



**FARMERSVILLE CITY COUNCIL
SPECIAL SESSION MINUTES
For
September 20, 2018, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Donny Mason, Mike Hurst, Michael Hesse and Todd Rolan were all present. City staff members Ben White, Sandra Green, Rick Ranspot, Mike Sullivan, Kim Morris, Daphne Hamlin, Reagan Rothenberger and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Farmersville Warrant Officer, followed by the pledges to the United States and Texas flags.

II. READING OF ORDINANCES

- A. Consider, discuss, and act upon Ordinance #2018-0920-001 adopting and approving the budget for FY 2018-2019.
- Motion to adopt and approve the budget for FY 2018-2019 made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- B. Consider, discuss, and act upon Ordinance #2018-0920-002 adopting the FY 2018-2019 tax appraisal roll.
- Mayor Rice read the caption of the Ordinance as shown.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING THE FISCAL YEAR 2018 – 2019 TAX APPRAISAL ROLL FOR THE CITY OF FARMERSVILLE, TEXAS; PROVIDING FOR SEVERABILITY; REPEALING ALL PRIOR

ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

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

- Motion to approve the fiscal year 2018-2019 tax roll made by Mike Hurst
- 2nd to approve was Donny Mason
- All council members voted in favor

C. Consider, discuss, and act upon Ordinance #2018-0920-003 adopting the tax rate for FY 2018-2019.

- Michael Hesse stated he moved that the property tax rate be increased by the adoption of a tax rate of 0.750000, which is effectively a 2.09 percent increase in the tax rate.
- 2nd to approve was Todd Rolen
- All council members voted in favor

D. Consider, discuss, and act upon Ordinance #2018-0920-004 adopting the General Obligation Bond Series 2012 annual budget for FY 2018-2019.

- Motion to approve made by Donny Mason
- 2nd to approve was Todd Rolen
- All council members voted in favor

E. Consider, discuss, and act upon Ordinance #2018-0920-005 adopting the General Obligation Bond Series 2017 annual budget for FY 2018-2019.

- Motion to approve made by Todd Rolen
- 2nd to approve was Michael Hesse
- All council members voted in favor

III. REGULAR AGENDA

A. Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 1.

- Ben White stated the Council had a new letter from Daniel & Brown stating the infrastructure was 100% completed, including the moving of the lift station and pouring of the concrete.

- Todd Rolen asked if everything that was brought up, like the grates, were addressed since the last meeting.
 - Ben White stated that everything that has to do with the City's infrastructure has been completed and approved by the engineer.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- B. Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 2.
- Motion to approve made by Mike Hurst
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- C. Consider, discuss and act on the recommendation from the Farmersville Community Development Board regarding the Professional Services Contract for Main Street Manager.
- Ben White stated the contract has gone before and approved by the Farmersville Community Development Commission (4B). He explained the board requested a change in the number of members for the board. They wanted to add two new members to make it a total of seven.
 - Craig Overstreet asked how the Mayor felt about the contract.
 - Mayor Rice stated he was for the Main Street and appreciates the FCDC funding the Main Street Manager.
 - Craig Overstreet agrees with the Mayor. He explained he wanted to leave it to five members and strike the rest of the sentence that states, "and at least four (4) shall be a building or business owner from the Central Area in order to reflect the downtown's interest". He would like the Council to maybe increase the members when new members are chosen in the May or June timeframe.
 - Mayor Rice stated he agreed with the timing of the increase of members.
 - Mike Hurst said they needed to leave the board as they were appointed until May of 2019 and then Council could see how the board is operating at that time. He was in favor of Mr. Rothenberger running his office and having him answer to the City Manager. For the Main Street program to be run effectively Mr. Rothenberger needs to have control of what is happening and he does not need outside interference from outside sources.
 - Michael Hesse agreed with Mike Hurst and stated he does not necessarily feel the board needed seven members.

- Motion to approve with changes as requested made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- D. Discussion regarding whether the Planning & Zoning Commission should review items related to Specific Use Permits and specific requirements for industrial zoning districts.
- Craig Overstreet stated City staff polled other cities to see what they did in regards to Specific Use Permits. All cities the size of Farmersville have batch plants under Specific Use Permits. He believes there are reasons why those cities, large and small, similar to Farmersville require them. He would be open to a longer term, but he believes that an SUP should remain. He would like to see what 4A and the Planning & Zoning Commission would suggest.
 - Mike Hurst stated he felt the people who own the batch plants know they will have so many years under a Specific Use Permit. He thinks the industrial park needs to be pleasing to the citizens of the City and we do not want them to do whatever they want. He remembers what has been discussed as being a 15 to 20 year SUP with a renewal. He explained if they were successful, they would not want to leave. The success of Farmersville was going to depend on the growth and he felt that an SUP should be in place.
 - Donny Mason agreed with Mike Hurst.
 - Mayor Rice stated when Planning & Zoning places a term limit on the SUP the Council would need to understand the terms of the SUP. He stated he was neither for nor against the SUP because he does not have that much experience with them.
 - Ben White announced that Martin Marietta was interested in purchasing an 85 acre tract for a concrete batch plant and asphalt plant. He explained they have too much money at stake and if an SUP was placed on them they would stay in the county. He said things change and the world we live in today has changed because we have no annexation rights. The facilities would stay in the county and operate as they are if they do not come into the City. The other two batch plants said if they do not have 30 years or greater term on the SUP they would not receive the value out of their asset and they would stay in the county. He explained if they stay in the county the City would not be able to annex them. He said in the past, cities have had the ability to annex, but unfortunately the annexation laws have changed. We

would have no need to serve them with water or sewer because they would not be in the City. They could dig a well or go to Caddo Basin. They would have to plat and that would hold them up a little. He explained they could be a part of the TIRZ area and they could work with the FEDC (4A). He explained they would have to have a compelling reason to come into the City. They would build it the cheapest way they could, with no screening and no improvements to the roads if they stayed in the county. It is possible they could make a decision to come into the City because of our water, our TIRZ and our FEDC.

- Mike Hurst asked if Ben White had any assurances they would come into the City if an SUP was not required.
- Ben White stated he could not make any assurances of whether they would come into the City or not. He suggested sending the item to the Planning & Zoning Commission for discussion and review.
- Mike Hurst asked if Council sent the topic to the Planning & Zoning Commission could they change the ordinance to reflect façade requirements and landscaping.
- Alan Lathrom stated sending it to the Planning & Zoning Commission would allow them to determine if they wanted to have a Specific Use Permit process or leave the Ordinance the way it is.
- City Council recommended sending the topic to the Planning & Zoning Commission for review.

IV. EXECUTIVE SESSION

- Mayor Rice read the statement below and said the Council would enter executive session at 6:48 p.m.
- A. Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:
1. Consultation with City Attorney regarding laws and potential litigation issues applicable to cemeteries and plats and possible settlement agreement with the Islamic Association of Collin County regarding the plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.

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

- Mayor Rice stated the City Council would reconvene from Executive Session at 7:19 p.m.

- A. Consider, discuss and act on a proposed settlement agreement with the Islamic Association of Collin County regarding the plat of the cemetery proposed by the Islamic Association of Collin County.
- Motion to approve the settlement agreement with the Islamic Association of Collin County regarding the plat of the cemetery proposed by the Islamic Association of Collin County made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- B. Consider, discuss and act upon a Motion to Reconsider the City Council's prior decision to disapprove a recommendation from the Planning and Zoning Commission regarding a preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.
- Motion to reconsider the City Council's prior decision to disapprove a recommendation from the Planning & Zoning Commission regarding a preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction and reinstate the preliminary plat made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- C. Consider, discuss and act upon a recommendation from the Planning and Zoning Commission regarding a preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.
- Motion to waive any and all time restrictions or limitations and approve the preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction as recommended by the Planning & Zoning Commission subject to the conditions spelled out in the settlement agreement by and between the City of Farmersville and the Islamic Association of Collin County made by Craig Overstreet
 - 2nd to approve was Todd Rolen
 - All council members voted in favor

VI. ADJOURNMENT


Meeting was adjourned at 7:23 p.m.

APPROVE:



Jack Randall Rice, Mayor

ATTEST:



Sandra Green, City Secretary

