Lisa Eastman, Lisa Crowder, Mary Berry, Randy Smith, and Randy Rice.

PUBLIC COMMENT

President John Politz opened the floor for comments.

Kathy Strong from 314 Woodard Street spoke on the new playground equipment. Ms. Strong is a member of the Parks and Recreation Board. On December 4th and January 4th she voted for the new playground equipment and now feels guilty for doing so. The equipment costs seem too high for the new equipment in the city park. She visited the Southlake Park and visited with an individual who believes that though the Southlake equipment needs repair, that equipment is rarely used as in the summer it is too hot.

Phil Fielder spoke on moving his business to Farmersville. He designs specially made boulders for residential and commercial use. Cities often use his products use to be placed around flower beds to protect the plants. The company also designs and creates landmark signs, much like the one that will soon be located at Princeton Heights Park. The boulders have a ten year warranty and do not chip or break. Mr. Fielder stated that he is pleased to move to Farmersville.

Randy Smith from 508 CR 610 spoke on the lighting and parking issues at the Senior Center. His understanding is that money was appropriated for these upgrades but has not been spent, he presumed this funding is coming from 4B. Chairman Politz stated that Dr. Goldstein and he had worked with the Centennial Committee to both fund the project. Mr. Smith's main concern was the lack of pavement and that the rough surface poses as safety problem for the users of the facility. In 2016 there were discussions that in 2017 the issue was going to be resolved. Mr. Smith also brought up the issue that there is a limited number of activities for the senior center

Public comments were closed at 5:59 p.m.

CONSIDER FOR APPROVAL JANUARY 8, 2018 MEETING MINUTES

Mike Goldstein made a motion to approve the minutes of September 11, 2017 as written. Motion was seconded by Katherine Hershey and passed unanimously.

CONSIDERATION AND POSSIBLE APPROVAL OF ITEMS FOR PAYMENT

\$950.00 Brown Outdoor Adverting, \$137.00 C&S Media, \$397.50 Deborah Ranspot, \$50.50 Rotary Membership, \$4,998.18 for the land note, \$350.00 National Main Street Center, \$200.00 Texas Bulletins, \$30.00 TLC Netcomm. Tobey Ferguson moved to approve the payments. John Garcia seconded, which passed unanimously.

CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR JANUARY 2018 AND ANY REQUIRED BUDGET AMENDMENTS

Katherine Hershey moved to approve the January 2018 financial statements as presented. Jesse Nelson seconded the motion, which passed unanimously.

DISCUSSION AND POSSIBLE ACTION REGARDING PLAYGROUND EQUIPMENT

City Manager Ben White passed out information regarding the proposed playground equipment, which included bids from several companies. Item two on the City Manager's Report outlines the large pieces of park equipment on the eastern side of the park. Item number one shows the competing bids among the pieces of equipment. Oceanside appears to be the best value for the money. It is ADA compliant and can hold 80 kids at one time. The city amenities board recommended the purchase of one "Sit N Spin" and two "Whizzy Dizzy". These three items are to go where the slide currently sits. The new area where the Oceanside will sit, the new wood fiber will cost around \$2,000. Dr. Goldstein commented that he understands that costs are going higher, and though this equipment needs replacement, he is open for comments. Ms. Ferguson asked about the ADA compliance of the "Play and Park" structure. It is not compliant. Mr. White said that bids went to companies asking them to provide bids for other structure that were similar to Oceanside. The Oceanside is the best value as it holds 80 as opposed to 40. Mr. Politz asked about the wood fiber needed. Mr. White said that since the replacement pieces are going where the slide is, most of the wood fiber needed is already there. Ms. Ferguson asked where the other companies who provided bids were found. Mr. White stated that it was a simple search by staff. Furthermore, by city rules anything under \$50,000 the city does not need to get multiple quotes, but it is a good practice. Ms. Ferguson stated that she had done some research on playground equipment and had trouble finding a structure similar to Oceanside for a better price. Chairman Politz brought up the idea of doing the playground equipment in stages as opposed to all at once. Chairman Politz was contacted by a member of the senior citizens board about the need for lighting at the senior center. 4B provided some funding for new lighting at the senior center last year and it still has not been done. Mr. White stated that if that is to become a priority he will have to go out for a contractor which could raise the price. His staff already is loaded with many tasks now. Chairman Politz asked why the playground equipment is a priority. Mr. White stated that he is simply trying to react to what the 4B board wants to do. Chairman Politz said that lighting was a priority last year and it has not happened. Dr. Goldstein mentioned that 4B and the Centennial Committee decided to put \$15,000 each toward the lighting of the Senior Center. Chairman Politz reminded the board that in June of 2017 the budget was amended to include the senior center and it is not done. Yes, the slide and equipment is important, but which of these issues takes priority. Ms. Ferguson asked if there is a concern that if we buy the equipment is the concern that there will not be anyone to install it. Chairman Politz stated that he is talking about simply doing the playground equipment in phases. Fix the slide, place the lighting in the senior center, and then the new playground equipment. Ms. Hershey asked if city workers were going to install the playground equipment. Mr. White stated that they were as time allowed going to install them. Chairman Politz asked the board which item takes priority. Dr. Goldstein asked about the work on the Civic Center, does that have anything to do with the senior center. Mr. White stated that the work going on over in that area is strictly for the library. Ms. Ferguson asked if the concrete has been done at the center. Mr. White stated no and that the concrete should be done along with the new lighting. There was a general discussion among Mr. White and board about concrete in that the city will try to install it when needed. Mr. White reminded the board that he can get the senior center projects done quickly, but the costs will rise. He would try to do it with his staff, however there is considerable pressures elsewhere on his staff. Ms. Hershey asked if we will lose a discount if we try to buy equipment in stages. Mr. White stated that mainly the cost will increase due to freight charges for each delivery. Mr. Garcia asked if our staff could go pick it up a lower cost. Mr. White said probably not as it takes two days and the city would have to rent a large truck. Chairman Politz asked why can the city install playground equipment on time but not work on the senior center. Mr. White stated that he has never discussed timeline for the playground equipment. But there does need to be a debate on how quickly it needs to be installed and the possible need for contractors to install it. Ms. Ferguson asked

if volunteers could help install this equipment. Mr. White stated that they would need to have the skills to install it. Chairman Politz asked if there has been thought to go back to the Centennial Committee to ask for more money to finish the concrete? Mr. White asked if the senior center should be done in three to four weeks, because if so he is going to have to hire a private contractor. Dr. Goldstein noted that if the prices are going to raise that much we probably should not push it, but the lighting and the playground equipment should be the priority. Mr. Garcia asked if we had approved any form of the playground equipment. Chairman Politz stated that \$8,100 has been allocated for the replacement of the slide area only and nothing else. Furthermore, there has been a major need for lighting and we need to focus on that. Ms. Woody Wright knows this more than anybody, and we need to go ahead and finish what we allocated last year. Citizen Leaca Caspari was acknowledged by the board and stated that she has been talking with the city for three years about the senior citizen center. Nobody wanted to take charge. She has seen people trip and fall in the parking lot and the area is a safety issue. Let's put the needs of the senior citizens first. Mr. White reiterated the need for focusing on priorities. Chairman Politz stated what he sees as the 4B boards priorities: replace the slide with new equipment, fix the senior citizens center, and then place the new equipment in the park. Mr. White asked for clarity from the board if we should keep the plan of the equipment altogether. Chairman Politz said let's keep the plan and come back to it, there is just a priority elsewhere right now. Ms. Ferguson asked that since the senior citizen center will not take more money to implement, why are we withholding the purchase of this equipment. Chairman Politz stated that since we do not know exactly what the cost of the senior citizens upgrade will be. Ms. Hershey stated that until we get a bid for the senior citizen upgrade we are just waiting. In the meantime let's make a motion for what we have approved. Jesse Nelson asked how long it would take to get the lighting and concrete in. Mr. White stressed he's working on the new water line and Main Street grant project. Ms. Hershey commented that we probably should just see what the extra cost is for installing the upgrades at the senior center quickly as opposed to just waiting for the city. Chairman Politz said it is up to the Centennial Committee to come up with the extra funds. Mr. White stated that its apparent that the wait is getting unbearable, so he will go ahead and get a bid since it's not all just about the money anymore. Ms. Hershey asked if there is any way a small Boy Scout group could help install the small pieces of the equipment. Mr. White said that this was going to originally be an Eagle Scout crew, but it has to be overseen by our staff so it was not pursued any further to include the eagle scouts. Chairman Politz asked if there was a motion. There was further discussion among the board about where the pieces could be stored and volunteer participation in installing them. Nothing was concluded. Mrs. Lisa Crowder pointed out the city of Allen's Celebration Park as an example of a community project. Mrs. Mary Berry asked about the cost of the lighting for the citizen center. Mr. White confirmed that labor is the issue, not the lighting. Dr. Mike Goldstein made a motion to remove the slide, purchase the Cyclone Challenger and Serpent Pod, wait for the bids for the lighting and concrete for the senior center, and table the other pieces. Ms. Katherine Hershey seconded the motion. It passed unanimously.

POSSIBLE ACTION REGARDING THE COMPREHENSIVE PLAN

Mr. White led discussion of the comprehensive plan. The city would like a broad base of community input on the comprehensive plan. There are sections in the plan that the 4B board would likely provide the best input. Perhaps the Land Use, Central Business District, Economic Development Study, and the Recreation and Open Space Study. Mr. White wants the 4B board to provide comment on these and other sections. It was suggested the board have a special session to discuss it in more depth. Chairman Politz asked what is the timeline on this. Mr. White stated a couple of months would be ideal. Mr. Rothenberger suggested that the board read over it, create comments, send them to him and it would help move the meeting along quicker. Mr. Rothenberger will send a link for the plan to the board and will seek to set a date for a workshop meeting. No hard date was set.

POSSIBLE ACTION REGARDING MAIN STREET MANAGER CONFERENCE TRAINING

Chairman Politz stated that the Main Street Manager must attend two forms of training per year to keep accreditation. Mr. Rothenberger stated that there are only a few opportunities in the state, and that the National Main Street Conference is a unique opportunity to learn. The approximate cost will be around \$1,800 for an entire week. Chairman Politz wanted clarification that the \$1,800 covers everything. Ms. Jesse Nelson made a motion to approve the training costs. Dr. Goldstein seconded. It passed unanimously.

CITY MANAGER REPORT- BEN WHITE

Mr. White has looked the rules in regards to street signage at the bullnose in downtown. It has been decided to place a "Keep Right" sign facing east at the intersection of McKinney and Main Streets. One way signs would be confusing. The city will pay for this sign.

There was discussion of the two new monument signs for the National Register District like the one at the west side of the square. Main Street Board President Randy Rice was recognized by the board. Mr. Rice stated that there is no kind of discount for two signs. There was varied discussion among the board about the location of the markers. There was confusion as to where they would be located. Mr. Rice reminded the board that these signs are to be placed at the entrances of the historic district. Mr. Rothenberger reminded the board that the money for those have already been appropriate at the last meeting. Ms. Hershey noticed that there is a greater need for more signage to show the exit to Main Street off of 380 in both directions. Mr. Rothenberger noted that the signage coming from the west is confusing as it points south. Ms. Hershey agreed. Mr. White said that TXDOT has to approve these changes. Mayor Piwko noted that the "Downtown Shopping" signs should be evaluated and perhaps added in some of the surroundings streets out of view of downtown.

Mr. White moved quickly through the remaining points. JW Spain heaters in the restrooms kept the pipes from freezing this year which was a major help. The new statue in Rambler's Park is making progress and will be installed on February 17. The flooring for the new library will be open in mid-March. The new Main Street Manager Reagan Rothenberger has begun his new job. The LDS Church as offered their help to volunteer for special projects in the city. Camden Park is continuing to make progress. There are two new proposed apartment complexes in that area. The wastewater system is making progress and is critical stages in order to get it down for this area of the city. Big D Concrete is continuing to make progress and their target is to open by June. City Wide Cleanup day bill has not been sent yet for the multiple containers.

Ms. Ferguson brought up the issue at Farmers and Fleas of the severe cold that has been experienced. Is there a way to help with the cold? Any way for heaters to be installed. Mr. Rice in the audience stated that there could be a possibility for some kind of tarps installed in order to break the strong winds. Chairman Politz stated that many of the vendors bring tarps themselves and use them frequently.

MAIN STREET MANAGER REPORT – REAGAN ROTHENBERGER

Mr. Rothenberger stated that he is pleased to be in Farmersville and is excited to get started. He noted that the January report comprises mostly of items completed before he arrived. Debbie Ranspot wrapped up her assistance of keeping the program going. Randy worked on various projects as seen in the Main Street Managers written report. Mr. Rothenberger primarily worked on building relations with downtown business owners and local stakeholders in the few months he was here in January. Mr. Rothenberger was able to attend the Farmersville Heritage Museum meeting and become involved with this group. Also, an article was written about the new Main Street Manager in the Farmersville Times. Mr. Rothenberger reported that Country Roads Trading Post is the newest business downtown with over 40 vendors inside.

Chairman Politz noted that Mr. Rothenberger had been to a significant number of meetings. Chairman Politz asked if Mr. Rothenberger has been able to attend the MI Committee Meeting. Mr. Rothenberger stated that he will try to attend as many various meetings as he can.

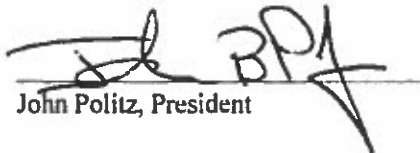
DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS


There were no items noted to be added on a future agenda.

ADJOURNMENT

There being no further business, John Politz adjourned the meeting at 7:32 PM.

Signatures:


John Politz, President


Cynthia Craddock-Clark, Secretary

Agenda Section	Informational Items
Section Number	IV.D
Subject	FCDC (4B) Financial Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	FEDC (4B) Financial Report: NO BANK STATEMENT
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 Community Development Corp 4B
Investment and Budget Report**

March 2018

Prepared by: Daphne Hamlin

Farmersville Community Development Corp 4B
March 2018

Statement Balance 3-1-2018	\$303,394.22
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Deposits:	
Sales Tax:	\$18,954.31
New Checking Int. .05%	\$12.95
Wire Fee	\$(10.00)
refund	\$1,750.00
Checks 2759,2761-2764,2766-2768	\$(4,486.15)

Balance 04-01-2018	\$319,615.33
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Outstanding Transactions

Sales Tax	
Transfer to Texpool	
CD Interest	
Outstanding checks 2765	\$(50.00)

Balance 4-6-2018	\$319,565.33
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4/5/2018

Excess Revenue Over Expenses

Farmersville Community Development Corporation
Financial Statement
For the Fiscal Year Ended September 30, 2018

4/15/2018

	October	November	December	January	February	March	April	May	June	July	August	September
Beginning Bank Balance	284,342.12	\$254,014.74	\$262,399.63	\$276,111.23	\$289,990.92	\$302,994.22						
Deposits:												
Sales tax deposits	19,322.84	19,542.30	\$17,078.99	16,423.31	20,135.37	\$18,954.31						
Interest income-bank	10.42	10.36	\$11.21	11.76	11.11	\$12.85						
Transfer to TexPool												
Transfer From Texpool to First Bank	(10.00)	(10.00)	-\$10.00	(10.00)	(10.00)	-\$10.00						
Misc												
Misc. account adj												
Total Revenues	283,665.36	273,567.40	279,479.83	292,536.29	310,127.40	321,951.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Disbursements:												
Main Street Personnel & Supplies												
Personnel												
Supplies												
Miscellaneous	\$ 273.76	\$ 1,755.77	\$ 1,268.00	\$ 490.92	\$ 985.00	\$ 2,028.75						
Reimburse City for accounting												
Chamber of Commerce	\$ 12,000.00											
May Taxes												
Land Purchase	\$ 4,998.18				\$ 4,998.18							
Fire Works	\$ 1,000.00											
Bain Honaker House Restoration												
Farmersville Heritage Museum												
Chamber Trick it up bike ride												
Chaparral Trail Marketing	\$ 875.00	\$ 875.00	\$ 875.00	\$ 200.00	\$ 1,150.00	\$ 675.00						
Colin College Sponsorship												
Parks Equipment												
National Register Plaques	703.70	\$ 1,750.00	\$ 703.70			\$1,432.40						
Safety Equipment		\$ 1,977.00	\$ 204.19	\$ 1,854.45		-\$1,750.00						
November 4 clean up day												
Christmas Lights	10,000.00											
North East Texas Trail		5,000.00	\$ 519.71									
Total Expenses	29,850.64	11,157.77	3,368.60	2,545.37	7,133.18	2,388.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Bank Balance	254,014.74	262,399.63	276,111.23	289,990.92	302,994.22	319,565.33	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TEXPOOL Balance	85,792.95	\$85,867.00	\$85,952.80	\$86,047.62	\$86,136.37	\$86,247.22						
Interest Income-TEXPOOL	75.12	\$ 74.05	\$ 85.80	\$ 84.82	\$ 88.72	\$ 110.88						
Total Available Funds	339,807.89	348,266.63	362,064.03	376,038.54	399,130.59	405,812.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Signed:

Agenda Section	Informational Items
Section Number	IV.E
Subject	Main Street Board Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Main Street Board Minutes
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 Main Street Board Minutes February 12, 2018 City Hall

Call to Order, Roll Call, Recognition of Visitors:

Meeting called to order at 4:45 PM by President Randy Rice. Present were board members Vice President Mary Berry, Doris Cooks, Kim Smith-Cole, Glenda Hart, and 4B representative John Politz. Also present Leaca Caspari, Donna Williams, Mayor Diane Piwko, City Manager Ben White, Reagan Rothenberger and Councilman Donny Mason. No one wished to come forward for public comments.

Consider for approval January 8th, 2018 Meeting Minutes:

There was no discussion regarding the January 8th, 2018 meeting minutes; motion to approve by Mary Berry, second by Doris Cooks. Minutes were approved as presented.

Consider for approval January 2018 Financial Statement:

The statement was approved as presented.

Consider, discuss with possible action for new cover and sides for Main Street Canopy and weights

Mr. Rothenberger did a minor look online for this item. The cost for a new canopy and weights with sides will be approximately \$500.

Farmers & Fleas Market Report

President Randy Rice asked Mr. Rothenberger to give his impressions of the Farmers and Fleas Event. Mr. Rothenberger was impressed with how well it was run and hopes to see it grow in the months and years ahead.

National Register District Plaque

In the past meeting President Rice suggested purchasing two new plaques for north and south Main Street entrances to downtown. President Rice asked Chairman Politz of the 4B Board if it was approved. Chairman Politz stated that there would be discussion later that night.

Possible Action to Request Funding for Main Street Manager Training:

Mr. Rothenberger noted that he must attend two substantial training sessions per year in order for the Main Street to keep accreditation. Texas Main Street has limited sessions in state, so this year it is recommended that Mr. Rothenberger attend the National Conference. Vice President Berry stated that it sounds like a benefit and great idea. Kim Smith-Cole made a motion to approve, Glenda Hart seconded. It passed unanimously.

Main Street Manager Report:

Mr. Rothenberger briefly read through the formal Main Street Manager report. Noted were that the quarterly re-investment report was sent out. Mr. Rothenberger

was noted in the Farmersville Times. Mr. Rothenberger was able to participate in the Farmersville Heritage Museum meeting. Mr. Rothenberger registered our membership with the National Main Street Center. Mr. Rothenberger told a little bit about himself personally to the board.

City Manager Report and Comments

Mr. White led discussion of several projects. 4B is discussing new playground equipment. The Chamber of Commerce is purchasing a new bike repair station for the trail. Irrigation systems have been adjusted so we may see more water in the area. If there is a problem we can make more adjustments. Rambler park will soon see a new statue. The foundation is being prepared currently. Mr. White briefly mentioned the Central Business District study of the comprehensive plan workbook and that the Main Street Board should provide some input. The LDS Church in town is asking for projects to help with and has offered volunteers. Main Street grant for ADA improvements have come in for a second time. The first time the bids were too high due to a misunderstanding. The new bids are looking better for our purposes. Audie Murphy Day Committee has met to get up and running.

Workshop for Comprehensive Plan:

President Rice asked that we set a special time to meet for a workshop to discuss the comprehensive plan. Vice President offered up Monday's and Tuesday's as the best day. President Rice, the board and Mr. Rothenberger suggested Wednesday the 21st of February at 9:00 a.m. This date was tentatively set. Mr. Rothenberger will create the agenda and get everything in order and will provide any information needed.

Discussion of placing items on future agendas:

No items

Adjournment: With no further business to discuss, the meeting was adjourned by Randy Rice at 5:09 PM



Randy Rice, President



Kim Smith-Cole, Secretary

Agenda Section	Informational Items
Section Number	IV.F
Subject	Main Street Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Main Street Monthly 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



Main Street Monthly Report
March 2018
Reported by
Reagan Rothenberger



ORGANIZATION/ADMINISTRATION:

Month	Studying past files, organizing office.
Month	Editing the proposed Historic Preservation Ordinance & Summary Document
5	Main Street & 4B Comprehensive Plan Workshop Sessions
8	Submitted February Report to the Texas Historical Commission
7, 8, 9	Prepared all documents pertaining to the February Main Street and 4B Meetings
12	Attended and supported the Main Street & 4B Board Meetings
13	Attended City Council Meeting
15, 27	Editing the CBD Section of the Farmersville Comprehensive Plan
20, 21	Made progress in working toward ordering a new sound system for downtown.
21	Preparation for Audie Murphy Day Meeting & Heritage Museum meeting.
22, 23	Farmers and Fleas Preparation
24-29	National Main Street Conference in Kansas City, MO.

PROMOTION:

3	Farmers & Fleas Market, large month with high attendance.
22	Second Audie Murphy Day Meeting
22	Farmersville Heritage Museum Meeting – moving ahead on ordering display cases and seeking more items.
Month	Managed the Farmersville Main Street Facebook Page and began an advertising campaign.

DESIGN:

14, 28, 29	Ordered two additional “National Register District Plaques” from the Southwell Co. These will likely be delivered in early May.
Month	Working on the design guidelines portion of the proposed Historic Preservation Ordinance.
Month	Evaluating various wayfaring signage in the district and how to improve it, including billboards.

ECONOMIC RESTRUCTURING:

Month	Continued to meet with many business owners.
Month	Working with two strong tenants for the Candy Kitchen (Williams) Building. Spoke at length with potential tenants throughout the month.
5	Spoke to the owner of Tender BBQ of Celina. Will consider Farmersville.

Agenda Section	Informational Items
Section Number	IV.G
Subject	Planning & Zoning Commission Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Planning & Zoning Commission Minutes
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
PLANNING AND ZONING COMMISSION MINUTES
REGULAR CALLED MEETING
February 26, 2018, 6:30 P.M.
COUNCIL CHAMBERS, CITY HALL
205 S. Main Street**

I. PRELIMINARY MATTERS

- Chairman Bobby Bishop presided over the meeting which was called to order at 6:30 p.m. Commissioners Sarah Jackson-Butler, Kevin Adamson, Lance Hudson, Luke Ingram, and Russell Chandler were in attendance. Paul Kelly was not present. Also, in attendance was City Manager, Ben White; staff liaison, Sandra Green; City Attorney, Alan Lathrom; and Council liaison, Craig Overstreet.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.

II. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding an application requesting a change in zoning on approximately 0.3444 acres of land, more or less, from Single-Family 1 (SF-1) District Uses to C-Commercial District uses. The property is generally situated at 311 Sycamore Street and is known as Lot OL 1 of the Gaddy Addition, and located in the W.B. Williams Survey, Abstract A952, of Farmersville, Collin County, Texas.
- Bobby Bishop opened the public hearing at 6:32 p.m.
 - James Foy who resides at 211 College Street stated he was speaking against spot zoning. He explained he is against spot zoning because this property is a residential lot that the applicant has requested to change to commercial. The problem is that it is located around other residential property and he stated spot zoning is illegal. He recalled the case of Burkett vs. the City of Texarkana where the Texas 6th District Court of Appeals observed that spot zoning is descriptive of the process of singling out a small parcel of land for use classification different from and inconsistent with that of the surrounding area for the benefit of the owner of such property and to the detriment of the right of the other property owners. In the case of Thompson vs. the City of

Palestine, the Texas Supreme Court indicated spot zoning as preferential treatment that defeats a pre-established Comprehensive Plan and it is piece-mail zoning. He stated in a paper called *Land Use Regulation for Texas Cities*, attorney Brad Young indicates that two pitfalls that cities must be mindful of is to avoid spot zoning and contract zoning. He wrote that spot zoning is an illegal practice of zoning a single tract of land that is incompatible with the surrounding area, the City Zoning Ordinance and the Comprehensive Plan. He explained contract zoning is an illegal agreement with the City and a property owner to adopt a certain zoning classification in exchange for certain promises by the property owner. Terrence Welch, with Brown & Hofmeister, wrote a paper that he presented to a Land Use Conference in Austin in 2016. In the paper he said spot zoning is the rezoning of property that benefits the specific property, so the use classification is less restrictive than required by the original Zoning Ordinance. He claimed Mr. Welch indicated when City Council departs from its Comprehensive Plan and rezones a small tract, it violates the state law requirement that zoning is to be in accordance to the Comprehensive Plan. Thus, spot zoning is illegal because it is an arbitrary departure from the Comprehensive Plan. He explained that if the property is rezoned to commercial it could be used for any commercial activity. He explained he understood Mr. Crump is wanting to utilize the property as office space but later it could be used as other things. He urged the Commission to not spot zone and leave the use as residential.

- George Crump addressed the Commission and explained he is the owner who is requesting that the zoning be changed. He stated the facility was used as a daycare center in the past. It is a single-family dwelling, but it faces a cemetery and it would be difficult to use as a residence. The plan is to use it as an office building. He indicated it would not be conducive to have any other use because there is not enough land.
- Bobby Bishop closed the public hearing at 6:37 p.m. and asked Ben White for some information regarding the zoning.
- Ben White indicated he would refer to attorney Alan Lathrom since there was a lot of legality involved.
- Alan Lathrom explained that when this change was applied for he and Sandra Green looked at the Comprehensive Plan to figure out what the future land use plan showed. He asked Sandra Green to read the information from the Comprehensive Plan.
- Sandra Green stated the information in the Comprehensive Plan showed the future land use to be in Central Farmersville.
- Bobby Bishop asked if the property was originally zoned commercial and then changed to single family residential.
- Sandra Green stated she did not believe so. It appeared to always be zoned as residential.
- Alan Lathrom explained that a day care center is allowed by right in a residential zoning district.
- Sandra Green read the information for the Central Farmersville area in the Comprehensive Plan that indicated the area would be predominately single

family residential uses with multi-family, institutional, commercial, and industrial uses scattered throughout. The area is laid out in a historic grid pattern and reflects the cultural values of the past. In the future it is anticipated that the area will remain predominately single family residential or duplex uses on the smaller lots, higher density townhomes, multi-family and commercial uses may be appropriate if it is consistent with the layout and character of the area. The intent of any new development in this area should be to maintain the existing development patterns, provide capable fill in development, and enhance and stabilize the existing neighborhood. Residential areas in Central Farmersville are not to exceed twelve (12) dwelling units per gross acre.

- Alan Lathrom stated the Comprehensive Plan allows for staggering uses within Central Farmersville. The zoning is a discretionary combination by the Planning & Zoning Commission and the City Council and if they feel like the use is not consistent with what the Comprehensive Plan calls for then the Commission could disapprove the request. He explained if the zoning is changed to a commercial use it could not be restricted to specific uses. All uses that are allowed in commercial zoning areas would be allowed, unless you have a planned development. But, a planned development has not been applied for.
- Bobby Bishop asked if other requirements such as lighting would come into play.
- Alan Lathrom stated there would be requirements such as parking and other items, based on the type of use.
- Bobby Bishop asked about churches and where they can go within the City.
- Alan Lathrom indicated churches can go in to any residential zoning district by right. He pointed out that day cares, churches and schools can pretty much go in to residential districts. Churches and schools can go in to whatever zoning district they would like.
- Bobby Bishop asked if the only things facing Sycamore Street right now would be the church and the building that Mr. Crump owns.
- Ben White stated the cemetery also faces Sycamore.
- Bobby Bishop explained the biggest concern seems to be the number of activities that could eventually go into the building as a commercial use. He asked Alan Lathrom to expand upon that.
- Alan Lathrom indicated if the applicant received a planned development for an office building then the use of that property would be used for only that purpose. When you zone straight commercial and if a change takes place, every use would be allowed. On straight commercial zoning the Commission does not have the right to carve out uses they do not want to allow. The City does not have the ability to enter into a development agreement to carve out the use of professional office buildings because that would be contract zoning and that does violate state law.
- Sarah Jackson-Butler asked if the property could be used as an office even if it is not zoned commercial.

- Alan Lathrom stated no because it is a residential zoned area. The only way you could have an office use in a residential zoned district is by having a home occupation. If you have a primary residence, you could have an office as an accessory use but there would be restrictions. For example, you could not have more than one employee in the office besides the homeowner.
- Bobby Bishop asked if Alan Lathrom indicated it would be legal to rezone the property to commercial.
- Alan Lathrom indicated only if the Commission believes it falls within the description set out in the Comprehensive Plan.
- Kevin Adamson asked if the Commission approves this item and someone else up the street wanted to rezone to commercial would they have to allow it.
- Alan Lathrom stated not necessarily. Part of the problem is finding the balance for locations of diverse types of uses that are allowed under the Central Farmersville District the way it is set out in the Comprehensive Plan. If the City is zoning according to the Comprehensive Plan it is okay, but if you start to go away from the Comprehensive Plan that is where you get into spot zoning.
- Bobby Bishop indicated that if the property was going to be used as a residential home the owners would probably have to be tear it down and start over. He indicated if the property stayed the way it is now it would more than likely remain abandoned.
- Lance Hudson asked if the building would have to have façade changes if it was changed to commercial.
- Alan Lathrom indicated there would not be a requirement for changing the façade, but there may be landscaping and parking requirements that would have to be met.
- Bobby Bishop asked if they would have to bring the building up to code.
- Alan Lathrom indicated the property is not grandfathered so it would have to be brought up to code.
- Sarah Jackson-Butler asked if there was a time limit on this request.
- Alan Lathrom indicated there was not a time limit because this was not like a plat.
- Kevin Adamson stated it is a hard decision because he believes that an office is the best use of the property, but the way the property faces the residential neighborhood could be a problem. In the future if someone wanted to put a paint shop or something else there, that would not be a suitable location for it. He stated he did not know what to do with the property otherwise.
- Russell Chandler asked if there was another way the property owner could bring this back differently other than the way it is being presented.
- Alan Lathrom indicated he would have to check the Ordinance to see the minimum acreage required for a planned development.
- Sarah Jackson-Butler recommended the item be tabled until the next meeting for research to be done. She wanted to see how it can be zoned so people do not think it is spot zoning and in case others in the area ask to rezone later.

- Motion to table until the next meeting made by Sarah Jackson-Butler
- 2nd to approve made by Kevin Adamson
- All members voted in favor

III. Items for Discussion and Possible Action

A. Consider, discuss and act upon minutes from December 18, 2017.

- Motion to approve made by Russell Chandler
- 2nd to approve made by Luke Ingram
- All members voted in favor

B. Consider, discuss and act upon minutes from January 22, 2018.

- Motion to approve made by Sarah Jackson-Butler
- 2nd to approve made by Kevin Adamson
- All members voted in favor

C. Discussion regarding schedule for Comprehensive Zoning Ordinance and Subdivision Ordinance review and approval.

- Sandra Green explained she forgot to notice the public hearing, so the dates would change accordingly. The public hearing would now take place on the normal Planning & Zoning meeting on March 19th. The City Council would then hold a public hearing on the 27th and full adoption should be in April.

IV. PLANNING WORKSHOP

A. Discussion regarding the proposed complete rewrite and revision of the City of Farmersville's Zoning Ordinance and Subdivision Ordinance (collectively "Ordinances") and discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.

- Bobby Bishop indicated the proposed Zoning Ordinance was much easier to read and it cleared up a lot of items.
- Ben White went through the table of contents and pointed out that several items were added in the document. He explained there was a lot of time spent on definitions and allowing staff to interpret items.
- Luke Ingram stated the document shows there will be 14 zoning districts and he wanted to know how that compares to the old document.
- Ben White stated parking was the only district that was removed. Also, the industrial zones went from I-1 and I-2 to LI and HI. Ben White stated there were some changes in the specific requirements for each district within the document. For example, brick requirements have been added.

- Sandra Green explained that Paul Kelly could not be at the meeting because he was at the School Board meeting, but he wanted it brought out at the meeting that he did not like the brick requirements. He stated he felt like it was being too restrictive on the citizens because they should be able to use wood on their houses.
- Sarah Jackson-Butler indicated she was under the impression the City would incorporate other items into the definition of masonry besides just brick.
- Sandra Green stated that had been done. Masonry would allow for brick, stucco and other materials that are spelled out in the document.
- Sarah Jackson-Butler asked what the percentage of masonry was being proposed.
- Sandra Green stated the document is asking for 75 percent on the first floor and 50 percent on the second.
- Ben White stated the City does not have to go with those percentages, but most cities around the area have those requirements.
- Lance Hudson stated he believed that most cities require more.
- Ben White stated the planned development zoning was changed to an overlay district. He also stated the highway commercial district was made into an overlay district.
- After discussions back and forth over the proposed zoning document the Commission, Alan Lathrom, or City staff members requested the following items be changed:
 - no fiberboard to be used on the exteriors of buildings
 - mixed use category to be added in the chart of uses
 - add definitions and examples of toxic and hazardous materials
 - add a use for a permanent concrete plant
 - a statement added under Section 4.6.2 Garage Apartment or Guest House that indicated the floor area of the guest house should not exceed a certain percentage of the primary structure; this would make it to where the guest house would never be larger than the main residence
 - in Section 4.7.4 Roofing Requirements change the shingles to reflect 30-year instead of 40-year; add grey and dark chocolate to acceptable colors of shingles; indicate that corrugated metal could only be used in the Downtown, Historical Area of Farmersville to protect the Onion Shed and other historical buildings
 - make sure the Ordinance reflects that the CA – Central Area District does not have to meet parking standards for the uses since parking is limited in the downtown area
 - Include brick, not concrete, would be allowed in the downtown area for parking since the streets are paved with brick
 - Check on the square footage requirements of the apartment units to see if it would restrict developers
 - consider other alternatives to brick for houses because the percentage stated in the proposed Ordinance could hinder residents; wood is commonly used in the City and the Commission

would like to have something with the look of wood that would hold up better to the elements

- After reviewing the propose Zoning Ordinance, the Commission moved on to the Subdivision Ordinance. Staff walked them through the changes that had been made to the document. The Commission members did not have any changes they wanted make to the Ordinance.

V. Adjournment

Meeting was adjourned at 8:35 p.m.

ATTEST:


Sandra Green, City Secretary

APPROVE:


Bobby Bishop, Chairman



V. Public Hearing

Agenda Section	Public Hearing
Section Number	V.A
Subject	Public hearing to consider, discuss and act upon a request for certain variances and waivers from some of the requirements of the City of Farmersville's Subdivision Regulations, Chapter 65 of the Farmersville Code, for Lots 1 through 10, Block 1, of the Deer Crossing Subdivision to be developed on approximately 11.80 acres of land in E.B. Reed Survey, Abstract No. 739 in the City of Farmersville's ETJ along the north side of County Road 553 in an area west of State Highway 78.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	<ul style="list-style-type: none"> • Variance/Waiver Request Letter • Subdivision Application • 30-day Waiver Letter • DBI Comments to Applicant • Preliminary Plat
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



February 22, 2018

Ms. Sandra Green
City Secretary
205 S. Main
Farmersville, Texas 75442

**RE: Deer Crossing
Variance Request**

Dear Ms. Green:

We respectfully submit this letter requesting approval of the Deer Crossing subdivision in the City of Farmersville ETJ. We are requesting the following variances:

- Right of Way (ROW): We understand that the City standard ROW is for sixty feet. We would like to request that be reduced to fifty feet to be consistent with Collin County Standards. The project location is on the edge of the ETJ limits for Farmersville and the standards required by Farmersville are not consistent with similar developments in the County. We propose to provide utility easements beyond the fifty-foot ROW to compensate for the placement of utilities beyond the ditches which will essentially provide the same effect as the sixty feet of ROW.
- Roadway Width: The roadway pavement width standard for the City is thirty feet. We respectfully request that the roadway width requirement of twenty-four feet for Collin County be allowed for this development. Our understanding is that the thirty-foot standard section is required in the city to allow for parking on each side of the road. This development contains ten (10) acre plus lots and the homes will have lengthy drives and ample off-street parking space to allow for parking.
- Parkland/Open Space: The review comments indicate that parkland and open space dedication is not provided with this development. It is our understanding that this requirement is a zoning requirement which cannot be applied to land within the ETJ. We respectfully request the city attorney review the applicability of this comment to this development.
- Storm Water Detention: This property of just ten (10) lots drains in three different directions. The hydrologic difference in a farm land is not significantly different than larger acreage homesites. The additional runoff created by this development is minimal considering it is divided in three different discharge points. The development will return the discharge to current conditions (overland flow) when it leaves the west property. The discharge to the south is through an existing culvert under CR553 which has the capacity to handle the developed flows. We respectfully request the waiver of the detention requirement on the basis that the increase in flow is minimal and would be difficult to provide three detention

facilities on the ten lots.

- One Point of Entry: The subdivision ordinance requires two points of entry into a subdivision, but the county requirements do not for such a small development. The City standards allow for cul-de-sacs of similar length and more homes within a subdivision to be constructed. Therefore, we respectfully request a waiver for the multiple point of entry requirement as it is not practical on this development.
- Improvements to CR553: The review comments indicate that improvements must be made to CR553. CR553 is owned and maintained by Collin County and it is not a requirement of the County to improve this road. We request that the city attorney review this comment as to the legality of requiring improvements to a facility not owned or maintained by the City.
- Landscaping Plan: A review comment indicates to provide a landscaping plan. We believe this to be a use requirement instead of standards which is not regulated in the ETJ. We request that the city attorney review the applicability of this comment as well.

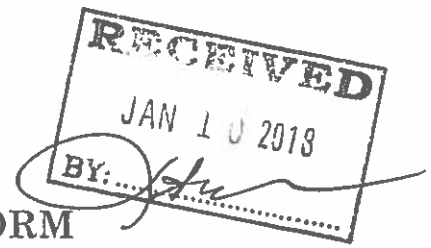
The owner of this property wishes to develop this property into ten (10) custom homesites to build custom homes. The intent is to build country-type homesites with a rural feel instead of a suburban neighborhood. We respectfully request the variances based upon the reasons above and as a undue hardship on the development of this property compared with the properties just a few hundred feet away located just outside of the ETJ.

If you have any questions or have additional comments, please do not hesitate to contact me at 972-941-8400 or by email at matt@ecdip.com

Thank you,



Matt Atkins, P.E.
Engineering Concepts & Design, L.P.



SUBDIVISION APPLICATION FORM City of Farmersville, Texas

Please Type or Print Information

This form shall be completed by the Applicant and submitted to the City Secretary's Office along with 6 copies of the respective plat, fees, and all other required information.

In order for a completed package to be considered for a Planning and Zoning Board meeting all application materials will need to be turned into the City staff at least 3 weeks prior. The package will need to be technically complete 6 working days prior to the Planning and Zoning Board meeting.

The use of City of Farmersville administrative forms, checklists, and routing sheets shall not relieve the applicant from following the rules, standards, ordinances, and laws governing the City of Farmersville.

The submission of plans/drawings, calculations, etc., along with this application, makes such items public record and the Applicant understands that they may be viewed and/or reproduced by the general public.

For a list of fees associated see the City of Farmersville Master Fee Schedule. Fees shall be collected for the purpose of defraying the costs of administrative, clerical, engineering, legal, planning, inspection, and other services deemed necessary to properly review and investigate plats and subdivision construction.

Exemptions to the platting process are listed in section 1.5 of the Subdivision Ordinance.

Subdivision Ordinance variances/waivers may be granted by following the steps outlined in section 1.10 of the Subdivision Ordinance.

Public infrastructure requirements established by the respective code (example, International Fire Code) and interpreted by the code official may be appealed based on a claim of incorrect interpretation, code applicability, or equivalent methodology. Code requirements cannot be waived.

Place "X" or check mark in appropriate box. All answers must be "Yes" to submit application.

Pre-Application Requirements		
Yes	No	Requirement
✓		Attended Pre-Application Conference
✓		Plat described by metes and bounds
✓		Plat located with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part
✓		Dimensions of plat and of each street, alley, square, park, or other part of the plat intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part
✓		Plat is located in Collin County
	✓	Plat is located in Hunt County
✓		Plat is located within the City of Farmersville corporate limits or Extra-Territorial Jurisdiction (ETJ) limits

Subdivision Application Form

Place "X" or check mark in appropriate box. Use the N/A (not applicable) box if a line item is not applicable. Double asterisk items are required for all applications. Where separate documents are requested attach them to this submission.

Required Submission Materials			
Yes	No	N/A	Item Description
✓			** Six copies of plat. Dimensions should be 24" X 36".
		✓	* * Original certified tax certificate
		✓	** Utility service provider letters
		✓	** Proof of land ownership document
✓			** Electronic version of plat on CD (.PDF and .DWG)
✓			** Fees with appropriate retainer as required
		✓	Governmental (TxDOT, Collin County, etc.) approval for major thoroughfare access such as driveway
		✓	Farmersville Independent School District (FISD) accommodation letter (high impact residential or multi-family only)
✓			Two copies of engineering plans
	✓		On-Site Sanitary Sewer Facility (OSSF) certification document
	✓		Engineer's Summary Report
		✓	Development schedule
		✓	Development agreement
		✓	Copy of covenants, conditions, restrictions, and agreements
	✓		Geotechnical report
	✗	✓	Traffic study
		✓	Application letter for proposed street names

Place "X" or check mark in appropriate box. Only one box may be indicated.

Type of Plat Document Submittal	
	Concept Plan
✓	Preliminary Plat
	Final Plat
	Development Plat
	Replat
	Amending Plat
	Minor Plat
	Vacated Plat

Subdivision Application Form

Place information in all spaces that apply. Depending on the situation some spaces may be left empty.

Property Owner Information	
Name	CRYER Custom BUILDERS, INC - BRUCE CRYER
Address	2560 LONESOME DOVE
City	FARMERSVILLE
State	TEXAS
Zip	75442
Work Phone Number	972-979-2597
Facsimile Number	
Mobile Phone Number	
Email Address	CRYERCUSTOMBUILDERS@gmail.com
Applicant/Responsible Party Information	
Name	BRUCE CRYER
Address	2560 LONESOME DOVE
City	FARMERSVILLE
State	TEXAS
Zip	75442
Work Phone Number	972-979-2597
Facsimile Number	
Mobile Phone Number	
Email Address	CRYERCUSTOMBUILDERS@gmail.com
Engineer Information	
Name	MATT ATKINS - ENGINEERING CONCEPTS
Address	201 WINDGO CIRCLE STE 200
City	WYLLIE
State	TEXAS
Zip	75098
Work Phone Number	972-941-8400
Facsimile Number	972-941-8401
Mobile Phone Number	214-641-2717
Email Address	matt@ecd1p.com
Surveyor Information	
Name	Boundary Solutions - MATT BUSBY
Address	P.O. Box 250
City	CADDO Mills
State	TEXAS
Zip	75135
Work Phone Number	972-782-8082
Facsimile Number	972-782-7611
Mobile Phone Number	214-499-8472
Email Address	mbusby-bsi@yahoo.com

Subdivision Application Form

General Application Information	
Proposed Name of Subdivision	Deer Crossing
Total Acreage of Development	11.80
Physical Location of Property	FM CR 553
Legal Description of Property	E.B. REED Survey, A-739
Number of Lots	10

Place "X" or check mark in appropriate box indicating the form provided for proof of land ownership. Attach document to this submission.

Type of Plat Document Submittal	
<input type="checkbox"/>	General Warranty Deed
<input type="checkbox"/>	Special Warranty Deed
<input type="checkbox"/>	Title Policy
<input type="checkbox"/>	Other (approved by City Manager):

Place "X" or check mark in appropriate box indicating the current zoning districts comprising the land. Depending on the situation more than one box may be indicated.

Current Zoning	
<input type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input checked="" type="checkbox"/>	Extra-Territorial Jurisdiction

Subdivision Application Form

Place "X" or check mark in appropriate box indicating the **proposed zoning districts** comprising the land. Depending on the situation more than one box may be indicated. If zoning remains unaffected mark the same as above in the "Current Zoning Districts" table.

Proposed Zoning		
	A	Agricultural District
	SF-1	One-Family Dwelling District
	SF-2	One-Family Dwelling District
	SF-3	One-Family Dwelling District
	2F	Two-Family Dwelling District
	MF-1	Multiple-Family Dwelling District-1
	MF-2	Multiple-Family Dwelling District-2
	P	Parking District
	O	Office District
	NS	Neighborhood Service District
	GR	General Retail District
	C	Commercial District
	HC	Highway Commercial
	CA	Central Area District
	I-1	Light Industrial District
	I-2	Heavy Industrial District
	PD	Planned Development District
X		Extra-Territorial Jurisdiction

Place "X" or check mark in appropriate box indicating the **proposed use of the land**. Depending on the situation more than one box may be indicated.

Use of Land and Buildings	
Housing Uses	
X	One Family Detached Dwelling
	One Family Attached Dwelling
	Zero Lot Line Dwelling
	Town Home
	Two Family Dwelling
	Multiple Family Dwelling
	Boarding or Rooming House
	Bed and Breakfast Inn
	Hotel or Motel
	HUD Code Manufactured Home
	Industrialized Housing
	Mobil Home

Use of Land and Buildings	
Accessory And Incidental Uses	
	Accessory Building
	Farm Accessory Building
	Home Occupation
	Off Street Parking Incidental to Main Use
	Stable
	Swimming Pool
	Temporary Field Office or Construction Office
Utility And Services Uses Electrical Substation	
	Electrical Energy Generating Plant
	Electrical Transmission Use
	Fire Station
	Gas Lines and Regulating Station
	Public Building Shop or Yard of Local State or General Agency
	Radio, Television, or Microwave Tower
	Radio or Television Transmitting Station
	Sewage Pumping Station
	Sewage Treatment Plant
	Telephone Business Office
	Telephone Exchange, Switching Relay or Transmitting Station
	Utility Line, Local
	Utility Shops or Storage Yards or Buildings
	Water Standpipe or Elevated Water Storage
	Water Reservoir, Well or Pumping Station
	Water Treatment Plant
Recreational And Entertainment Uses	
	Amusement, Commercial
	Amusement, Commercial
	Country Club with Golf Course
	Dance Hall or Night Club
	Day Camp for Children
	Drag Strip or Commercial Racing
	Go Cart Track
	Gun Range
	Park or Playground
	Play Field or Stadium
	Rodeo Grounds
	Swim or Tennis Club
	Theater
	Trailer Park - Recreational Vehicle Park

Use of Land and Buildings	
Educational And Institutional Uses	
	Art Gallery or Museum
	Cemetery or Mausoleum
	Church or Rectory
	College, University or Private School
	Community Center
	Convent or Monastery
	Fairgrounds or Exhibition Area
	Fraternity, Sorority, Lodge or Civic Club
	Home for Alcoholic, Narcotic or Psychiatric Patients
	Hospital Acute Care
	Hospital Chronic Care
	Historical, Religious, Charitable or Philanthropic Nature
	Kindergarten or Nursery
	Library
	Nursing Home or Residence for Aged
	School, Business or Trade and
	School, Public or Parochial
Transportation Related Uses	
	Airport, Landing Field or Heliport
	Bus Station or Terminal and
	Motor Freight Terminal
	Parking Lot Truck
	Parking Lot Structure Commercial
	Railroad Freight Terminal
	Railroad Passenger Station
	Railroad Track or Right-of-Way
	Railroad Team Tracks
Automobile Service Uses	
	Auto Glass, Muffler or Seat Cover Shop
	Auto Laundry
	Auto Parts and Accessory Sales
	Auto Parts and Accessory Sales
	Auto Painting or Body Rebuilding Shop
	Automobile Repair Garage
	Gasoline or Fuel Service Station
	New or Used Auto Sales in Structure
	New or Used Auto Sales Outdoor Lot
	Motorcycle or Scooter Sales and Repair
	Steam Cleaning or Vehicles or Machinery
	Tire Retreading or Capping
	Trailer, Cargo Sales or Rental
	Wrecking or Auto Salvage Yard

Use of Land and Buildings	
Retail And Related Service Uses	
	Antique Shop
	Art Supply Store
	Bakery or Confectionery Shop
	Bank or Saving And Loan Office
	Barber or Beauty Shop
	Book or Stationery Shop
	Camera Shop
	Cleaning Shop or Laundry
	Cleaning Laundromat
	Clinic, Medical or Dental
	Custom Personal Service Shop
	Department Store or Discount Store
	Drug Store or Pharmacy
	Farmers Market
	Florist Shop
	Food Store
	Furniture or Appliance Store
	Garden Shop and Plant Sales
	Handcraft and Art Objects Sales
	Hardware Store or Hobby Shop <input type="checkbox"/> Key Shop
	Laboratory, Medical or Dental
	Medical Appliances, Fitting, Sales or Rental
	Mortuary
	Offices, General Business or Professional
	Office Showroom/Warehouse or Sales Facilities
	Optical Shop or Laboratory
	Pawn Shop
	Pet Shop, Small Animals, Birds, and Fish
	Private Club
	Repair of Appliances, T.V., Radio and Similar Equipment
	Restaurant or Cafeteria
	Restaurant or Eating Establishment
	Retail Shop, Apparel, Gift Accessory and Similarities
	Sexually Oriented Establishment
	Studio Decorator and Display of Art Objects
	Studio Health Reducing or Similar Service
	Studio, Photographer, Artist, Music, Drama, or Dance
	Tool Rental
	Trailer or RV Sales or Display
	Variety Store or Other Retail Outlet Store
	Veterinarian Office Only


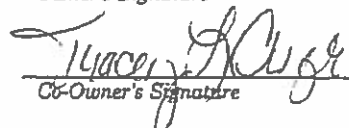
Use of Land and Buildings	
Agricultural Types Uses	
	Farm or Ranch
	Animal Pound
	Animal Clinic or Hospital
	Animal Clinic, Hospital or Kennel
	Greenhouse or Plant Nursery
Commercial Type Uses	
	Bakery Wholesale
	Building Material Sale
	Cabinet and Upholstery Shop
	Cleaning, Drying or Laundry Plant
	Clothing or Similar Light Assembly Process
	Contractors Storage or Equipment Yard
	Heavy Machinery Sales, Storage or Repair
	Lithographic or Print Shop
	Maintenance and Repair Service for Buildings
	Milk Depot, Dairy or Ice Cream Plant
	Manufactured House or Industrialized Homes Sales and Display
	Open Storage of Furniture, Appliances or Machinery, Etc.
	Paint Shop
	Petroleum Products, Storage and Wholesale
	Plumbing Shop
	Propane Storage and Distribution
	Storage Warehouse
	Trailer or Recreational Vehicle Sales or Display
	Welding or Machine Shop
	Wholesale Office Storage or Sales Facilities
Industrial Uses	
	Asphalt Paving Batching Plant
	Concrete Batching Plant
	Concrete Products Manufacture
	Light Manufacturing
	Sand and Gravel Storage
	Sand, Gravel, Stone or Petroleum Extraction

Subdivision Application Form

Indicate the utility provider's name for the property in the space provided.


Utility Providers	
Description of Service	Name
Electrical Service Provider	Texas - New Mexico
Water Supplier	Copeville SUD
Sewage Disposal	ON-SITE AEROBIC
Telephone Service	N/A
Cable TV Service	N/A
Gas Service	N/A
Refuse Pick-Up	N/A

The signatures of the owner(s) below indicate intention to follow through with the platting/subdivision process.

 Owner's Signature	Bruce Cryer Owner's Name (Printed)	1-9-2018 Date
 Co-Owner's Signature	Tracey L. Cryer Co-Owner's Name (Printed)	1-9-2018 Date
 Co-Owner's Signature	 Co-Owner's Name (Printed)	 Date

City of Farmersville Staff Only

(Applicant, do not mark in spaces below)

Description	Response
Name of City Staff Worker Receiving Application	
Fee Amount	
Check Number	Already paid
Date Received	2017
City Receipt Number	
City Asset Account Number	

Dear City of Farmersville Planning Division:

I, MATT ATKINS, am the owner or owner's representative of a tract or tracts of real property located in the City of Farmersville, Texas, located at and described as Deer Crossing. I have filed an application for approval of a subdivision plat for this property. I hereby waive the 30-day plat review period established by Section 212.009 of the Texas Local Government Code and acknowledge that the City may require more than 30 days to properly review and consider the plat application. I understand and agree that the plat application may be considered and approved or denied by the Planning and Zoning Commission and/or the City Council more than 30 days later than the date that it was first filed.

Respectfully,



Signed by or on behalf of the applicant

1/22/18

Date

Deer Crossing Addition

Preliminary Plat – City of Farmersville

1. The ROW shown on the preliminary plat for the proposed street Deer Run Court is 50' in width. The City of Farmersville subdivision ordinance and Thoroughfare Design manual requires 60' of ROW for a rural subdivision estate residential street. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
2. Parkland /open space is not included on the preliminary plat. The City of Farmersville subdivision ordinance requires dedication of 5% of the gross area of the proposed subdivision with 5 lots or more for parks, playgrounds, recreational areas, open spaces or green areas. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
3. Storm water detention space is not included on the preliminary plat. The City of Farmersville subdivision ordinance and storm drain manual require on-site detention to control post development runoff. A hydraulic study that illustrates no adverse conditions are created downstream as a result of the development may be accepted in lieu of storm water detention. The City council may waive storm water detention requirements upon determination by the council that such a waiver is in the best interest of the City.
4. The proposed subdivision has only one point of entry. The City of Farmersville subdivision ordinance requires 2 points of entry into a subdivision. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
5. Provide a statement that an on-site sanitary sewer service is required per Collin County standards.

Construction Plans-City of Farmersville

1. The construction plans indicate a ROW width of 50' with 5' drainage easements on each side. The City of Farmersville subdivision ordinance and Thoroughfare Design manual requires 60' of ROW for a rural subdivision estate residential street. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
2. The construction plans indicate a roadway pavement width of 30'. The City of Farmersville subdivision ordinance and Thoroughfare Design manual requires pavement width of 32' for a rural subdivision estate residential street. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
3. Storm water detention is not included in the construction plans. The City of Farmersville subdivision ordinance and storm drain manual require on-site detention to control post development runoff. A hydraulic study that illustrates no adverse conditions are created downstream as a result of the development may be accepted in lieu of storm water detention. The City council may waive storm water detention requirements upon determination by the council that such a waiver is in the best interest of the City.

4. The proposed drainage plan shall indicate the existing and proposed flows to CR 553 along with the capacities of the roadway drainage ditches on each side of the road. Indicate the existing flow to the existing 36" CMP under CR 553. It appears there is no defined drainage way from the existing 36" CMP across the property to the south. The existing flow cannot be increased. Show no adverse conditions will exist downstream post development along CR 553.
5. Improvements must be made to the existing CR 553 along the frontage of the project. See Section IX Rural Subdivision Requirements of the Thoroughfare Design Manual.
6. The proposed subdivision has only one point of entry. The City of Farmersville subdivision ordinance requires 2 points of entry into a subdivision. The developer must submit a request for a variance for consideration by the P & Z Commission and the City Council.
7. Provide a landscaping plan per City of Farmersville requirements.

Construction Plans-Water-Copeville SUD

1. The existing water line along the south side of CR 553 is 6" in diameter.
2. Connect the proposed 8" water main to the existing 6" water main with an 8" Tee. Include 3-8" gate valves and 2-8"x6" reducers. CR 553 crossing shall include casing and be to Collin County road crossing standards.
3. Provide a 15" utility easement for the 8" water main dedicated to Copeville SUD only.
4. Provide sand embedment for the water main (4" above and 4" below the pipe) with tracer tape.
5. Provide a 2" automatic flush valve at the end of the water main.
6. Place the fire hydrant assembly parallel to the water main by use of a 90 deg bend. Fire hydrant shall not cross the drainage ditch.

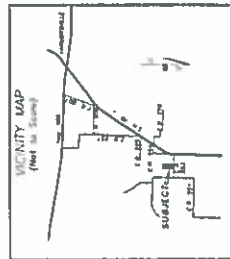
PROPOSED OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

UTLITIES TO BE PROVIDED BY:
WATER: City of Farmersville
SEWER: Farmersville

1. A 10' wide easement for water and sewer lines shall be provided along the east line of the property.

1. A 10' wide easement for water and sewer lines shall be provided along the east line of the property.
2. A 10' wide easement for water and sewer lines shall be provided along the east line of the property.
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9. A 10' wide easement for water and sewer lines shall be provided along the east line of the property.
10. A 10' wide easement for water and sewer lines shall be provided along the east line of the property.



Subject property is located within the Farmersville Independent School District (FISD).
Property is located in Farmersville, Texas.

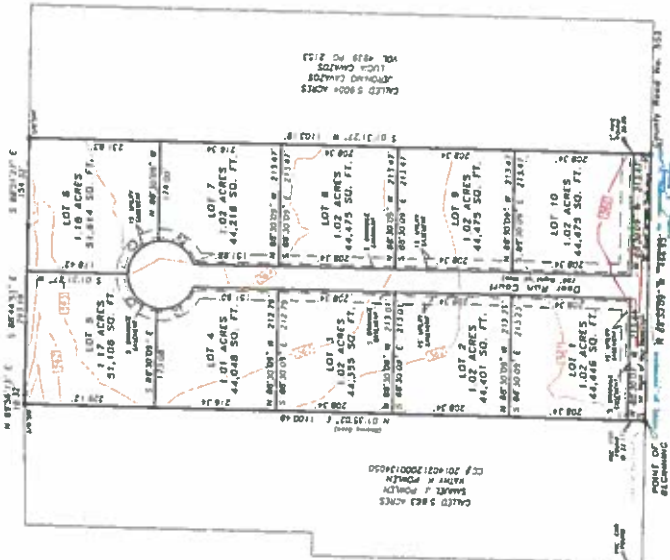
CURVE	CHORD	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH
C1	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'
C2	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'
C3	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'
C4	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'
C5	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'
C6	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'	S 89.10° E	40.00'

APPROVAL BLOCK:
"RECOMMENDED FOR APPROVAL"

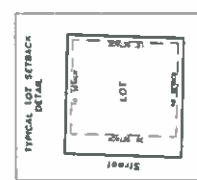
City of Farmersville, Texas

Date

NO. 2748 PG. 83



CALL 79-842 JONES
NO. 2748 PG. 83



SCALE 1"=100'

NOTICE: Setting of portion of this plat is by means of a survey by a licensed surveyor. The plat is subject to the provisions of the Texas Surveying Act and the rules and regulations of the State Board of Surveying.

PRELIMINARY PLAT DEER CROSSING LOTS 1-10, BLOCK 1

E.B. REED SURVEY, A-739 CITY OF FARMERSVILLE, E.T.J.
COLLIN COUNTY, TEXAS

(Being all of that called 11.80 acres of land described in a deed to
Cryer Custom Builders, Inc. as recorded under CCB 20150415000423940
of the Official Public Records of Collin County, Texas)

OWNER:
Cryer Custom
Builders, Inc.
2560 Lonsome
Dove
Farmersville, TX
75402

DATE OF PREPARATION:
January 2, 2018

SURVEYOR:
Boundary Solutions
P.O. Box 250
Cedar Hills, TX
75115
972-782-6082

Agenda Section	Public Hearing
Section Number	V.B
Subject	Public hearing to consider, discuss and act upon the proposed complete rewrite and revision of the City of Farmersville's Zoning Ordinance; receive input from citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	None; Copies already provided to Council Members; Online
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	Public Hearing
Section Number	V.C
Subject	Public hearing to consider, discuss and act upon the proposed complete rewrite and revision of the City of Farmersville's Subdivision Ordinance; receive input from citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	None; Copies already provided to Council Members; Online
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	Public Hearing
Section Number	V.D
Subject	Public hearing to consider, discuss and act upon Ordinance #O-2018-0417-001 for an application requesting a change in zoning on approximately 0.3444 acres of land, more or less, from SF-1 - Single-Family 1 District Uses to PD - Planned Development District Uses for an Office Center with a Base Zoning District of O - Office District Uses Allowing One One-Story Building for Professional or General Administrative Office Uses. The property is generally situated at 311 Sycamore Street and is known as Lot OL 1 of the Gaddy Addition, and located in the W.B. Williams Survey, Abstract A952, of Farmersville, Collin County, Texas.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	<ul style="list-style-type: none"> • Application for Zoning Change Paperwork • Ordinance # O-2018-0417-001
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
DISCOVER A TEXAS TREASURE

Application for Zoning Change

Applicant: George Crump		
Mailing Address: 401 N. Main	City/State/Zip: Farmersville, TX 75442	Daytime Telephone: 214-808-7487
Property Address: 311 Sycamore Street	City/State/Zip: Farmersville, TX 75442	
Legal Description: Gaddy Addition (CFC) Lot OL1		
Lot(s): OL1	Block(s):	Subdivision: Gaddy Addition
Acreage: ((If acreage, provide separate metes and bounds description))		
Existing Use and Current Zoning of Property: Single family / Residential		
Give explanation of proposed rezone and use of property. Attach maps, drawings and other supporting information. Building originally built and designed for a day care center. Proposed rezone to "office" to be used as a small professional office building.		


Property Owner Signature

3/21/18
Date

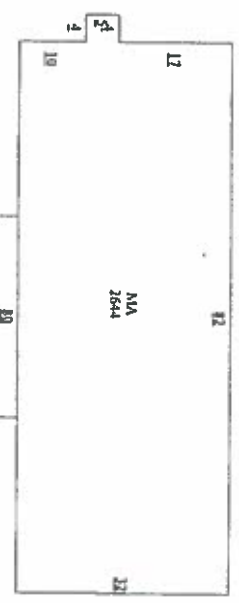


Collin Central Appraisal District
PROPERTY 1232936 R
Legal Description
GADDY ADDITION (CFC), LOT OL 1
OWNER ID
1046396
OWNERSHIP
100.00%
PROPERTY APPRAISAL INFORMATION 2018
CRUMP GEORGE
401 N MAIN ST
FARMERSVILLE, TX 75442-1607 US
Entites
CAD 100%
CFC 100%
GCN 100%
JCN 100%
SFC 100%
Values
IMPROVEMENTS 0
LAND MARKET 0
MARKET VALUE 0
PRODUCTIVITY LOSS 0
APPRAISED VALUE 0
HS CAP LOSS 0
ASSESSED VALUE 0

Ref ID1: 1476
R-1054-000-0001-1
Ref ID2: R1232936

SITUS 311 SYCAMORE ST FARMERSVILLE, TX 75442
GENERAL
LAST APPR. YR 2017
LAST INSP. DATE 01/18/2016
NEXT INSP. DATE
ACRES:
EFF. ACRES:
APPR VAL METHOD: Cost
SKETCH for Improvement #1 (Residential)

UTILITIES
TOPOGRAPHY
ROAD ACCESS
ZONING PD
NEXT REASON
REMARKS CONVERTED DAYCARE:



BUILDING PERMITS
ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL

SALE DT PRICE GRANTOR DEED INFO
05/09/2017 ***** GOOCH NONA RAE WD 20170510000599860 OT / /

SUBD: S1054 100.00% NBHD:CFCRV3-5 139.00%									
IMPROVEMENT INFORMATION									
LINE	TYPE	DESCRIPTION	METH	CLASS	SUBCL	AREA	UNIT PRICE	UNITS	BUILT
1.	RESIDENTIAL	FORMERLY A DAY NURSERY	STCD: A1			3,364.0			
2.	BARN	Barn	R	BN14/		120.0			
3.	BARN	Barn	STCD: A1			120.0			
4.	BARN	Barn	STCD: A1			120.0			
5.	BARN	Barn	STCD: A1			120.0			
6.	BARN	Barn	STCD: A1			120.0			
7.	BARN	Barn	STCD: A1			120.0			
8.	BARN	Barn	STCD: A1			120.0			
9.	BARN	Barn	STCD: A1			120.0			
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13.	BARN	Barn	STCD: A1			120.0			
14.	BARN	Barn	STCD: A1			120.0			
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16.	BARN	Barn	STCD: A1			120.0			
17.	BARN	Barn	STCD: A1			120.0			
18.	BARN	Barn	STCD: A1			120.0			
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21.	BARN	Barn	STCD: A1			120.0			
22.	BARN	Barn	STCD: A1			120.0			
23.	BARN	Barn	STCD: A1			120.0			
24.	BARN	Barn	STCD: A1			120.0			
25.	BARN	Barn	STCD: A1			120.0			
26.	BARN	Barn	STCD: A1			120.0			
27.	BARN	Barn	STCD: A1			120.0			
28.	BARN	Barn	STCD: A1			120.0			
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30.	BARN	Barn	STCD: A1			120.0			
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32.	BARN	Barn	STCD: A1			120.0			
33.	BARN	Barn	STCD: A1			120.0			
34.	BARN	Barn	STCD: A1			120.0			
35.	BARN	Barn	STCD: A1			120.0			
36.	BARN	Barn	STCD: A1			120.0			
37.	BARN	Barn	STCD: A1			120.0			
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57.	BARN	Barn	STCD: A1			120.0			
58.	BARN	Barn	STCD: A1			120.0			
59.	BARN	Barn	STCD: A1			120.0			
60.	BARN	Barn	STCD: A1			120.0			
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79.	BARN	Barn	STCD: A1			120.0			
80.	BARN	Barn	STCD: A1			120.0			
81.	BARN	Barn	STCD: A1			120.0			
82.	BARN	Barn	STCD: A1			120.0			
83.	BARN	Barn	STCD: A1			120.0			
84.	BARN	Barn	STCD: A1			120.0			
85.	BARN	Barn	STCD: A1			120.0			
86.	BARN	Barn	STCD: A1			120.0			
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89.	BARN	Barn	STCD: A1			120.0			
90.	BARN	Barn	STCD: A1			120.0			
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92.	BARN	Barn	STCD: A1			120.0			
93.	BARN	Barn	STCD: A1			120.0			
94.	BARN	Barn	STCD: A1			120.0			
95.	BARN	Barn	STCD: A1			120.0			
96.	BARN	Barn	STCD: A1			120.0			
97.	BARN	Barn	STCD: A1			120.0			
98.	BARN	Barn	STCD: A1			120.0			
99.	BARN	Barn	STCD: A1			120.0			
100.	BARN	Barn	STCD: A1			120.0			

RECEIVED
MAR 21 2018
BY: [Signature]

LAND INFORMATION
DIMENSIONS 0.3444 AC
UNIT PRICE 1.25
GROSS VALUE 1.00 A
IRR Wells: 0
Capacity: 0
MKT VAL AG APPLY NO
Oil Wells: 0
AG CLASS AG TABLE AG UNIT PRG AG VALUE

Title



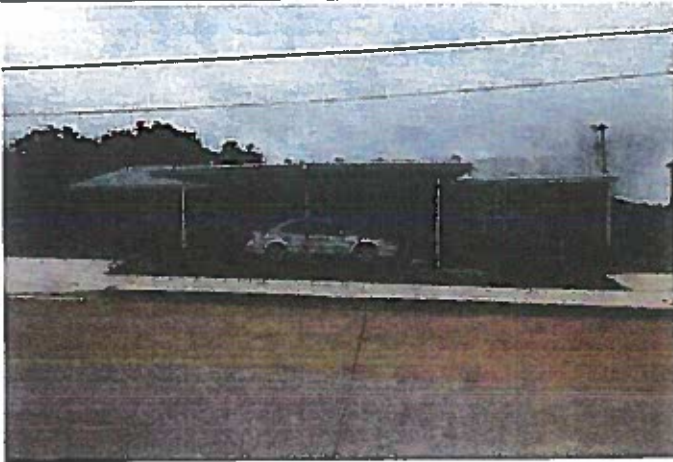
July 13, 2017

1:1,128
0 0.0075 0.015 0.03 0.06 mi
0 0.015 0.03 0.06 km

Sources: Esri, HERE, DeLorme, Intermap, Inetram, P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey,

Subject Photo Page

Borrower	George Crump				
Property Address	311 Sycamore St				
City	Farmersville	County	Collin	State	TX Zip Code 75442
Lender/Client	The First Bank of Celeste				



Subject Front

311 Sycamore St
Sales Price 26.50/sf
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Farmersville
View
Site 2,640 SF
Quality
Age 42 years



Subject Rear

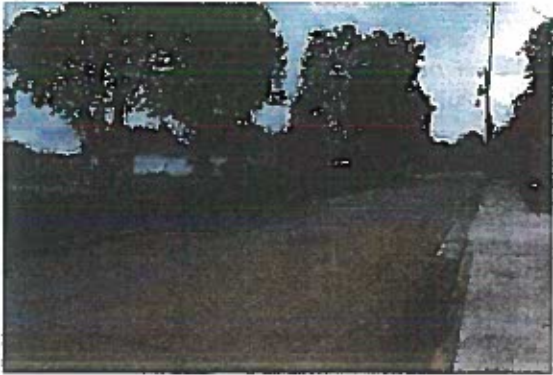


Subject Street Looking West



Photograph Addendum

Borrower	George Crump						
Property Address	311 Sycamore St						
City	Farmersville	County	Collin	State	TX	Zip Code	75442
Lender/Client	The First Bank of Celeste						



Street Scene Looking East



Right Side



Left Side



Entry



Office



Open Area



Photograph Addendum

Borrower	George Crump					
Property Address	311 Sycamore St					
City	Farmersville	County	Collin	State	TX	Zip Code 75442
Lender/Client	The First Bank of Celeste					



Storage Closet



Kitchen



Hallway



Laundry Room



Storage Area



Full Bath



Photograph Addendum

Borrower	George Crump					
Property Address	311 Sycamore St					
City	Farmersville	County	Collin	State	TX	Zip Code 75442
Lender/Client	The First Bank of Celeste					



Restroom



Additional Open Area



Additional View



Sandra Green

From: Rachel Crist <rcrist@saraiyapllc.com>
Sent: Wednesday, March 28, 2018 4:42 PM
To: Sandra Green; alathrom@bhlaw.net; Diane Piwko; Ben White; Bimal Saraiya
Subject: Application for Zoning Change

Per the conference call held earlier today, this correspondence is submitted to change the last section of the Application for Zoning Change which reads *"Give explanation of proposed rezone and use of property. Attach maps, drawings and other supporting information."* to contain the following explanation/request:

The Applicant requests that the Property be rezoned from SF-1, Single-Family 1 District Uses to PD, Planned Development District Uses for an Office Center with a Base Zoning District of O, Office District Uses Allowing One One-Story Building for Professional or General Administrative Office Uses.

Please confirm receipt and acceptance.

Please confirm the deadline has been met for this to be sent to the Dallas Morning News by their deadline tomorrow.

Please confirm that our client will pay the normal cost as charged by the Farmersville Times.

Please confirm this will be on the P&Z Agenda on April 16, 2018.

Please confirm the date and time that notification to residents within 200' will be sent.

Thank you all for your time concerning this matter.

--



Rachel Crist | Senior Paralegal to Bimal N. Saraiya
7160 Preston Road, Suite 100
Plano, TX 75024
p 469-277-3402
f 469-948-4476
w www.saraiyapllc.com

THIS ELECTRONIC MAIL TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY RETURN IT TO THE SENDER. UNINTENDED TRANSMISSION SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT OR ANY OTHER PRIVILEGE.

**CITY OF FARMERSVILLE
ORDINANCE #2018-0417-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 2004-01, AS AMENDED, BY CHANGING THE ZONING ON APPROXIMATELY 0.3444 ACRES OF LAND IN THE W. B. WILLIAMS SURVEY, ABSTRACT NO. 952, MORE COMMONLY KNOWN AS 311 SYCAMORE, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM SF-1 - SINGLE-FAMILY 1 DISTRICT USES TO PD – PLANNED DEVELOPMENT DISTRICT USES FOR AN OFFICE CENTER WITH A BASE ZONING DISTRICT OF O – OFFICE DISTRICT USES ALLOWING ONE OFFICE BUILDING, ONE-STORY IN HEIGHT, FOR PROFESSIONAL OR GENERAL ADMINISTRATIVE OFFICE USES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law, the Planning and Zoning Commission of the City of Farmersville, Texas, has recommended a change in zoning classification of the property described herein and has recommended amending the official zoning map of the City of Farmersville, Texas, regarding the rezoning of the property hereinafter described; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville; and

WHEREAS, the City Council of the City of Farmersville, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the City of Farmersville and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be changed and that the official zoning map of the City of Farmersville, Texas, should be amended to reflect the rezoning of the property herein described;

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

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

SECTION II. From and after the effective date of this Ordinance, the property described herein shall be rezoned as set forth in this section, and the Official Zoning Map of the Comprehensive Zoning Ordinance, Ordinance No. 2004-01, as amended, of the City of Farmersville, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of the City's Zoning Ordinance are not amended but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land containing approximately 0.3444 acres of land in the W. B. Williams Survey, Abstract No. 952, more commonly known as 311 Sycamore, and more fully described on the "Zoning Exhibit" attached hereto as Exhibit "A" and incorporated herein by reference for all purposes allowed by law (the "Property"), presently zoned SF-1 - Single-Family 1 District uses, is hereby rezoned to PD - Planned Development District Uses for an Office Center with a base zoning district of O - Office District uses allowing one office building, one story in height, for professional or general administrative uses.

SECTION III. It is directed that the official zoning map of the City of Farmersville be changed to reflect the zoning classification established by this Ordinance.

SECTION V. All provisions of the ordinances of the City of Farmersville in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Farmersville not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION VI. It is hereby declared to be the intention of the City Council 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 shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION VII. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Farmersville, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION VIII. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED on first and final reading on the 17th day of April 2018, at a properly scheduled meeting 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 17th DAY OF APRIL, 2018.

APPROVED:

BY: _____
Diane C. Piwko, Mayor

ATTEST:

Sandra Green, City Secretary

Exhibit "A"
Zoning Exhibit

All that certain lot, tract or parcel of land situated in the City of Farmersville, Collin County Texas and being a tract or parcel of land in the W.B. Williams Survey and being more particularly described as follows:

BEGINNING at a stake for corner on the SBL of Sycamore Street (formerly Cemetery Road) and said beginning point being 140 feet West of the intersection of the WBL of Windom Street with the SBL corner of Lot 1 of the Gaddy Addition to Farmersville;

THENCE West with the SBL of Sycamore Street, 150 feet to stake for corner at fence corner;

THENCE South with fence, 100 feet to stake for corner at fence corner;

THENCE East with fence, 150 feet to stake for corner at fence corner;

THENCE North with the WBL of said Lot 1, Gaddy Addition, a distance of 100 feet to the Place of Beginning and also being the same land described as 2nd tract in a Deed from Gaddy to Gooch of record in Volume 423, Page 194 of the Collin County Deed of Records.

VI. Reading of Ordinances

Agenda Section	Reading of Ordinances
Section Number	VI.A
Subject	Consider, discuss and act upon Ordinance #O-2018-0417-002 regarding an amendment to the Fiscal Year 2017-2018 budget for a sewer truck.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Ordinance # O-2018-0417-002
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
ORDINANCE # O-2018-0417-002**

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2017 – 2018 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS, APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas is a Type A General-Law Municipality located in Collin and Hunt Counties, established in accordance with the provisions of Chapter 6 of the Texas Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Manager of the City of Farmersville has reviewed the budget that was adopted by the City Council for the Fiscal Year 2017 – 2018 ("Budget"); and

WHEREAS, the City Manager of the City of Farmersville believes the Budget requires certain amendments and has submitted to the Mayor and the City Council proposed amendment(s) to the Budget regarding the revenues and expenditures of conducting the affairs of said City, and providing a complete financial plan for the Fiscal Year 2017 – 2018; and,

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Fiscal Year 2017 – 2018 budget to adopt the proposed amendment to the Budget to allocate funds for a sewer truck by transferring certain monies for such purpose from the End of Year Fund Balance in the Wastewater Fund to the Fiscal Year 2017-2018 Wastewater Enterprise Fund to allow for the purchase the sewer truck in April 2018.

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

SECTION 1. INCORPORATION OF FINDINGS

The findings set forth above are found to be true and correct legislative and factual determinations of the City of Farmersville and are hereby approved and incorporated into the body of this Ordinance and made a part hereof for all purposes as if fully set forth herein.

SECTION 2. BUDGET AMENDMENT ADOPTION

From and after the effective date of this Ordinance, the amendments to the budget of the revenues and expenditures for the Fiscal Year 2017 – 2018 that are attached hereto as Exhibit "A" and incorporated herein by reference are hereby adopted and the budget for Fiscal Year 2017 – 2018 is hereby accordingly so amended and the amended budget for Fiscal Year 2017 – 2018 adopted.

SECTION 3. SEVERABILITY

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

SECTION 4. REPEALER

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

SECTION 5. 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 6. 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 7. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

PASSED on first and only reading on the 17th day of April, 2018 at a properly scheduled meeting 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 17th DAY OF APRIL, 2018.

Diane C. Piwko, Mayor

ATTEST:

Sandra Green, City Secretary

CITY OF FARMERSVILLE

EXHIBIT A

2017-2018 BUDGET/REVISION (3) 04-13-2018

GOVERNMENTAL FUNDS	2017-2018 BUDGET/REVISION (3) 04-13-2018			INTERFUND TRANSFERS IN (OUT)	PROPOSED ENDING FUND BALANCE
	ESTIMATED BEGINNING FUND BALANCE	REVENUES	EXPENDITURES		
WasteWater Fund	\$ 1,892,303	\$ 1,007,938	\$ 1,007,938		\$ 1,757,303
Fund Balance Amendments					
<u>Sewer truck budgeted 2016-2017</u>			\$ 135,000		
<u>truck delivered 04-13-2018</u>					

VII. Regular Agenda

Agenda Section	Regular Agenda
Section Number	VII.A
Subject	Consider, discuss and act upon issues arising out of living streaming inside Council Chambers.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<ul style="list-style-type: none"> • Mayor Piwko to lead discussions • 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.B
Subject	Consider, discuss and act upon the Final Plat of Lots 1 through 10, Block 1, of the Deer Crossing Subdivision.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Please refer to Agenda Section V. Public Hearing, Item A.
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	Regular Agenda
Section Number	VII.C
Subject	Consider, discuss and act upon a donation from the Farmersville Rotary Club to the Farmersville Senior Citizens Center.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Copy of Check
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 ROTARY CLUB
PO BOX 587
FARMERSVILLE, TX 75442

88-1632/1119

4721

DATE 3-6-18

PAY TO THE
ORDER OF

Senior Citizen Center — \$ 7000
Seventy & 00/100

DOLLARS



Security Features
Your Red
Dollars on Back



**Independent
Bank**

MEMO

⑆111916326⑆

Janya & Marcus
Patricia M. Meglier MP
4721

Agenda Section	Regular Agenda
Section Number	VII.D
Subject	Consider, discuss and act upon the appointment of an elected official or other appointed city official to serve on the Texas Community Development Block Grant Program Regional Review Committee.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Email from NCTCOG
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

Sandra Green

From: Katherine Powers <KPowers@nctcog.org>
Sent: Thursday, April 12, 2018 10:42 AM
To: Sandra Green
Cc: sgreen@farmersvilletx.com
Subject: TxCDBG RRC - City of Farmersville Representative

Hi Sandra,

As we had discussed on the phone, the North Central Texas Council of Governments is looking for a representative from the City of Farmersville to serve on our Regional Review Committee (RRC) as part of our Texas Community Development Block Grant Program.

Former Mayor Helmberger served on this committee last cycle and we are currently looking for a replacement – either a councilperson, the current mayor, or some other elected or appointed city official.

In terms of program background, the Texas Community Development Block Grant Program (TxCDBG) plays a critical role in helping smaller communities in our region meet infrastructure needs in low- to moderate-income areas. The Texas Department of Agriculture (TDA) administers the non-entitlement portion of the TxCDBG Program, which provides financial assistance to cities with populations of less than 50,000 and counties with population under 200,000. The TxCDBG funding is a key federal source of funding that provides direct grant assistance to rural areas for public infrastructure improvements, disaster relief, housing, and economic development.

The role of the Regional Review Committee (RRC) is to participate in establishing scoring criteria that will be used to select applicants for funding under the Community Development (CD) Fund, the largest TxCDBG funding category. The committee plans to meet in early June.

You can find more information [here](#) and [here](#).

Let me know what your council decides at its next meeting!

Thanks,
Kate

Katherine Powers, MPA
Environment and Development Planner I
North Central Texas Council of Governments
Department of Environment and Development
PO Box 5888 | Arlington, Texas 76055
direct: (817) 695-9213 | main: (817) 695-9210 | fax: (817) 695-9191
email: kpowers@nctcog.org
www.nctcog.org/envir

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Agenda Section	Regular Agenda
Section Number	VII.E
Subject	Discuss possible ways to consolidate reports for review.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	None
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	Regular Agenda
Section Number	VII.F
Subject	Update regarding the City of Farmersville's agreement with the Riding Club.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	None
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	Regular Agenda
Section Number	VII.G
Subject	Review Ordinance #O-2014-0812-001 and discuss the City's current policy regarding e-cigarettes.
To	Mayor and Council Members
From	Ben White, City Manager
Date	April 17, 2018
Attachment(s)	Ordinance #O-2014-0812-001
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
ORDINANCE # O-2014-0812-001**

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 47, "OFFENSES," BY AMENDING ARTICLE IV, "OFFENSES AGAINST PUBLIC MORALS," BY ADOPTING A NEW DIVISION 4 ENTITLED "E-CIGARETTE REGULATIONS"; MAKING FINDINGS RELATED THERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville ("City") is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, an electronic cigarette ("e-cig" or "e-cigarettes") is a battery-operated device that converts, among other things, liquid nicotine into a gas or aerosol that is inhaled by the consumer; and

WHEREAS, in the Tobacco Control Act, the United States Congress recognized that nicotine is an addictive drug; and

WHEREAS, the National Institute for Occupational Safety and Health and the Center for Disease Control and Prevention have prepared emergency response information addressing the dangers associated with liquid nicotine; and

WHEREAS, nicotine affects the nervous system and heart and exposure to relatively small amounts of liquid nicotine can rapidly be fatal; and

WHEREAS, the U.S. Food and Drug Administration ("FDA") published an article in July 2009 warning of the potential dangers posed by electronic cigarettes, which include nicotine addiction and the appeal to young people due to different flavors (such as chocolate, strawberry and mint); and

WHEREAS, the FDA acknowledges that the safety and efficacy of e-cigarettes have not been fully studied, and that consumers therefore have no way of knowing, among other things, whether e-cigarettes are safe for their intended use or how much nicotine or other potentially harmful chemicals are being inhaled during use; and

WHEREAS, the American Medical Association addressed the risks associated with the use of electronic cigarettes and adopted a policy recommending that electronic cigarettes be classified as a drug delivery device, subject to the FDA's regulations and approval.

WHEREAS, the City Council recognizes e-cigarettes are marketed to consumers without regard to the age of the consumer; and

WHEREAS, e-cigarettes are not yet regulated by state or federal law; and

WHEREAS, the FDA is considering appropriate regulation of e-cigarettes, but it is essential for the City to impose some type of reasonable restriction on these products until a federal regulatory system may be properly implemented; and

WHEREAS, it has been determined that the regulation of e-cigarettes is in the best interests of the City of Farmersville and will promote the health, safety and welfare of the citizens of the City of Farmersville and the general public.

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

SECTION 1: FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance and made a part hereof for all purposes as if fully set forth herein.

SECTION 2: AMENDMENT OF CHAPTER 47, "OFFENSES," BY AMENDING ARTICLE IV, "OFFENSES AGAINST PUBLIC MORALS," BY ESTABLISHING A NEW DIVISION 4 ENTITLED "E-CIGARETTE REGULATIONS"

From and after the effective date of this Ordinance, Chapter 47, "Offenses," is hereby amended by amending Article IV, "Offenses against Public Morals," by adopting a new Division 4 entitled "E-cigarette Regulations" is hereby adopted to read as follows:

"DIVISION 4. E-CIGARETTE REGULATIONS.

Sec. 47-170. Purpose.

The purpose of this article is to prohibit the purchase, use, and possession by minors, and the sale to minors, of e-cigarettes, hereinafter defined, within the City limits of the City of Farmersville.

Sec. 47-171. Definitions.

As used in this section, the following words and phrases shall have the following meanings:

"Electronic cigarette", "e-cigarette", or "e-cig" shall mean any device usually composed of a mouthpiece, a heating element or atomizer, a battery or other power source, and electronic circuits that provides a gas derived from liquid nicotine and/or other substances which is inhaled by a user simulating smoking but without the use of fire, smoke, ash or carbon monoxide. The term specifically includes "personal vaporizers" and "electronic nicotine delivery systems" and all other such devices, regardless of the details of the product appearance or marketed name, generally manufactured to resemble cigarettes, cigars, pipes, or other smoking devices.

"Liquid nicotine" means any liquid product composed either in whole or part of nicotine, propylene glycol and/or

other similar substances and manufactured for use with an e-cigarette to be converted into a gas for inhaling.

"Minor" shall mean any individual younger than eighteen (18) years of age.

"Person" shall mean an individual, corporation, limited liability company, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, wholesaler, retailer, or other entity or business of any kind, whether licensed or unlicensed.

"Photographic identification" means state, district, national or other equivalent government driver's license, identification card or military card, in all cases bearing a photograph and a date of birth, or a valid passport.

Sec. 47-172. Prohibited Acts.

A. It shall be unlawful for any person to give, distribute, transfer, sell, market, or offer e-cigarettes, liquid nicotine, or their components - or samples of any of the foregoing - to a minor within the City limits of the City of Farmersville.

B. It shall be unlawful for any minor to use, purchase, obtain or possess an e-cigarette, liquid nicotine, or their components - or samples of any of the foregoing - within the City limits of the City of Farmersville. This prohibition does not apply to activities or enforcement actions under the control of a City, state or federal law enforcement authority.

C. It shall be unlawful for a minor to state, in order to acquire an e-cigarette, liquid nicotine, or their components - or samples of any of the foregoing - to any person engaged in the business of selling e-cigarettes, liquid nicotine, or their components - or samples of any of the foregoing - that such minor is 18 years of age or older, or is not otherwise a minor.

D. It shall be unlawful for a minor to present, in order to acquire an e-cigarette, liquid nicotine, or their components - or samples of any of the foregoing - to any person engaged in the business of selling e-cigarettes, liquid nicotine, or their components - or samples of any of the foregoing - any document or writing that purports to establish that such minor is 18 years of age or older, or is not otherwise a minor.

E. It shall be unlawful for any person to sell or permit to be sold e-cigarettes, liquid nicotine, or their components - or samples of any of the foregoing - through any device that mechanically dispenses such products unless the device is

located fully within premises from which such premises minors are prohibited.

Sec. 47-173. Defenses.

It shall be a defense to a violation of Section 47-172, above, if the minor is:

- (a) in the course and scope of the minor's employment by a person holding a permit issued by the state authorizing the person to engage in the business of being a distributor, wholesaler, bonded agent or retailer of e-cigarettes, liquid nicotine, or their components - or samples of any of the foregoing; or
- (b) in the presence of a parent, guardian, spouse or other adult to whom the minor had been committed by a court."

SECTION 3: REPEALER. This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all Ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

SECTION 4: SEVERABILITY. It is hereby declared to be the intent of the City Council that the several provisions of this Ordinance are severable. In the event that any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid, or unenforceable.

SECTION 5: PENALTIES FOR VIOLATION. Any person, firm or corporation violating any provision of this Ordinance, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of up to \$500.00 for each offense, and each and every day such a violation continues shall be considered a separate offense and punished accordingly.

SECTION 6: INJUNCTIVE RELIEF. 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 7: 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 8: ENGROSSMENT AND ENROLLMENT. The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the

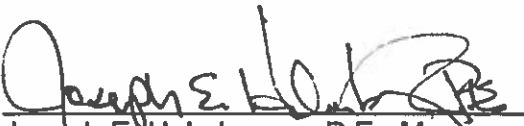
exact Caption and the Effective Date Clause in the minutes of the City Council of the City of Farmersville, and by filing this Ordinance in the Ordinance records of the City.

SECTION 9: 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 10: EFFECTIVE DATE. This Ordinance shall take effect immediately from and after its passage by the City Council of the City of Farmersville.


PASSED on first reading on the 29th day of July, 2014, and second reading on the 12th day of August, 2014 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:



Joseph E. Helmberger, P.E., Mayor

ATTEST:



Edie Sims, City Secretary



VIII. Executive Session

IX. Reconvene From Executive Session

X. Requests to be Placed on Future Agendas

XI. Adjournment