



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
May 28, 2019, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Jim Hemby, Dwain Mathers, Mike Hurst and Donny Mason were all present. City staff members Ben White, Sandra Green, Daphne Hamlin, Rick Ranspot, Mike Sullivan, Kevin Lisman, Dana Mingo and City Attorney Alan Lathrom were also present.
- Prayer was led by Dana Mingo, Main Street Manager, followed by the pledges to the United States and Texas flags.
  - Calendar of upcoming holidays and meetings.
  - On June 1<sup>st</sup> there will be Farmers & Fleas along with the Yard of Yards Sale and the Summer Car Show.
  - The Civic Center will be closed June 5<sup>th</sup> through June 20<sup>th</sup> for repairs.
  - Chief Sullivan stated that starting June 1, 2019 the city will began the registration of pets.

**II. PUBLIC COMMENT**

- Donna Williams who lives at 1985 State Highway 78 North explained the TxDOT route petition Mr. Hurst was talking about at the last meeting was actually for an alternate route that Ben White created. She said that most of the signatures on the petition were not even Farmersville residents. She stated there are never any good choices, but the road has to be built somewhere. She indicated the red route with fewer homes to destroy, or the green route which would destroy a whole neighborhood was the choices given by TxDOT. She stated she was against the green route.
- Mike Goldstein who resides at 1453 State Highway 78 North addressed Council regarding the U.S. Highway 30 alignment. He explained the red route that was chosen by TxDOT is the best route for the citizens of Farmersville. He indicated this would also be the least expensive route for TxDOT and the Farmersville

citizens. He stated that he feels like the City Council owes the citizens an explanation of why they are still advocates of the green route.

- Jim Foy who lives at 211 College Street spoke regarding the U.S. Highway 380 alignment. He explained the petition that was given to the city was not against the green route, but against the alternate route that would split a family's farm. He said he signed that petition and it was not a petition in favor of the green route. He indicated Farmersville has gone through controversy over the past three years and stated it was time to end the division in the city. He urged the Council to either support the red route or to not make a decision at all.
- Leaca Caspari who resides at 405 Summit Street stated that TxDOT spent a lot of time and money on the studies and she doubts that a resolution from the city would change their route. She indicated the Resolution that Council was supporting would displace several long time residents. She explained that some councilmen were worried about the economic hardships of the downtown if TxDOT moved the road a little further south. She stated that those councilmen are not understanding that the current U.S. Highway 380 already bypasses the downtown. She indicated the red route could bring more land in to the city. She explained that she feels the Council is just delaying development by not accepting the red route.
- Mayor Rice called upon Steve Caspari to speak since he filled out a speaker card. Mr. Caspari stated he passed on speaking because his wife covered what he was going to say.
- Randy Smith who resides at 508 County Road 610 stated that he and his extended family has lived here and around the area since the 1860's. He and his brother own property on the current U.S. Highway 380 and he knows his financial interests would be more beneficial on the current route. But, he stated he knows the best route would be the red route. He stated he spoke to Cindy Dickens, the author of the petition, and she was not against the southern route of the road only the alternate alignment that was created. He indicated that was not the southern route suggested by TxDOT.

### **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 Special Meeting Minutes
- B. City Council Minutes
- C. City Financial Report
  - Craig Overstreet wanted to pull the City Financial Report.

- Motion to approve reports A&B made by Donny Mason
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor
- Craig Overstreet asked about the debt services reserves. He asked if 2 months were shown and about a financial policy.
  - Daphne Hamlin stated we have reserves and a financial policy for the general fund only at this point.
  - Ben White asked Daphne Hamlin if over the past few years the reserves have changed, or if has the reserves have always been around two months' worth.
  - Daphne Hamlin indicated it had not changed.
  - Craig Overstreet asked about the electric fund and why the account was -\$200,000.
  - Daphne Hamlin stated the electric account always starts off that way and it catches up in the summer months.
- Motion to approve the City Financial Report made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Jim Hemby
  - 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. Minutes
  - 2. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
  - 1. Minutes
  - 2. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
  - 1. Minutes
  - 2. Possible Council Liaison Report
- D. Main Street Board
  - 1. Possible Council Liaison Report
- E. Planning & Zoning Commission
  - 1. Minutes
  - 2. Possible Council Liaison Report
- F. Texoma Housing Partners
  - 1. Agenda

V. **REGULAR AGENDA**

- A. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission for a Final Plat of the Hendricks 380 Addition, Lot 1, Block
  - Ben White stated the plat was brought about because of right-of-way requirements for Hamilton Street. He spoke with the land owner to give up a right-of way in the middle of the property in exchange for right-of-way on Water Street as well.
  - Dwain Mathers asked about Hamilton Street and what was going on with it.
  - Ben White stated the city received a bond to have the street engineered and reconstructed with curbs and gutters. He explained it would improve the city, and indicated they are hoping to put in sidewalks and lighting on the street as well.
    - Motion to approve made by Donny Mason
    - 2<sup>nd</sup> to approve was Craig Overstreet
    - All council members voted in favor
- B. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission for a Final Plat of the Thain Addition, Lots 1-3.

- Ben White stated this was a subdivision of land into three lots in order to sale for development.
- Jim Hemby had to recuse himself because he lives within 200' of the property in question.
- Mike Hurst asked if all the property was out of the floodplain.
- Ben White stated he believed they were out of the floodplain. He also explained the property could be in the floodplain, but they would not be able to build in the floodplain. He indicated the engineering firm did review and recommend approval of the plat.
  - Motion to approve made by Mike Hurst
  - 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor
- Jim Hemby returned to the council chambers.

C. Discussion on possible strategy for reducing the TIRZ area.

- Ben White indicated the TIRZ is currently a very large area. He explained that typically they cover areas that are smaller. He said that one of the downsides was that the city has had a lot of growth and the properties are all in the TIRZ area. Because of that, the city does not receive the tax funds as revenue. Those funds go into the TIRZ account. The amount of tax revenue would be approximately \$239,000 for Camden Park plus approximately another \$40,000 for Palladium. He indicated the city would not experience growth in the general fund if we did not make the area smaller. But, if those areas hold on to the TIRZ they could improve roads and other infrastructure in the future if needed. He stated that eventually the TIRZ area should be focused more around the industrial areas instead of where it is right now.

D. Consider, discuss and act upon appointing new members to City boards.

- Mayor Rice stated the Council would start with the FEDC (4A).
- Craig Overstreet nominated Randy Smith and Robbie Tedford for a second term.
- Dwain Mathers wanted to nominate Mike Goldstein and Joe Helmberger.
- Mayor Rice clarified that Dwain Mathers would nominate Joe Helmberger for Randy Smith's position.
- Mayor Rice Called for a vote to see who would fill the position expiring for Randy Smith.
- Voting went as follows:
  - Dwain Mathers voted for Joe Helmberger
  - Donny Mason voted for Randy Smith

- Jim Hemby voted for Randy Smith
  - Mike Hurst voted for Randy Smith
  - Craig Overstreet voted for Randy Smith
- Mayor Rice stated Randy Smith would complete a 2<sup>nd</sup> term.
- Mayor Rice stated the Council would vote for either Robbie Tedford or Mike Goldstein.
- Mayor Rice Called for a vote to see who would fill the position expiring for Robbie Tedford.
- Voting went as follows:
  - Dwain Mathers voted for Mike Goldstein
  - Donny Mason voted for Robbie Tedford
  - Jim Hemby voted for Robbie Tedford
  - Mike Hurst voted for Robbie Tedford
  - Craig Overstreet voted for Robbie Tedford
- Mayor Rice indicated Robbie Tedford would serve a 2<sup>nd</sup> term.
- Mayor Rice called for nominations for the FCDC (4B) board.
  - Motion to reappoint Tobey Ferguson and Jesse Nelsen for a 2<sup>nd</sup> term made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor
- Mayor Rice asked for nominations for Mike Goldstein's expiring 2<sup>nd</sup> term.
- Dwain Mathers nominated Billie Goldstein
- Craig Overstreet nominated Michael Hesse
- Mayor Rice asked for the vote.
- Voting went as follows:
  - Dwain Mathers voted for Billie Goldstein
  - Donny Mason voted for Michael Hesse
  - Jim Hemby voted for Michael Hesse
  - Mike Hurst voted for Michael Hesse
  - Craig Overstreet voted for Michael Hesse
- Mayor Rice stated Michael Hesse would be appointed to the position.
- Mayor Rice asked for nominations for Cynthia Craddock-Clark's expiring 2<sup>nd</sup> term.
- Craig Overstreet nominated Todd Rolan

- Dwain Mathers nominated Billie Goldstein
  - Mayor Rice asked for the vote.
  - Voting went as follows:
    - Dwain Mathers voted for Billie Goldstein
    - Donny Mason voted for Todd Rolen
    - Jim Hemby voted for Todd Rolen
    - Mike Hurst voted for Todd Rolen
    - Craig Overstreet voted for Todd Rolen
  - Mayor Rice stated Todd Rolen would fill the position.
- 
- Mayor Rice called for nominations for the Building & Property Standards board.
  - Donny Mason wanted to nominate Chris Calverly to fill the vacant position.
  - Dwain Mathers nominated Joe Helmberger.
  - Mayor Rice called for a vote.
  - Voting went as follows:
    - Dwain Mathers voted for Joe Helmberger
    - Donny Mason voted for Chris Calverly
    - Jim Hemby voted for Chris Calverly
    - Mike Hurst voted for Chris Calverly
    - Craig Overstreet voted for Chris Calverly
  - Mayor Rice stated Chris Calverly would be appointed to the vacant position.
- 
- Mayor Rice asked for nominations for Tiffany Hesse's expiring 1<sup>st</sup> term.
  - Craig Overstreet nominated Tiffany Hesse for a second term.
  - Dwain Mather nominated Joe Helmberger.
  - Mayor Rice called for a vote.
  - Voting went as follows:
    - Dwain Mathers voted for Joe Helmberger
    - Donny Mason voted for Tiffany Hesse
    - Jim Hemby voted for Tiffany Hesse
    - Mike Hurst voted for Tiffany Hesse
    - Craig Overstreet voted for Tiffany Hesse
  - Mayor Rice stated Tiffany Hesse would be reappointed to the board for a 2<sup>nd</sup> term.
- 
- Mayor Rice called for nominations for the Planning & Zoning Commission. He started with the vacant position.
  - Donny Mason nominated Brian Brazil.
  - Dwain Mathers nominated Leaca Caspari.
  - Mayor Rice called for a vote.

- Voting went as follows:
  - Dwain Mathers voted for Leaca Caspari
  - Donny Mason voted for Brian Brazil
  - Jim Hemby voted for Brian Brazil
  - Mike Hurst voted for Brian Brazil
  - Craig Overstreet voted for Brian Brazil
- Mayor Rice stated Brian Brazil would take the vacant seat.
  
- Mayor Rice asked for nominations to fill Russell Chandler 1<sup>st</sup> term that was expiring.
- Craig Overstreet nominated John Klostermann.
- Dwain Mathers nominated Leaca Caspari.
- Mayor Rice called for a vote.
- Voting went as follows:
  - Dwain Mathers voted for Leaca Caspari
  - Donny Mason voted for John Klostermann
  - Jim Hemby voted for John Klostermann
  - Mike Hurst voted for John Klostermann
  - Craig Overstreet voted for John Klostermann
- Mayor Rice stated John Klostermann would fill the position.
  
- Mayor Rice asked for nominations to fill Wyatt McGuire's 1<sup>st</sup> term that was expiring.
- Dwain Mathers nominated Leaca Caspari.
- Craig Overstreet made a motion to postpone any more appointments to the Planning & Zoning Commission to have time to go over the applications further.
- Dwain Mathers wanted to clarify why Craig Overstreet did not want to go ahead with appointments.
- Alan Lathrom stated that a nomination was on the table before the motion was made. He stated the Mayor could call to close the nominations or ask if there were any more nominations.
- Mayor Rice stated there was no 2<sup>nd</sup> made to the motion and asked for any more nominations.
- Mayor Rice called for a vote.
- Voting went as follows:
  - Dwain Mathers voted for Leaca Caspari
  - Donny Mason abstained
  - Jim Hemby stated there was only one so he guessed Leaca Caspari.
  - Mike Hurst voted no
  - Craig Overstreet voted no
- Mayor Rice stated Leaca Caspari was appointed to the Planning & Zoning Commission.



- Mayor Rice asked for nominations to fill Paul Kelly's 1<sup>st</sup> term that was expiring.
- Craig Overstreet made a motion that nominations would cease until there was sufficient time to go over the applications and to verify if Paul Kelly was not applying for a 2<sup>nd</sup> term.
- Dwain Mathers questioned why the Council would postpone since they had all the applications in hand.
- Craig Overstreet stated he just found out that Paul Kelly and Wyatt McGuire were not reapplying and he wanted time to look over the applications further.
  - Motion to postpone until the next meeting made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor, except Dwain Mathers who voted against.
  
- Mayor Rice asked for nominations to fill the vacancy on the Main Street board.
- Mike Hurst nominated Allison Mathers.
- Mayor Rice told him she was not eligible because Dwain Mathers had to be on the City Council for six months before she could be appointed to a board.
- Dwain Mathers nominated Billie Goldstein.
- Mayor Rice closed the nominations and since no one else was nominated he stated Billie Goldstein was appointed to the board.
  
- Mayor Rice asked for nominations to fill the two expiring terms on the City Amenities board.
- Craig Overstreet stated that both Charlotte Holloway and John Hollis Young submitted an application for a 2<sup>nd</sup> term so he would nominate them.
- Mayor Rice asked if anyone wanted to nominate someone else in Charlotte Holloway's expiring seat.
- Dwain Mathers nominated Joe Helmberger.
- Mayor Rice called for a vote.
- Voting went as follows:
  - Dwain Mathers voted for Joe Helmberger
  - Donny Mason voted for Charlotte Holloway
  - Jim Hemby voted for Charlotte Holloway
  - Mike Hurst voted for Charlotte Holloway
  - Craig Overstreet voted for Charlotte Holloway
- Mayor Rice stated Charlotte Holloway was reappointed to board.
  
- Mayor Rice asked if anyone else wanted to make nominations for John Hollis Young's expiring seat.

- Dwain Mathers nominated Joe Helmberger.
  - Mayor Rice called for a vote.
  - Voting went as follows:
    - Dwain Mathers voted for Joe Helmberger
    - Donny Mason voted for John Hollis Young
    - Jim Hemby voted for John Hollis Young
    - Mike Hurst voted for John Hollis Young
    - Craig Overstreet voted for John Hollis Young
  - Mayor Rice stated John Hollis Young was reappointed to board.
- E. Consider, discuss and act upon DBI Engineering’s recommendation regarding the contractor for the Palladium off-site sewer improvement system.
- Ben White stated that Dallas Underground from Ennis, Texas was the lowest bidder. They bid \$237,740.00 and a bid bond in the amount of 5% was submitted. He indicated DBI was recommending approval. He said this bond was the sewer line west of Palladium that goes to the lift station, but it would service Palladium as well.
  - Mike Hurst asked about the sheet that showed Add/Alternative Bid Items and wanted to know if those costs were figured in to the prices shown.
  - Ben White stated those were alternate bid items. That was for the wastewater line on the east side of Palladium. Palladium agreed to pay for that portion of the line and they are also paying the city \$127,000.00 to help run the line. He stated they were just looking for the value of the items. The city’s cost for the project would be \$229,000. He explained the city would be taking the cost of the line out of the wastewater impact fees for this project, so the city has to fix their project plan list pretty fast.
  - Alan Lathrom clarified that the alternate bid was not included in the approval.
    - Motion to approve made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Mike Hurst
    - All council members voted in favor
  - Ben White also requested signatory authority for anything under \$50,000, including contract documents and other similar documents.
    - Motion to approve made by Dwain Mathers
    - 2<sup>nd</sup> to approve was Donny Mason
    - All council members voted in favor

- F. Consider, discuss and act upon Resolution #2019-0528-001 for the TxDOT alignment of U.S. Highway 380.
- Mayor Rice stated there were a few people in the audience and at the last Council meeting that did not like the resolution and he stated he does not agree with the resolution either. He stated the city needed to move on and accept TxDOT's decision. He believes the red route would be the best route for Farmersville.
  - Mike Hurst stated there has been some discussions with TxDOT over the last 4 months or so. He stated it was not the intentions of the City Council to displace any businesses or homes. He indicated they had rescinded the limited access roadway resolution a year or so ago. They were told by TxDOT and by the City Manager that TxDOT did not want any resolutions until after the May 6<sup>th</sup>, 2019 meeting. The County Commissioners in McKinney voted unanimously to go with the green route. He mentioned to TxDOT that the City Council was leaning toward the green route, but the TxDOT representative stated that was not what they were getting from the City Manager. He wants TxDOT to shrink the road back to the existing lanes as they go through the city and then they can open it back up. He indicated it was the goal and intentions of the Council to keep the city on the map. He said State Highway 78 would be widened before long and citizens would have to deal with that as well. He indicated there would not be many people in the audience that would still be alive when the road came through anyway. He explained there would be a lot of discussions surrounding TxDOT's routes from a lot of cities and people. He stated Council was trying to do what is best for the City of Farmersville. He said that he believed the growth would come up State Highway 78.
  - Dwain Mathers stated he appreciated Mr. Hurst not wanting to disturb homes and businesses. He explained the goal of the City Council should be to choose the path that does not have much effect on the people and their properties. He stated the route in the resolution would displace an African American community with their homes and churches.
  - Mike Hurst stated he did ask TxDOT to narrow the road down as they come across the lake. He does not understand why there is a need for an eight lane roadway.
  - Dwain Mathers explained the population of the area in the future is why they are wanting to build the roadway with eight lanes. He stated he had nothing to do with the resolution that was in front of Council. He said that he believed Mr. White and the Mayor were sworn to secrecy from TxDOT, because they had not released the routes to the public yet. He also indicated that U.S. Highway 75 is the same distance from downtown

McKinney as U.S. Highway 380 is from the Farmersville downtown. He believes TxDOT did a great job on their feasibility study. He stated that TxDOT made a point to say that economic growth would be better on the red route.

- Jim Hemby stated if TxDOT goes south the city will suffer because the economic growth would be in the ETJ and not the city. The city would still have to supply fire and police protection in those areas that are in the ETJ. He thinks in the long run it would be a lot of revenue that will go outside the city limits. He stated they could narrow the road as they come through Farmersville because they do that in McKinney.
- Mayor Rice stated the roads in McKinney are two different roadways. State Highway 121 merges with U.S. Highway 75 and if you go straight it is Highway 5.
- Craig Overstreet stated he would like the resolution to be rewritten. He would like to show opposition to the red route, urge TxDOT to study the green route and narrow it down from the eight lanes and 2 service roads to the way it is currently. He stated he was not in favor of taking out an African American community or their churches. TxDOT is going to do what they want to do, but there are some modifications that can be done. He explained if Prosper ISD, Town of Prosper, McKinney, and the Commissioners Court had a problem with the alignments then the alignments should be looked at again.
- Dwain Mathers stated that TxDOT had indicated they would only tweak the routes they had already chosen. He expressed that TxDOT did their homework before they chose the routes. He said if the division regarding the roadway goes on for the next three or so years, then businesses are going to be held hostage until the arguments are resolved.
- Craig Overstreet stated the Collin County Commissioner's Court were fighting against the chosen route and he believes that is what the City of Farmersville should do.
- Mike Hurst stated they had the city attorney draft the resolution so it could be presented to TxDOT at the meeting, but we could not get it placed on an agenda, even though there was time.
- Dwain Mathers asked if the City of Farmersville had ever held a public to hear citizens' concerns when TxDOT narrowed the choices down to two.
- Craig Overstreet wanted made a motion to oppose the red route and urge TxDOT to consider a modified green route.
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor, except Dwain Mathers voted against.

**VI. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- Craig Overstreet wanted to discuss code enforcement and the Reliable Concrete water line.


**VII. ADJOURNMENT**

Meeting was adjourned at 7:49 p.m.

APPROVE:

  
\_\_\_\_\_  
Jack Randall Rice, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra Green, City Secretary

