



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
March 12, 2019, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Michael Hesse, Mike Hurst and Todd Rolan were all present. Donny Mason was not in attendance. City staff members Ben White, Sandra Green, Daphne Hamlin, Paula Jackson, Kim Morris, Rick Ranspot, Mike Sullivan and City Attorney Alan Lathrom were also present.
- Prayer was led by Tony Linton from the Blue Ridge Church of Christ, followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - The Rotary golf tournament will be Tuesday, April 23rd at the Woodbridge Golf Club.
 - Mayor Rice announced some of the upcoming events off the calendar.

II. PUBLIC COMMENT

- Nadine Winterrowd, who resides at 17250 County Road 656, addressed Council and stated the Fire Marshal and TxDOT had both told her they have not heard from Mr. Mosely for over one year and he had not received any approval from them. She called the Katy Trail and they have no RV access off of their trail. She was opposed to him receiving access to the Chaparral Trail and she stated that she hoped the City Council would deny his request.

III. CONSENT AGENDA

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
 - B. Police Department Report
 - C. Code Enforcement/Animal Control Report
 - D. Fire Department Report
 - E. Municipal Court Report
 - F. Warrant Officer Report
 - G. Public Works Report
 - H. Library Report
 - I. City Manager's Report
- Mayor Rice wanted to pull the City Manager's Report.
 - Motion to approve reports A-H made by Todd Rolan
 - 2nd to approve was Michael Hesse
 - All council members voted in favor
 - Mayor Rice asked Ben White about the status of Reliable Concrete.
 - Ben White stated that Reliable had not been issued a permit by the county up to this point. He explained they were in the process of obtaining a performance bond and the City would not move on the water line until the performance bond was established. He reminded the Council it was a TIRZ funded water line. He stated the City Attorney was currently working on the Caddo Basin SUD Agreement.
 - Mayor Rice also asked about Martin Marietta.
 - Ben White stated he would have a meeting with them tomorrow, but he had not heard from them since December. He explained they had applied for a TCEQ permit for air quality.
 - Mayor Rice asked if the figures shown regarding house sold in Camden were the latest numbers available.
 - Ben White stated yes.
 - Mike Hurst asked if the Caddo Basin Agreement was the same one for Shinn Circle.
 - Ben White stated the City would be getting the ability to service the area and Caddo Basin wanted us to take over the area.
 - Mike Hurst asked about the status of the Palladium sewer line.
 - Ben White stated the City was in the process of obtaining the easements from the properties where the sewer line would go.
 - Mike Hurst asked about interviews for the Main Street Manager position.
 - Ben White stated he had conducted two interviews and the staff would interview them next.

- Motion to approve the City Manager's Report made by Craig Overstreet
- 2nd to approve was Mike Hurst
- All council members voted in favor

IV. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council apprised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or Commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested. **Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.**

Consideration and discussion regarding the following matters, minutes and reports, which consideration and discussion may also include or pertain to individual items and projects set forth in such matters, minutes and reports, as well as related background information and plans for future completion, performance or resolution as may be necessary to understand such individual items and projects and the City's related operation:

- A. City Amenities Board
 - 1. Possible Council Liaison Report
 - Todd Rolen stated they discussed getting the Music in the Park set up and Rambler Park.
- B. Farmersville Community Development Board (Type B)
 - 1. Financials
 - 2. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Minutes
 - 2. Financials
 - 3. Possible Council Liaison Report
- D. Main Street Board
 - 1. Possible Council Liaison Report

- E. Planning & Zoning Commission
1. Possible Council Liaison Report

V. **REGULAR AGENDA**

- A. Consider, discuss and act upon third party inspections services.
- Ben White stated staff went out and gathered information on Building Inspector jobs. He explained to hire someone it would be approximately \$80,000.00 with all benefits. He stated to date, the City has accumulated \$84,000 in costs for this year. He indicated by the end of the fiscal year the projected cost would be \$200,000. He continued with a Power Point and described the process that was taken to receive a permit. He explained that most permit documentation was physically sent to Bureau Veritas so they could have the plans on hand. Bureau Veritas approves them and returns them to the City. Once we receive the approved plans, the customer pays for and picks up the permit. He explained inspections are called in when they were needed. He indicated the typical cycle time to receive the permit was less than 5 days. He stated the typical cycle time for the overall building process takes approximately 50 days, but has a lot of variations. He said the plans for Palladium were reviewed in three days. DR Horton homes are running three to four months from permitting to building final.
 - Mike Hurst stated the City would need an inspector with all the traits necessary to do the job. He stated the City needed to keep the information close so that it could be brought up in next year's budget.
 - Craig Overstreet asked about customer complaints and if any had been received.
 - Ben White stated that level loading was his concern. He explained if the homes slow down there would be little work for him or her to do. One of the things Bureau Veritas brings is extra people to review plans if needed. He stated that he and Chief Sullivan had spoken about letting them do Code Enforcement when the building was slow.
 - Mayor Rice asked if permit fees were covering the entire costs of using Bureau Veritas.
 - Daphne Hamlin stated she pulled the report today and the City had paid Bureau Veritas \$114,000.00 so far this year and that the City was recovering the costs.
 - Ben White stated the City could always hire someone and then use Bureau Veritas when needed for heavy workloads.

- Craig Overstreet asked if the City would obtain comments and thoughts from the builders about their views regarding Bureau Veritas.
- Paula Jackson explained what she told Mr. Hibbits was required for him to receive a permit. She stated that when applying for a permit Mr. Hibbits had brought her a sketch that did not show anything. She forwarded it to Bureau Veritas and Sam Paschal reviewed and approved the permit and the customer picked it up. It was turned around in approximately 8 days. She and Dave Elkins, Bureau Veritas Inspector, had discussed the project in detail and did not find any fault with the inspector or Bureau Veritas.
- Craig Overstreet wanted to have some informal discussions with builders and people who have received permits to understand if they have had any issues with Bureau Veritas.
- Mike Hurst stated he thinks the City will need an inspector sooner than later and if we are spending \$200,000 by the end of the year. He said it would be feasible to have an inspector in house. During slow times there are ways to utilize the employee.

B. Discussion of the disclosure of prior utility costs and usage to renters.

- Michael Hesse stated he has been on Council since the City brought the electrical system into the city. A former student reached out to him complaining about her utility bill and how expensive it was. He realized it was a rental house and the former student is married with two kids. The high bill is very inconvenient for her to live here he stated. He asked if there was some kind of report that customers could see where they will know how much their bills would be from looking at the property's history.
- Craig Overstreet stated that would be a privacy issue and the owner should be the one disclosing the information. He explained he had a problem with giving the information out.
- Alan Lathrom stated it was a question of privacy rights. He said that one problem is that people use different amounts of utilities. He explained it could be possible to request through a Public Information Act request, but staff would have to redact information about anyone who had rented that property. He wanted to check on the Public Information Act request with another attorney in his office before he stated for a fact that it could be done first.
- Michael Hesse stated his intent was to bring information to the renters. He explained that most of the younger people do not understand efficiency.
- Ben White stated it would be brought back to the next Council meeting after Alan Lathrom finds out more information.

- C. Consider, discuss and act upon changing City Hall hours to Monday through Thursday 7:30 am to 5:30 pm and on Friday from 7:30 am to 11:30 am.
- Ben White stated in the last few weeks there was a billing cycle and activity went up a little. He stated billing affects the activity. We have only seen one permit request on a Friday. He recommended that we do a pilot program and come back to the council in June.
 - Michael Hesse wanted to know what the City was trying to achieve.
 - Ben White stated it would allow the City to keep the doors open earlier and later Monday – Thursday and it would give the employees a boost to get off earlier on Friday's. He explained we are not the highest paying City and he believes it would create a better environment for the employees.
 - Michael Hesse asked if it would change any of the first responder's hours or availability.
 - Ben White stated that first responders would still be available.
 - Craig Overstreet stated he would like the pilot program to start in 30 days and extend the new hours until August.
 - Todd Rolan asked if some employees could be off on Friday and the other half be off on Monday.
 - Ben White stated it was just simpler to have it the way it was proposed and if people were sick it would be more complicated.
 - Todd Rolan stated he had citizens state that the employees are here for the citizens.
 - Craig Overstreet stated a public hearing was held and no one came and spoke in regards to the time change.
 - Motion to approve a pilot program until August 1st with a 30 day written notice and not to begin on or before April 15th made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor
- D. Consider, discuss and act upon Sugar Hill Adventures regarding possible connection to the Chaparral Trail.
- Ben White explained that some additional information was shared with Council via email after the last meeting regarding the Katy Trail in Missouri and the North East Texas Trail's (NETT) letter.
 - Michael Hesse stated he is not fond of the idea. He likes the trail natural and open in the designated places.
 - Craig Overstreet stated there is no direct benefit to the City because there would be no electric, water or sewer. He also explained they have not received anything from the county approving the use and it appeared that Mr. Mosely had not met with any of his neighbors. He said the project is

on a dangerous curve and recreational vehicles would have a hard time getting on or off the property.

- Mayor Rice stated the only control the City would have is over the platting and the City could not limit his use.
- Ben White stated the trail was inside the city limits and we could put a fence up if we wanted to.
- Mike Hurst stated it is hard to police the trail. He does not see that this would be an advantage to the City of Farmersville.
- Miranda Martin, President of the City Amenities Board, addressed the Council and stated this topic came before the City Amenities Board a year ago. The Amenities Board felt that he should annex in to the City if he was to be granted access to the trail, otherwise no access should be granted.
- Sean Mosely went over a few pages from a Power Point presentation that showed pictures of the trail and stated he would only access the trail from two small points and would not cut out a lot of trees. He stated he would be contributing to Farmersville and giving people a place to stay when they came to Farmersville. He explained it was more of a resort and not an RV park and he would leave the trees between his property and his neighbors. He stated he was going to live on the property along with his manager. He does not want crime because his kids would live on the property. He explained the access points would be limited to the two gates. He explained the County had given preliminary permission to his engineer.
- Mayor Rice wanted to clarify that the City could not prohibit him from entering the trail from his property. The only thing the City could prohibit was improvements from his property line out to the pavement of the trail.
- Alan Lathrom stated it depended on how the City had the trail designed. He explained the City has the ability to control the access.
- Mike Hurst stated he could not tell a lot from the drawings.
- Ben White stated he just needed direction to allow access or not.
 - Motion to table until a development plat is submitted made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

E. Update on silent railroad crossings.

- Ben White stated he had not brought this up and it was on backlog because of the costs involved. He recommended a study be done to determine the best option for the City when the time comes.

VI. EXECUTIVE SESSION

- Mayor Rice read the statement below and stated the Council would go into executive session at 7:30 p.m.
- A. Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:
1. Consultation with City Attorney regarding pending or contemplated litigation and settlement offer with United States Department of Justice.

VII. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY:

- Mayor Rice stated the Council would reconvene from executive session at 8:10 p.m.
- A. Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:
1. Pending or contemplated litigation and settlement offer with United States Department of Justice.
 - Motion to authorize the City Attorney and Mayor to revise and sign the settlement agreement with the Department of Justice as discussed in executive session made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted the restriping of the downtown and street lights at Dura Edge Way, Welch and J.W. Spain be placed on the agenda.

VIII. ADJOURNMENT

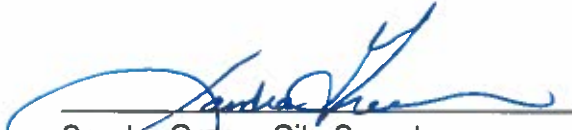
Meeting was adjourned at 8:12 p.m.

APPROVE:



Jack Randall Rice, Mayor

ATTEST:



Sandra Green, City Secretary

