

### FARMERSVILLE CITY COUNCIL REGULAR SESSION AGENDA August 27, 2019, 6:00 P.M. Council Chambers, City Hall 205 S. Main Street

### I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements
  - Calendar of upcoming holidays and meetings.
  - ➤ City Hall will be closed on Monday, September 2<sup>nd</sup> in observance of Labor Day.
  - > Farmers & Fleas will be on Saturday, September 7th at the Onion Shed.
  - Proclamation for Public Safety Sunday.

### II. PUBLIC COMMENT

Anyone wanting to speak is asked to speak at this time, with an individual time limit of three (3) minutes. This forum is limited to a total of thirty (30) minutes. If a speaker inquiries about an item, the City Council or City Staff may only respond with: (1) a statement of specific factual information; (2) a recitation of existing policy; or (3) a proposal that the item be placed on the agenda of a future meeting.

### 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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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. Board of Adjustment Minutes
- C. City Financial Report

### IV. <u>INFORMATIONAL ITEMS</u>

These Informational Items are intended solely to keep the City Council appraised 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
- 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. Financials
  - 3. 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. TIRZ Board
  - 1. Financials
  - 2. Possible Council Liaison Report

### V. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and proposed Ordinance #O-2019-0827-001 regarding a requested change in the zoning of two abutting tracts of land

located in an area that is north of West Audie Murphy Parkway (U.S. 380), east of County Road 611, and south of Farmersville Parkway, containing a total of approximately 77.419 acres of land in the W. B. Williams Survey, Abstract No. 952, in the City of Farmersville, Collin County, Texas, from A - Agricultural district to PD - Planned Development District (PD#1901-C) with a base zoning district classification of C - Commercial District on both tracts of land and approving certain exceptions to the requirements established by the base zoning district of C - Commercial District for a Collin College Campus.

### VI. REGULAR AGENDA

- A. Consider, discuss and act upon mini city-wide cleanups.
- B. Consider, discuss and act regarding water and wastewater rate study information.
- C. Consider, discuss and act regarding recycling rate increase.
- D. Consider, discuss and act regarding solid waste rate increase.
- E. Consider, discuss and act upon city code enforcement.
- F. Consider, discuss and act upon forming a Census Bureau Committee to help with the 2020 Census.
- G. Consider, discuss and act upon Resolution #R-2019-0827-001 regarding a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation.
- H. Discussion regarding the upcoming election of Collin Central Appraisal District Board of Directors.
- I. Consider, discuss and act on the Main Street bylaws.
- J. Consider, discuss and act upon a recommendation from the Farmersville Community Development Board regarding the Professional Services Contract.

### VII. BUDGET WORKSHOP

### VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

### IX. ADJOURNMENT

Dated this the 23<sup>rd</sup> day of August, 2019.

Jack Randall Rice, Mayor

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted August 23, 2019 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Sandra Green, City Secretary

I. Preliminary Matters	

### August 2019

Saturday	3	Farmers & Fleas 9:00 am	10		17		24	Chamber of Commerce Casino Night	Bug Tussle Car Trek	31		
Friday	2		6		16		23			30		
Thursday	1	City Amenities Board Meeting 4:15 pm	00		15	FEDC (4A) Meeting 6:30 pm	22			29		
Wednesday			7	Summer Reading Club 2:00 pm	14	First Day of School	21			28		
Tuesday			9		13	Board of Adjustment Meeting 5:30 pm City Council Meeting 6:00 pm	20			27	Municipal Court 9:00 a.m. City Council Meeting	
Monday			5		12	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	19	P&Z Meeting 6:30 pm		26		
Sunday			4		11		18			25		

## September 2019

Saturday	7	Farmers & Fleas 9:00 am	14		21		28			
Friday	9	ir.	13		20		27			
Thursday	S	City Amenities Board Meeting 4:15 pm	12		19	FEDC (4A) Meeting 6:30 pm	26			
Wednesday	4	.0	11		18		25			
Tuesday	3	City Council Special Meeting 6:00 pm	10	BOA Meeting 5:30 pm City Council Meeting 6:00 pm	17	City Council Special Meeting 6:00 pm	24	Municipal Court 9:00 a.m. City Council Meeting 6:00 pm		
Monday	2	City Offices Closed – Labor Day	6	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	16	P&Z Meeting 6:30 pm	23		30	
Sunday	1		00		15		22		29	

## October 2019

Saturday	5	Farmers & Fleas 9:00 am	Old Time Saturday	12		19		26	Trick It Up Bike Ride Scare on the Square		
Friday	4			11		18		25			
Thursday	3	City Amenities Board Meeting 4:15 pm		10		17	FEDC (4A) Meeting 6:30 pm	24		31	
Wednesday	2		0.000	6		16		23		30	
Tuesday	1			00	City Council Meeting 6:00 pm	15		22	Municipal Court 9:00 a.m. City Council Meeting 6:00 pm	29	
Monday				7		14	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	21	P&Z Meeting 6:30 pm	28	
Sunday				9		13		20		27	

## November 2019

Saturday	2	Farmers & Fleas 9:00 am	6		16		23		30		
Friday	1		00		15		22		29	City Offices Closed - Thanksgiving	
Thursday			7	City Amenities Board Meeting 4:15 pm	14		21	FEDC (4A) Meeling 6:30 pm	28	City Offices Closed - Thanksgiving	
Wednesday			9		13		20		27		
Tuesday			ī		12	Municipal Court 9:00 a.m. City Council Meeting 6:00 pm	19		26	City Council Meeting 6:00 pm	
Monday			4	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm (moved due to Holiday)	11	City Offices Closed – Veteran's Day	18	P&Z Meeting 6:30 pm	25		
Sunday			C		10		17		24		

## December 2019

Saturday	7	Farmers & Fleas 9:00 am	14	Christmas Parade	21		28			
Friday	9		13		20		27			
Thursday	5	City Amenities Board Meeting 4:15 pm	12		19	FEDC (4A) Meeting 6:30 pm	26			
Wednesday	4		11		18		25	City Offices Closed - Christmas		
Tuesday	3	1/4	10	City Council Meeting 6:00 pm	17	Municipal Court 9:00 a.m.	24	City Offices Closed - Christmas	31	
Monday	2		6	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	16	P&Z Meeting 6:30 pm	23		30	
Sunday	H		80		15		22		29	

### A Proclamation

### Naming September 8, 2019 as Public Safety Sunday

Whereas, the City of Farmersville relies on the members of the Farmersville Police Department, the Farmersville Fire Department, and American Medical Response to provide emergency public service to the people of Farmersville and surrounding communities; and

Whereas, these members, also referred to as "emergency first responders", consistently train to expand their skills and knowledge through continuing education to meet and exceed all State and National level requirements; and

Whereas, these "emergency first responders" willingly and unselfishly place the lives of the citizens they have sworn to protect above that of their own; and

Whereas, on September 11th, 2001, over 460 law enforcement officers, firefighters, and emergency medical personnel perished in the single greatest tragedy for emergency first responders as they attempted to rescue the civilians trapped in the World Trade Center later to be referred to as "Ground Zero" in New York City; and

Whereas, more than 250 "emergency first responders" demonstrate each year the "Greatest Love" by laying down their life for another; and:

Whereas, September 11th, 2019, marks the 18th anniversary of this tragic event that changed American society forever; and

Whereas, the citizens of Farmersville, Texas do recognize the important contributions and efforts of these individuals thereby improving the overall safety and quality of life here in Farmersville.

**NOW THEREFORE**, I, Jack Randall Rice, Mayor of the City of Farmersville, do hereby proclaim Sunday, September 8<sup>th</sup>, 2019 as

### **PUBLIC SAFETY SUNDAY**

In witness hereof, I have hereunto set my hand and caused the Seal of the City of Farmersville, Texas, this the 27th day of August, 2019.



Jack Randall Rice, Mayor City of Farmersville



Agenda Section	Public Comment
Section Number	
Subject	Public Comment
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	Anyone wanting to speak is asked to speak at this time, with an individual time limit of three (3) minute. This forum is limited to a total of thirty (30) minutes. If a speaker inquiries about an item, the City Council or City Staff may only respond with: (1) a statement of specific factual information; (2) a recitation of existing policy; or (3) a proposal that the item be placed on the agenda of a future meeting.
Action	NA

III. Consent Agenda

Agenda Section	Consent Agenda
Section Number	III.A
Subject	City Council Minutes
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Farmersville City Council 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.
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>



### FARMERSVILLE CITY COUNCIL REGULAR SESSION MINUTES For August 13, 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, Kim Morris, Daphne Hamlin, Rick Ranspot, Michael Sullivan, Dana Mingo, Paula Jackson and City Attorney Alan Lathrom were also present.
- Prayer was led by Tiffany Barber, Youth Director of the First United Methodist Church, followed by the pledges to the United States and Texas flags.
  - > Calendar of upcoming holidays and meetings.
  - Wednesday, August 14th is the first day of school.
  - ➤ Mayor Rice stated that the Pep Rally would be on Friday, August 23<sup>rd</sup>.
  - ➤ The Chamber of Commerce Casino Night will be held on Saturday, August 24<sup>th</sup>.
  - > The Bug Tussle Car Trek will also be on Saturday, August 24th.
  - Proclamation for Wyndi Veigel.
    - Mayor Rice read and presented the Proclamation to Wyndi Veigel.

### II. PUBLIC COMMENT

Tommy Ellison wanted to defer his comments to later in the agenda.

### III. CONSENT AGENDA

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- A. City Council Minutes
- B. City Council Workshop Minutes
- C. Police Department Report (OpenGov)
- D. Code Enforcement/Animal Control Report (OpenGov)
- E. Fire Department Report (OpenGov)
- F. Municipal Court Report (OpenGov)
- G. Warrant Officer Report (OpenGov)
- H. Public Works Report
- I. Library Report (OpenGov)
- J. City Manager's Report
- Mike Hurst pulled the Public Works Report and Donny Mason pulled the City Manager's Report.
  - Motion to approve Reports A-G & I made by Craig Overstreet
  - o 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor
- Mike Hurst asked about the electrical agreement with Collin College and wanted to know if we have heard anything back from them yet.
- Ben White stated he received a verbal agreement that they would choose the City of Farmersville for their electric power.
- Donny Mason asked a question from the City Manager's Report. He wanted an update on Hamilton St.
- Ben White explained the engineer had completed the drawings for Hamilton St, and bids would be done immediately.
- Mayor Rice asked about the wastewater treatment plant.
- Ben White stated that plant 1 & 2 are both complete. He explained the bearing on the trickling fixture went out and it is being replaced by the North Texas Municipal Water District (NTMWD). He also stated that all the SCADA looked good.
- Mike Hurst asked if the Caddo Basin Agreement had been signed yet.
- Ben White stated it had been signed, but he did not have a copy of the signed agreement.
  - Motion to approve Public Works Report and City Manager's Report made by Donny Mason
  - o 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor

### IV. INFORMATIONAL ITEMS

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- A. City Amenities Board
  - 1. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
  - 1. Possible Council Liaison Report
    - Dwain Mathers stated they met and the 4B Service Agreement was approved and the budget was discussed. They had to cut approximately \$120,000.00 from the budget.
- C. FEDC Farmersville Economic Development Board (Type A)
  - 1. Minutes
  - 2. Possible Council Liaison Report
    - Mike Hurst stated they would be discussing the budget at the upcoming meeting. He pointed out that he believes all the boards are doing a good job.
- D. Main Street Board
  - 1. Possible Council Liaison Report
    - Ben White stated they approved the changes to the bylaws.
- E. Planning & Zoning Commission
  - 1. Possible Council Liaison Report

### V. REGULAR AGENDA

- A. Consider, discuss and act upon an Interlocal Agreement between the City of Farmersville and Collin County for Child Abuse, Investigation Services, and Law Enforcement Services.
  - Ben White stated the Interlocal Agreement was a standard agreement. He explained it would cost the city approximately \$6,000.00 per year for a four year term. He pointed out a few changes to the document requested by the county. He stated that in Article 5 it should say four years instead of five, and Article VI. Notices, 6.02 makes reference to Section 9 and it should reference Section 6. He explained that staff recommended approval with said changes.
    - Motion to approve with stated changes made by Craig Overstreet
    - o 2<sup>nd</sup> to approve was Jim Hemby
    - All council members voted in favor
- B. Consider, discuss and act regarding setting public hearings for the tax rate.
  - Daphne Hamlin stated the city had to set the public hearings every year.
     She explained the city was staying with the \$0.75 tax rate again this year.
     She said the first public hearing date would be on September 3<sup>rd</sup> and the second on September 10<sup>th</sup>.
    - Motion to call the public hearings and approve the dates for the public hearings made by Donny Mason
    - o 2<sup>nd</sup> to approve was Jim Hemby
    - All council members voted in favor.
- C. Discuss the processes and decisions required to become a home rule city.
  - Mayor Rice stated that he wanted this item on the agenda since a lot of things are going on in Farmersville.
  - Mike Hurst stated they are not sure if the city has the number of people at this time. The law now states it goes by inhabitants instead of the population. The charter has been written and Alan Lathrom has it ready to go. He believes we are on the verge of getting this on the ballot for a vote.
  - Craig Overstreet asked about timing.
  - Alan Lathrom stated it depended on the city determining the number of inhabitants. He explained the time frame for public notices move back from the date City Council would adopt a resolution stating they have reached the 5,001 inhabitants. He explained they could have an election in May or November and the time frame would move backwards from those election dates.

- Ben White asked if the May 2020 election was feasible.
- Alan Lathrom stated it depended on when the city reached the 5,001 threshold.
- Ben White asked what the latest date would be if we wanted the May election.
- Alan Lathrom stated 78 days before the first Saturday in May, which would be approximately three months prior to the Election Day. He stated that the process could begin with a resolution that would state the city has reached the 5,001 threshold and there would have to be something that showed how the determination was made.
- Mike Hurst stated that the number of inhabitants could come from the number of residential meters and by using a multiplier of 3.5 to help with calculating the inhabitants.
- Ben White asked how the city could count the residents of the nursing home.
- Alan Lathrom stated they could do an informal census of the nursing homes or other similar places to see how many residents they have living there.
- Mayor Rice asked if the election determined the expansion of the Extra Territorial Jurisdiction (ETJ) or if it was when the City Council declared the 5.001 inhabitants.
- Alan Lathrom stated it was based on when the City Council declared the 5,001 inhabitants. He explained the ETJ would expand from ½ mile to one mile at that point.
- Dwain Mathers asked what the process for approval would be for the home rule charter and when Council would get to review it.
- Alan Lathrom stated that it does not get to be reviewed or edited by the
  City Council. It was written by a Charter Commission that had members
  appointed by City Council. He explained the charter would be in the hands
  of the voters to approve or disapprove.
- Dwain Mathers asked what the advantages of being home rule would be.
- Alan Lathrom stated the benefits of being a home rule city was that the city could adopt ordinances and legislature that would be allowed by Texas Constitution and United States Constitution. A general law city can only adopt ordinances that are specifically authorized by the Texas Legislature. Home rule cities have much broader legislative authority. For example, a few years ago a home rule city could adopt an ordinance that regulated where sex offenders could live in regards to schools or parks where children would play. A general law city was prohibited to adopt the same rules because the guidelines had not been adopted by the Legislature.
- Mike Hurst stated that another thing that changed was that annexation could be done by a home rule city.
- Alan Lathrom stated that was changed across the board and no city could annex without a petition from the property owner or an election.
- Ben White asked about a direction for staff.

- Craig Overstreet stated it needed to go back to the Charter Commission for the review of the numbers.
- D. Discussion and possible action regarding U.S. Highway 380.
  - Mayor Rice stated he placed this on the agenda because it is important.
     He explained the TxDOT meeting indicated that U.S. Highway 380 was going to be a super highway.
  - Jim Hemby stated TxDOT was going to do what they wanted to do.
  - Dwain Mathers wanted to know what everyone took away from the TxDOT meeting.
  - Jim Hemby stated he believed they will go with the southern route.
  - Donny Mason stated they are going south because that is what they want to do.
  - Mayor Rice stated the sooner the city and TxDOT could come to an agreement the faster things would get done.
  - Jim Hemby stated the county has to make their own decision regarding their money and if they want to spend it on right-of-way. He does not like that the road will probably going south because he does not feel that location was in the best interest of the city. He believes that since the roadway property is in the ETJ the city would not see any money.
  - Dwain Mathers stated there are ways to encourage developers to come into the city.
  - Mike Hurst stated getting the developers to come in to the city was the problem. The city would have to enter into a development agreement with them to eventually annex the property. The city needs growth and needs businesses that are inside the city limits.
  - Ben White stated there are no CCN's for wastewater. He explained the city would offer wastewater services and that would be attractive for most businesses.
  - Dwain Mathers stated that he does not see why the city could not get the
    developers in the city with wastewater requirements. He stated
    Farmersville will be rich one day if they plan everything correctly.
  - Mike Hurst stated that was why he asked if the CCN Agreement was signed with Caddo Basin because the concrete plant needed our water.
     He explained the city had the ground work done for the MUD district as well. He stated that getting people to come into the city is a slow process.
  - Mayor Rice stated the city was going to have the advantage of U.S.
     Highway 380, State Highway 78 and the Outer loop and he believes those areas would change the city's demographics.

- Dwain Mathers does not agree with the waiting game. He explained developers are being held hostage until a decision from Council is made. He explained that right now we have a resolution with TxDOT that stated we want the route to go down the current U.S. Highway 380 and choke it down. He thinks the city should rescind the resolution so developers can move forward.
- Mayor Rice stated Council need to find a way to cooperate with TxDOT.
   He said that he has spoken to many people who explained that real estate deals are not going through because of the controversy.
- Dwain Mathers stated we have to plan for businesses. The least we should do is rescind the resolution that was previously sent to TxDOT so he made a motion to rescind.
- Mayor Rice stated the motion was denied because there was no 2<sup>nd</sup>.
- E. Discuss the possibility of live streaming city meetings.
  - Ben White stated city staff had conducted a pilot program on an inexpensive method using BoxCast. The annual contract would be for \$99.00 per month. A link would be on the website and then it would launch when clicked on. He explained we would continue to store the current video recordings for open record requests.
  - Mayor Rice pointed out live streaming was not required until the city reached a population of 50,000.
  - Council gave direction to move forward with live streaming in next year's budget.
- F. Consider, discuss and act upon the possibility of reducing the TIRZ area.
  - Ben White stated the city has a very large TIRZ area. He explained the TIRZ could use their funds to help a developer with a waterline or other infrastructure. He recommended that as the city grows we start moving property out of the TIRZ and move the revenues in to the city's account. He also suggested that as the city reduced the TIRZ in the residential areas he would like to add more property into the proposed employment regions. He asked for direction from Council.
  - Mike Hurst asked what the amount of time the TIRZ was set up for.
  - Alan Lathrom stated 20 years and that it could be expanded or reduced.
     The county could stop participation in the TIRZ if they chose. He stated the change in the TIRZ area would require an ordinance.
  - Craig Overstreet asked about the debt obligation for the TIRZ.

- Alan Lathrom stated that the debt for the area would have to be paid off before that specific area could be pulled out of the TIRZ.
- Ben White explained the city was going to make sure the TIRZ could pay back their debt first.
- Tommy Ellison who resides at 113 New Haven and is on the TIRZ board addressed Council and explained what the TIRZ area was. He explained the TIRZ is paying for the waterline that is being built to Reliable Concrete and is funding the roadway to Collin College. He stated the TIRZ can build infrastructure within the TIRZ area.
- Dwain Mathers asked if TIRZ could be established on the southern route of the future U.S. Highway 380.
- Alan Lathrom stated the area in the TIRZ has to be inside the city limits or ETJ of the city.
- Mike Hurst asked how much money the city would receive if some of the property was not in TIRZ.
- Daphne Hamlin stated that with Camden Park and figuring 277 homes the city would bring in approximately \$240,000 and approximately \$40,000 for Palladium.
- Ben White stated he would like to come back by the end of the year with a map for the council to review.
- Council agreed that would be good.

### G. Update on the wastewater treatment plant.

- Ben White stated that Lake Haven MUD was bought by TCCI. He explained they would build approximately 2,000 homes and the owners have plans to buy a few more acres. All the property would be utilizing the city's future wastewater treatment facility plant #3. The owners of Lake Haven MUD would have to pay \$15.5 million to the city for the plant. They would also have to reimburse design costs. Our development agreement with them allows the city to buy into that plant if we want for extra capacity. He explained the developers are also planning to have some commercial development along the frontage of State Highway 78. He has spoken to Copeville SUD and he would not try to take over their CCN. After 20 years and when Lake Haven's debt is paid off, they would annex in to the city. Our refuse service can be extended into the MUD. Water services would be provided by Copeville and wastewater would be provided through the City of Farmersville. He explained fire and police protection would be through the City of Farmersville as well and would be reimbursable.
- Mike Hurst asked if the easements for the wastewater line had been acquired yet.
- Ben White stated they have not all been acquired.
- Dwain Mathers asked what the price range of the homes would be.

- Ben White stated they were going to be smaller lots, but he imagined they would be similar to Camden Park.
- Discussion and possible action regarding roadway impact fees.
  - Ben White stated that in order to implement roadway impact fees a study would have to be done and it would cost a lot of money. He stated he could go to one of the other boards to ask for a loan to conduct the study if that was the wish of the Council
  - Alan Lathrom stated you can use the roadway impact fees to get reimbursed for the cost of the study, except for legal fees.
  - Ben White asked for direction from the Council and if they wanted to move forward with going to other boards for the money.
  - Council indicated they did not want to move forward at this time.
- Consider, discuss and act regarding the dedication of land at the corner of Farmersville Parkway and Collin Parkway to Collin College.
  - Ben White stated he needed official action as to whether the council wanted to dedicate the land over to Collin College. The plan was to take the curve out of the roadway and then make it a four way stop.
  - Alan Lathrom stated the city was obligated under the contract with the
    college to abandon the piece of property and convey it to them. It is
    already stated in the interlocal agreement that the land will be dedicated
    and the college will give right-of-way on the west side of their property for
    the roadway.
- J. Consider, discuss and act regarding water and wastewater rate study information.
  - Ben White stated the current rate for water was \$25.25. He explained he thought the best thing to do would be to raise the rate to \$26.12 and to leave the bracket rates alone. The rates for people who live outside of the city limits are now 25% more than those in the city limits. He stated he was not recommending a change in the wastewater rates at this time.
  - Craig Overstreet asked about the impact.
  - Ben White stated it would be \$15,000.00 a year.
  - Craig Overstreet asked why he was not recommending the rate increase on the wastewater since that rate has gone up.
  - Ben White stated he could do that if Council wanted to go in that direction.
  - Mike Hurst stated the city would be faced with new development soon and we would have to be ready for that. He stated Mr. White could work up the

- numbers for the wastewater and bring that back at the next Council meeting.
- Ben White stated this was the second year the city would be taking out of reserves until Camden Park was completed and could cover the bond payment for the wastewater.
- Craig Overstreet wanted him to work up the numbers for the wastewater.
- K. Discussion and direction regarding the draft Martin Marietta Development Agreement.
  - Mike Hurst wanted to see if the Council could go into executive session to discuss the item. He wanted clarification on some items in the agreement.
  - Mayor Rice stated that Council would go into executive session to consult with the City Attorney regarding the draft development agreement. Council entered into executive session at 8:16 p.m.
  - Mayor Rice announced that Council would reconvene from executive session at 9:05 p.m. and stated there were several legal issues that were raised and the attorney was asked to look at those issues and the agreement will be brought back at a later date.
- L. Update on new legislation regarding public comments at open meetings.
  - Alan Lathrom stated the Legislature changed Chapter 551 as it applies to the open meetings act. The change would allow the public to speak before or during every item on the agenda. He explained the City Council would still have the ability to adopt reasonable requirements to address the specific time limit citizens have to speak. He stated that the legislation also states that members of the public can criticize the Council, but it does not allow them to conduct defamation or slander. He said that if there was someone that needed the assistance of a translator, they would have twice the amount of time afforded to them to speak. He explained it was going to take some distinction to identify the difference between the right to speak about anything or what is specifically on the agenda. He said it changed so that the Council cannot limit the amount of time for public comments to only a total of 30 minutes.
- M. Update on new legislation regarding platting.
  - Alan Lathrom stated that HB 3167 established the shock clock of a thirty day time clock. He stated that now cities could not have people who are platting sign a 30 day waiver form. He explained the city now has to approve, conditionally approve or deny a plat within the 30 days. Also, the

city has to indicate where specifically in the ordinance it states they did not meet those requirements. When they resubmit the city will have 15 days to review it and approve it or disapprove it. He indicated it will put a much bigger strain on city resources and staff. If we do not approve it with the 30 day or 15 day time period then it would automatically be approved. State law would preempt city ordinances so we do not have to rush to get the ordinance changed now. The Zoning Ordinance would also have to be changed for HB 2439 because of the building materials change.

- N. Consider, discuss and act regarding a Joint Use Agreement with the Pee Wee Football and Cheer Association and the City of Farmersville.
  - Ben White stated the Pee Wee Football League was having trouble obtaining the umbrella insurance.
  - Alan Lathrom stated that one thing Council might consider was increasing
    the aggregate from \$1 million to \$3 million aggregate. He stated so both
    the products & completed operations aggregate and general aggregate
    would both be \$3 million. He also wanted to give the disclaimer that he
    was not a risk manager.
  - Ben White asked if he could negotiate the contract with the Pee Wee Football League and sign the contract in lieu of the Mayor.
  - Craig Overstreet stated he did not have any issues with the change in insurance except he would like Ben White to have a discussion with a risk manager as to why they cannot receive the umbrella coverage.
    - Motion to allow City Manager to negotiate insurance and sign contract made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Jim Hemby
    - All council members voted in favor
- O. Consider, discuss and act regarding a lease/purchase agreement between the City of Farmersville and Altec Capital Services, LLC for an electric department truck.
  - Ben White stated that our current line truck was broken. He explained it was a used truck and was not in good condition when it was purchased. We have it budgeted to purchase a line truck in the next budget year. He stated we paid off a loan that was \$600,000.00 and currently we are paying Garland heavily to use one of their trucks. He stated he was wanting to negotiate the contract with the company to buy the truck. He indicated it would be a six year term and at the approximate cost of \$212,000.00. It would be an annual payment of approximately \$38,000.00 a year. He

explained the other option would be to manually dig the holes or to borrow from Garland if we did not purchase the truck. He stated that Garland was charging approximately \$1,000 a day, because we also pay for the operator.

- Craig Overstreet stated he does not feel like it would be a good idea to purchase a new truck. He stated he felt like there were other options, like buying a used truck.
- Dwain Mathers asked if we were going to do this in the next year's budget.
- Ben White stated it was budgeted for and the first payment would be due in the next budget year. He stated the one piece of used equipment we bought has always had problems.
- Jim Hemby stated that most people use those trucks for years after they buy them. He stated a new truck would last longer. He stated that we did not have to buy a Cadillac, but something that will last the city for a long time and save money.
- Donny Mason stated that used trucks usually have something wrong with them to begin with. He explained at least with a new truck it would have a warranty.
- Ben White stated he usually buys a three to five year warranty. This
  particular line truck stated it would serve other purposes like lifting
  something that weighs a lot.
- Craig Overstreet stated the warranty was only for a year according to the contract.
- Ben White stated he would have to negotiate that more. We were paying a loan of \$130,000.00 a year and that was paid off this year. This loan would be \$38,000.00 and the rest of the money would go into reserves.
- Jim Hemby stated if you are going to run a business you need the equipment to run the business.
  - Motion to approve and allow City Manager to negotiate warranty and sign document made by Dwain Mathers
  - o 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor, except Hurst voted in favor with reservations and Craig Overstreet voted no because of cheaper alternatives.

### VI. <u>BUDGET WORKSHOP</u>

 Daphne Hamlin went over a Power Point presentation. She stated that the IT department cut back some of their cost and we removed the equipment that

- public works needed. She indicated that Chief Morris asked for ISO Inspections for \$8,000.00 a year.
- Mike Hurst asked about the inspector and how they came to that amount in the budget.
- Daphne Hamlin stated the salary would be \$80,000.00 and then benefits. She stated she and Ben White made a lot of cuts to the budget. She discussed the wastewater fund and explained the deficit because Camden Park was not completed yet in order to cover the bond payment. She said the general fund is in need of more revenues.
- Craig Overstreet asked that she drop off the older years and show the actual budget right next to the proposed budget in OpenGov.

### VII. EXECUTIVE SESSION

- Mayor Rice read the statement below and stated the City Council would go in to executive session at 9:52 p.m.
- A. Discussion of Matters Permitted by Texas Government Code Section 551.086, "Deliberation Regarding Public Power Utility Competitive Matters," as "competitive matters" is defined by Texas Government Code Section 552.133:
  - 1. Qualified Scheduling Entity (QSE) Services Agreement;
  - 2. ERCOT Market Participant Agency Rider;
  - 3. Confirmation of Transaction under the November 5, 2013, EEI Master Power Purchase and Sale Agreement; and
  - 4. Collin College Power Agreement Proposal.

### VIII. RECONVENE FROM EXECUTIVE SESSION

 Mayor Rice stated the City Council would reconvene from Executive Session at 10:21p.m. and there was nothing to report.

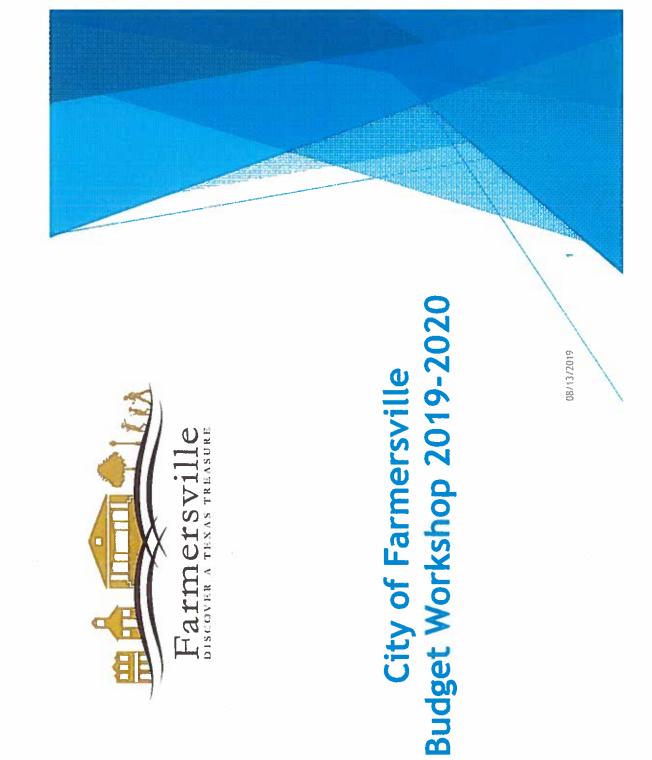
### IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

Craig Overstreet asked for code enforcement to be on the agenda.

### X. <u>ADJOURNMENT</u>

Meeting was adjourned at 10:23 p.m.

	APPROVE:
	Jack Randall Rice, Mayor
ATTEST:	
Sandra Green, City Secretary	



Budgeted Items 2019-2020	Cost	
Implementation of Step Program Police Dept.	<del>69</del>	22,500.00
Cost of Living Adjustment	\$	61,005.00
New Employee ( Building Inspector)	\$	102,368.00
Home Rule	\$	20,000.00
Health Inspector (contracted)	\$	3,000.00
Website upgrade	\$	3,900.00
City Manager car allowance	\$	4,800.00
In-house IT support computer maintenance (cut 60K)	\$	38,595.00
New Public Work Equipment (financing) (removed)	\$	35,175.00
ISO Inspection (8k) 3 years	\$	8,000.00
Electric Dept. Pole Truck (on the agenda)	\$	35,000.00
Total in Proposed Budget	\$ 2	299,168.00

City of Farmersville	CURRENT	6 MONTH	2018-2019	PROPOSED
	BUDGET	ACTUAL	REVISED	BUDGET
GENERAL FUND REVENUE	\$ 3,492,140	\$ 2,130,654	\$ 3,673,492	\$ 3,650,588
GENERAL FUND EXPENSES	\$ 3,492,140	\$ 1,783,603	\$ 3,768,161	\$ 3,650,588
GENERAL FUND PROFIT (LOSS)	· •	\$ 347,051	\$ (94,669)	
ELECTRIC FUND REVENUE	\$ 3,894,361	\$ 1,695,612	\$ 3,886,861	5 3,886,861
ELECTRIC FUND EXPENSES	\$ 3,894,361	\$ 1,848,941	\$ 3,862,430	\$ 3,833,292
ELECTRIC FUND TOTAL PROFIT (LOSS)	, (A)	\$ (153,329)	\$ 24,431	\$ 53,569
		STATE OF THE PERSON NAMED IN		
WATER FUND REVENUE	\$ 1,542,546	\$ 742,481	\$ 1,530,746	\$ 1,536,846
WATER FUND EXPENSES	\$ 1,542,546	\$ 806,331	\$ 1,677,351	\$ 1,536,846
WATER TOTAL FUND PROFIT (LOSS)	· S	\$ (63,850)	\$ (146,605)	
WASTEWATER FUND REVENUE	\$ 1,822,408	\$ 750,845	\$ 1,301,546	\$ 1,103,836
WASTEWATER FUND EXPENSES	\$ 1,349,408	\$ 501,421	\$ 1,372,310	\$ 1,855,862
WASTEWATER FUND PROFIT (LOSS)	\$ 473,000	\$ 249,424	\$ (70,764)	\$ (752,026)
REFUSE FUND REVENUE	\$ 465,266	\$ 234,338	\$ 470,273	\$ 470,273
REFUSE FUND EXPENSES	\$ 465,266	\$ 208,456	\$ 470,033	\$ 470,033
PERIOR RIND TOTAL PROFIT (1055)	·	\$ 25,882	\$ 240	5 240

### City of Farmersville TIRZ Rate calculations

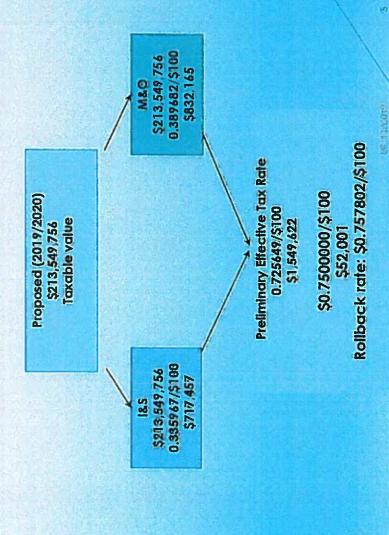
Captured Appraised Value \$50,719,732 \$380,397

Transfer this amount from General Fund to the TIRZ account

City rezones the TIRZ removing Palladium and Camden estimated Ad Valorem Taxes per year to the General Fund after complete build out is approximately:
\$238,606

9101/81-90

# Ad Valorem Proposed Tax Rate Calculations



## Debt Information 2019-2020

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Series 2012, \$265,000

Series 2014, \$2,185,000 (tax supported)

Series 2015, \$4,855,000 (tax supported)

Series 2017, \$5,845,000

Series 2018, \$130,000 Tax Note

Series 2019, \$1,755,000 (TIRZ supported)

Total Debt Obligation Budget Year 2018/2019:

## Supported by Ad Valorem Tax

Supported by Revenues:

Supported by TIRZ Revenues:

\$91,418.76

\$176,012.50

\$354,173.00

\$28,422.50

\$1,257,076.76

\$717,456.26

\$419,345.50





April - May  Hailing of "Notices of Appraised Value" by Chief Appraiser.  The Cheef Appraises properties and certifies to the Tax Assessor for each county, municipality, and April 30 school district periticipating in the appraised district an estimate of the taxable value.  May 15  Deading for submitting Appraisal Records to ARB.	Deadthre for ARB to approve Appraisal Records.  Deadthre for Chief Appraisar to certify Appraisal Rolls to each Texting Unit.  Aug.  Certification of enticipated collection rate by collector.	July 25 - Aug.         Calculation of Effective and Rollback Tax Rates to governing body from the Tax Office.           Aug Sth. 2019         72 Hour Notice for Meeting (Open Meetings Notice).	1, 2019  Meeting of Geventurg Body to Discuss Tax Rates. If proposed tax mile will acceed the Rollback Rate or the Effective Tax Rate (whichever is tower), take record vote and schedule has Public Hearings.	1. 2019 Publish the "Netice of 2018 Property Tax Rales" by September 1. Notice must be published at least seven (7) days before first Public Hearing. Notice must blee be posted on the municipality's website.	72 Hour Notice for First Public Hearing (Open Meetings Notice).  2019 First Public Hearing At least 7 days effer publication of "Notice of 2010 Property Tax Rates."	7. 2019 72 Hour Notice for Second Public Hearing (Open Meetings Notice).	Sept. 10th, 2019 Second Public Hearing May not be barier than 3 days after first Public Hearing. Schoolde and armounce meeting to adopt ter rate time to fourteen (3 - 14) days from this date.	n. 2019 72 Hour Notice for Maeling at which Governing Body will Adopt Tax Rate (Open Meelings Hotice)	h. 2019 Meeting to Adopt 2819 Tax Rate. Meeting to adopt must be <u>polistry ligin September 17, 2019.</u> Schedule meeting three to fourtieen (3 to 14) days affect second Public Hearing. Taxing Unit must adopt tax rase before September 30 or 60 days after receiving Cartified Apprehasial Radi, whichever is later.
April	AL.	July 25 - Aug. July 25 - Aug. Aug 9th, 2019	Aug 13th, 2018	Aug 20th, 2019	Aug 30th, 2019 Sapt 3rd, 2019	Sept. 6th. 2019	Sept. 10	Sept. 13th, 2019	Sept. 17th, 2019

Noon on September 10 Designe to submit the Tax Rate Orderance to the Colan County Tax Office.

Tax Code Section 51 d6 drives part if a date that on a western't be designed to see blade the requirements of Section 140 till Local Code (58 1510).

Advoce of Learny and legal counted strond has sauget to cheerman how to haife the requirements of Section 140 till Local Code (58 1510).

Piesse provide a Copy of the Ordinance adopting the 2019 Tax Rate to the Tax Office by Noon on September 18, 2019.

08/13/2019

Agenda Section	Consent Agenda
Section Number	III.B
Subject	Board of Adjustment Minutes
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Board of Adjustment Minutes
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>



#### **FARMERSVILLE CITY COUNCIL**

# SITTING AS THE FARMERSVILLE ZONING BOARD OF ADJUSTMENT REGULAR SESSION MINUTES

For

August 13, 2019, 5:30 P.M.

#### I. PRELIMINARY MATTERS

 Mayor Rice called the meeting to order at 5:30 p.m. Council members Craig Overstreet, Dwain Mathers, Jim Hemby and Mike Hurst were all present. Council member Donny Mason was absent. City staff members Sandra Green and City Attorney, Alan Lathrom was also present.

## II. PUBLIC HEARING

- A. Public Hearing consider a request for a variance from the requirements of Section 3.12.4, "SF-2 Single Family Dwelling 2," of the Farmersville Zoning Ordinance that will reduce: (a) the minimum lot area from 7,200 square feet to approximately 4,028 square feet; (b) the minimum lot width from 60 feet to approximately 53 feet; (c) the minimum lot depth from 100 feet to approximately 76 feet; (d) the minimum front yard from 30 feet to 25 feet; and (e) the minimum rear yard from 10 feet to 6 feet to allow a residence to be built on an existing platted lot provided that all other requirements of the Farmersville Code are met. The property is generally located at 613 Maple Street, Farmersville, Texas 75442.
  - Mayor Rice opened the public hearing at 5:30 p.m.
    - Motioned to reconsider made by Craig Overstreet
    - o 2<sup>nd</sup> to approve was Mike Hurst
    - All members voted in favor
  - Alan Lathrom stated the item was brought back to the Zoning Board of Adjustments because the property owner cannot buy any more property to enlarge his lot. He explained the property has been zoned SF-2 for years and the ordinance is set up to help situations like this.

- Mayor Rice asked if approving a variance would set a president.
- Alan Lathrom explained that each variance case is looked at individually.
- Mayor Rice stated he encouraged the Board of Adjustments to reconsider this request and approve it.
- Dwain Mathers stated he agreed with the Mayor.
- Mike Hurst stated the city will have more infill problems with lots that are smaller than what the ordinance requires in the future. He stated the home they are building would be an asset to the community.
- Chad Meuir, owner of the property, stated the house was going to be a site built home. He stated it would not be an eye sore for the community. He indicated the valuation of the property on the tax roll would be approximately \$150,000.00 after he completed the house.
- Mike Hurst asked if he would build it himself.
- · Chad Meuir stated he would sub the work out.
- Mayor Rice asked if anyone else wanted to speak for or against the variance.
- No one came forward so he closed the public hearing at 5:42.
  - Motion to approve the variances made by Mike Hurst
  - 2<sup>nd</sup> to approve was Craig Overstreet
  - All council members voted in favor

Sandra Green, City Secretary

III.	ADJOURNMENT		
	Meeting was adjourned at 5:43 p.m.		
		APPROVE:	
		Jack Randall Rice, Mayor	
ATTE	EST:		

Agenda Section	Consent Agenda
Section Number	III.C
Subject	City Financial Report
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	City Financial Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	Motion/second/vote

#### **MEMO**

To: Benjamin White, City Manager

From: Daphne Hamlin, City Accountant

Date: August 23, 2019

Subject: July 2019 Budget Report

New Software for Financial Reporting is available for review on the City website.

www.farmersvilletx.com. Press OpenGov button; > Press Stories button at the top under City logo; Press City of Farmersville July 2019 Financial Report.

#### Cash Summary

The cash summary is attached.

# SUMMARY OF CASH BALANCES JULY 2019

COUNT: FNB (0815) Interest Earned Clearing Accoun				Restricted	_	Assigned	A	ccount Balance
U CONTRACTOR CONTRACTO	learing	Accounts	T/E					
General Fund					\$	112,258.38		
Permit Fund					\$	(50,769.65)		
Refuse Fund					\$	17,029.45		
Water Fund					\$	(717,140.02)		
Wastewater Fund					\$	1,068,148.41		
Electric Fund					Ś	(699,200.65)		
CC Child Safety			\$	20,672.49	ľ	(,,		
2012 Bond			\$					
Waterwaste Bond Fund			\$	48,157.84				
Law Enf Training			\$	1,874.31				
Disbursement Fund			\$	2,143.33				
Library Donation Fund			\$	2,277.90				
Court Tech/Sec			\$	16,268.30				
Civic Ctr/Library Repair			\$	(26,498.35)				
JW Spain Grant			\$	30,304.48				
Radio Note			\$	6,082.79				
Chapparal Grant/Safe Route To School/Sewer/Sidewalk/Rike	Street		\$	(67,000.04)				
CC Bond Farmersville Parkway	311400		\$	180,000.86				
CC Bond Floyd			\$	(49,667.75)				
Equipment Replacement			Ś	5,322.29				
Interest Earned	\$	457.54	~	0,022.23				
TOTAL:	\$	457.54	\$	200,151.48	\$	(269,674.08)	\$	(69,522.6
						(,	_	()
	bt Servi	ce Accounts		n Samolistali			130	o filemasses
County Tax Deposit (FNB 0807)(Debt Service)	\$	1,004.46	\$	434,669.28			-	
Debt Service Reserve (Texpool 0014 ) (2 months rsv )	\$	228.13	\$	112,716.07				
TOTAL:	\$	1,232.59	\$	547,385.35			\$	547,385.3
Attended	Comples	· Incometant	Tata		obe.u			
Appropriated Customer meter deposits (Texpool 0008)	The state of the s	The state of the s	rent to	the sales with the sales of the				
Water Dev. Board (Texstar 1110)	\$	227.65		112,498.04				
2019 C/O Street ( Texstar 0190)	\$	3,026.56		1,771,827.40				
istcon Escrow Account	\$	3,570.28		1,764,834.88				
Summit Property Sewer Escrow (fnb 231)	\$	305.21		150,756.34				
2012 G/O Bond, streets, water, wastewater (Texstar 0120 )	\$	31.62		16,487.43				
TOTAL:	\$	2,303.22		1,137,758.96				
IOTAL	\$	9,464.54	\$	4,954,163.05	\$	-	\$	4,954,163.0
		Investment /						

Unassigned Surplus Investment Accounts								
Gen Fund Acct. (Texpool 0004)( Reso. 90 Day Reserve)	\$	1,757.54	7	866,700.00				
Water/WW Fund (Texpool 0003)(Operating 90 day)	\$	1,147.06	\$	566,815.06				
Water/WW Fund (Texpool 00017)(Capital)	\$	663.20	\$	327,702.79				
Elec. Fund (Texpool 0005) (Operating)	\$	101.40	\$	50,000.00				
Elec. Fund (Texpool 0016)(Capital)	\$	677.76	\$	334,906.58				
Elec. Surcharge (Texpool 0015)	\$	255.88	5	126,429.03				
Money Market Acct. (FNB 092)	\$	9.41	•	,	\$	73,870.25		
TOTAL:	\$	4,612.25	\$	2,272,553.46	\$	73,870.25	\$	2,346,423.71

Contractor Ma	maged Accounts Nonsp	endable		
NTMWD Sewer Plant Maint. Fund	\$	18,100.17		100
TOTAL APPROPRIATED SURPLUS	\$	18,100.17	\$ - \$	18,100.17
TOTAL CASH & INVESTMENT ACCOUNTS	\$	7,992,353.51	\$ (195,803.83) \$	7,796,549.68

Page 1 of 2

## SUMMARY OF CASH BALANCES JULY 2019

FEDC 4A B	oard invest	ment & Che	cki	ng Account	V - 1000		J. Ter	
FEDC 4A Checking Account(Independent Bank 7909)	\$	2.39	\$	66,194.92				
FEDC 4A Investment Account (Texpool 0001)		2,142.05	\$	1,058,459.93				
FEDC 4A Certificate of Deposit (Independent Bank)		,	\$	500,000.00				
TOTAL:	\$	2,144.44	\$	1,624,654.85	\$	-	\$	1,624,654.85

FCDC 4B	Board Investn	nent & Check	ing	Account	13:015	Winds Earl	
FCDC 4B Checking Account (Independent Bank 3035)	\$	6.59	\$	162,624.54			
FCDC 4B Investment Account (Texpool 0001)	\$	692.35	\$	342,097.70			
TOTAL:	\$	698.94	\$	504,722.24	\$	-	\$ 504,722.24

	TIRZ	Account	57/BE	Mineral Francisco	10000	W. 1	3 3 6	How Con Ell
County Tax Deposits (FNB 01276)	\$	1,169.59	\$	700,202.77			-	
TOTAL:	\$	1,169.59	\$	700,202.77	\$		\$	700,202.77

Note: Salmon color used to indicate an item dedicated to a specific project or need

Note: Standard & Poor's Rating Service assigned A+/long-term stable rating to Farmersville, Texas, 11-2018

I hereby certify that the City of Farmersville's Investment Portfolio is in compliance with the City's investment strategy as expressed in the City's Investment Policy (Resolution 99-17, and with relevant provisions of the law.

The Public Funds Investment Act (Sec.2256.008) requires the City's Investment Officer to obtain 10 hrs. of continuing education each period from a source approved by the governing body. Listed below are courses Daphne Hamlin completed to satisfy that requirement:

07-2017 NCTCOG - Public Funds Inv Act.

Daphne Hamlin

Daphne Hamlin, City Investment Officer

Page 2 of 2 08/23/2019

IV. Informational Items

Agenda Section	Informational Items
Section Number	IV.A
Subject	City Amenities Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Possible Council Liaison 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> <li>Motion/second/vote</li> <li>☐ Approve</li> <li>☐ Approve with Updates</li> <li>☐ Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>☐ Approve</li> <li>☐ Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>

Agenda Section	Informational Items					
Section Number	IV.B					
Subject	Farmersville Community Development Board (Type B)					
То	Mayor and Council Members					
From	Ben White, City Manager					
Date	August 27, 2019					
Attachment(s)	Minutes     Possible Council Liaison Report					
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php					
Consideration and Discussion	City Council discussion as required.					
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>					



# FARMERSVILLE 4B COMMUNITY DEVELOPMENT CORPORATION BOARD MINUTES

July 8, 2019

6:00 P.M. Farmersville City Hall 205 S. Main St. Farmersville, TX 75442

## I. PRELIMINARY MATTERS

Call to order. The meeting of the Farmersville 4B Community Development Corporation, was called to order at 6:09 pm by Main Street Manager, Dana Mingo and welcomed the new Board member, Blake Mounger.

Roll Call: Manager Mingo called roll. The following board members were present, Alice Bridges, Jesses Nelsen, Sherry McGuire, Richard Holbrook and Blake Mounger.

Recognition of visitors: Welcomed visitors and informed them of agendas available on the guest table.

Officer Elections and Duties of 4B Community Development Corporation- Discussion of duties-

Call for nominations for President: the Board nominated Sherry McGuire, All members approved. Opened the floor for nominations for Vice President, Mr. Holbrook nominated Tobey Ferguson, All approved. Nominations were called for Secretary/Treasurer: Richard Holbrook, All approved.

New Officers for 2019-2020:

President- Sherry McGuire
Vice-President- Tobey Ferguson
Secretary/Treasurer- Richard Holbrook

#### II. PUBLIC COMMENT

There were no public comments, therefore the public comments sections was closed.

# III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

- A. Consider for approval May 13, 2019 Meeting Minutes (no meeting in June); see attachment
  No June meeting due to not having a quorum, therefore minutes in packet are for May 2019. Motion made by
  Mr. Holbrook to accept the minutes, seconded by Mr. Nelsen, All approved.
- B. Consider for approval the May & June 2019 Financial Statement; see attachment Mr. Holbrook made a motion to approve, seconded by Mrs. Bridges, All approved.
- C. 4B-CDC City Tax Revenue Review (Finance Director Daphne Hamlin)

  No proposed increase in tax revenue for 2019-2020. For 2017-2018, budget amount was \$226,000. For 2018-2019, budgeted amount was \$231,000, this year we may receive more, however it is recommended to maintain the same projection of \$231,000 for 2019-2020. No significant windfall, the budget has been pretty steady. Important to move forward in preparing for the budget process. No action needed.
- D. Consider and approve monthly payments; see attachment
  President McGuire, called for any questions to the board, no questions were asked. Motion was made by Mrs.
  Bridges to approve and seconded by Mr. Holbrook. All approved.

#### E. Budget Workshop:

- a. Consider, discuss and act upon setting Budget review process for new fiscal year.
  - 1. President McGuire requested to update Pg. 7 of the CDC Purpose and Duties with the necessary corrections of the meeting times and election of officers and online.
  - 2. Several budget requests were provided to the board for consideration. Manager Mingo stated the Board is to set the timeline for requests and the budget process. Ms. Hamlin spoke on scheduling the public hearing in August, and then to Council to adopt at the mid-September Council meeting.
  - 3. The Board was provided with a planning calendar to fill in dates for this year to begin the process. President McGuire stated, the need to hold the public hearing on August 19, 2019. To then post the public hearing in the newspaper by August 8, 2019. Also, the need to inform city staff to submit their application requests by August 1, 2019 to Manager Mingo. She will then submit those requests to the Board by August 5<sup>th</sup> for review, prior to the budget meeting on August 12, 2019.
- b. Consider, discuss and act on approval for the 4B Special Project Grant Applicants.
  - The Board expressed concern about approving tonight, therefore they will move forward with the
    presentations of applicants who attended the meeting tonight. This also allows the Board to get
    ahead of the budget process.
  - 2. Attendee Presentations:
    - i. Farmersville Heritage Museum "Night at the Museum", presented by Misty Wiebold, board member with the museum. Planning is under way and proposing to hold a grand opening fundraiser in the Fall of 2020, and hold the event annually each year with a special theme. This year's theme will be about Audie Murphy. There will be a formal event set up around the museum parameter with a white tent and red carpet offering entertainment, food and other activities to raise funds. Please see the itemized budget included in the packet of information.
    - ii. Farmersville Historical Society "Bain Honaker House Window Repairs", presented by Bertie Neu, board member of the society. Requesting funds to update the Bain Honaker House windows to ensure safety and preservation of the house. Needed repairs are the windows with wooden veneers. There was a leak last year that is of immediate concern. Requesting \$1200, whereas the price is \$1343. They also have a request of funds from Collin County. Expect to hear back in August regarding their decisions on grants. No allocation from 4B was provided or requested for the current year. Since there are more windows needing repair, she will revise her fund request to request all the repairs needed and submit.
    - iii. <u>Farmersville Chamber of Commerce</u>, presented by Board President Jim Foy. Requesting same as the year before for \$15,000, for events such as Bug Tussle, Trip it Up Bike Ride, Scare on the Square, Banquet and the Christmas parade, where these events add to the economic development and community development for Farmersville.
    - iv. Simplicity Boutique "Farmersville High School Athletic Team, Band and Cheer Groups", presented by owner Lisa Crowder on behalf of Farmersville Athletic Director and Coach Hankins. Requesting funds for the pep rally for the students in the fall for \$800. Question from the Board was, is this request for the current budget year? If so, they are not able to approve or deny due to the item not listed on the agenda. Therefore this will be tabled and added to the agenda for August 12, 2019. President McGuire informed Ms. Crowder that she or Coach Hankins can contact the booster club to request funds for the event. 4B can consider for next month's regular agenda item. In the meantime, discuss with the booster club and bring back to the Board next month on the results.

- v. Farmersville Heritage Museum Repairs & Updates, presented by Dana Mingo, board member. Requesting funding as well for current year repairs. Therefore, we will have to revise and include in the grant request for 2019-2020, since 4B is not taking any further applications for assistance. The museum depends on funding from 4B due to no other funding options at this point. President McGuire did state there is an allocation in the budget for 2018-2019 for \$6,000. It does not appear any of funds have been spent, therefore the museum can move forward in utilizing those funds, now through September 30, 2019. The new fiscal year starts October 1.
- vi. The Board reminded city staff to communicate with the Amenities Board to submit requests by the deadline date of August 1, 2019, as well.

## c. Set date for public hearing to adopt budget and goals

The budget process has been set for August 12, 2019 @ 6:00 pm, Public Hearing for August 19, 2019 @ 6:00 pm and advertising date by August 15, 2019 and City Council to adopt according to their timeline. The motion was made by Mr. Holbrook to accept the budget process dates, seconded by Mrs. Bridges, all voted in favor.

#### F. Main Street Monthly Report

Audie Murphy Day was a great success, big turnout of Veterans and their families, as well as visitors. Manager Mingo has been busy handling board packets to ensure information is gathered and sent according to the timelines. Continue to organize and prioritize those tasks needing immediate attention. Also shifting gears to focus on the downtown areas and increase signage, where needed. The Main Street Board completed a "Walk About" in the downtown area to determine the needs to ensure revitalization and preservation continues. Based on this information, a survey will be created to gather insight from the business owners on the needs they see necessary to meet the objective in making Downtown Farmersville a travel destination for shopping, dining and entertainment. Manager Mingo attended the Travel and Tourism College in Austin this summer, it provided training on putting forth into action a plan for destination travel for our city. More discussion to come on the planning process. July Farmers & Fleas event was lower than the month before of 300 from over 900. Mainly due to the holiday during the week. Further tracking is needed to determine the trends of the shoppers during the year.

# IV. APPROVE ITEMS TO BE PLACED ON FUTURE AGENDAS -

Simplicity Boutique "Farmersville High School Athletic Team, Band and Cheer Groups" Pep Rally for\$800

V. ADJOURNMENT - The meeting was adjourned at 6:45 pm.

**SIGNATURES:** 

Sherry McGuire, President

Richard Holbrook, Secretary/Treasurer

Agenda Section	Informational Items
Section Number	IV.C
Subject	FEDC Farmersville Economic Development Board (Type A)
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Minutes     Financials     Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>☐ Approve</li> <li>☐ Approve with Updates</li> <li>☐ Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>☐ Approve</li> <li>☐ Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>



# CITY OF FARMERSVILLE FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION MINUTES July 18TH, 2019, 6:30 P.M. COUNCIL CHAMBERS, CITY HALL 205 S. Main Street

#### **CALLTO ORDER**

The Farmersville EDC met in special session on July 18th, 2019 at 6:32 p.m. in the City Hall Council Chambers with the following board members present: Jason Lane, Diane Piwko, Robbie Tedford, Bob Collins and Randy Smith. Special guest recognized Councilman Mike Hurst, Tommy Ellison and Paula Jackson Assistant to City Manager

#### **RECOGNITION OF CITIZENS AND VISITORS**

Tommy Ellison

#### **PUBLIC COMMENT**

No Comments

# **ELECTION OF OFFICERS (PRESIDENT, VICE-PRESIDENT, SECRETARY)**

On a motion made by Mr. Robbie Tedford to reelect the same officers currently holding positions on the board, a second by Mr. Randy Smith, all in favor motion passed unanimously.

- o President Jason Lane
- Vice President Robbie Tedford
- Secretary Diane Piwko

# REVIEW, CONSIDER, AND DISCUSS THOROUGHFARE PLAN/LAND USE MAP UPDATE

Mr. Lane asked if there will be any discussion with Mr. White not able to attend this meeting. Mr. Smith stated not quite sure how we can do a thoroughfare plan when we do not know where the thoroughfare is going. Mrs. Piwko stated she does not understand if it is going to be in the current alignment or quarter mile south, how is it

really going to change the basic residential area. Mr. Lane this is a little outside our scope for this committee. Mr. Lane recommended to table this item until Mr. White is able to attend our meeting. Mr. Smith wanted to add to Mrs. Piwko comment stating it has to do with the amount of cars that are currently on the existing Highway 380 where most of the commerce will be done. Item was tabled until next regular scheduled meeting.

# REVIEW, CONSIDER AND DISCUSS COMMERCIAL RETAIL ZONING

Mr. Smith stated what he is asking for is the whole commercial retail zoning document be reviewed by the EDC 4A board and add any comments or suggestions. Mr. Smith stated this is what we did with the Industrial zoning section. Mr. Smith stated just want to review and see what we can do for commercial and retail customers. Motion to table this item made by Mr. Smith and seconded by Mr. Collins motion passed all in favor.

# CONSIDER, DISCUSS AND ACT UPON FINANCIAL STATEMENTS FOR JUNE 2019 AND BUDGET AMENDMENTS

 Motion made by Mr. Tedford to approve financials with changes noted on the June 2019 financials, second by Mr. Smith. Motion passed all in favor.
 (Move cost from electrical substation to Collin College Loop)

# CONSIDER, DISCUSS AND ACT UPON MEETING MINUTES FOR MAY 16<sup>TH</sup>, 2019 AND JUNE 27<sup>TH</sup>, 2019

 Motion made by Mr. Tedford to approve meeting minutes with noted changes, second by Mrs. Piwko. Motion passed all in favor.

## **CITY MANAGER REPORT**

Mr. White was not available for this report.

Tommy Ellison spoke to the Board regarding impact fee study. Mr. Ellison had handouts with information on impact fees and distributed information to the board. (Information is attached)

Mr. Ellison stated first step is to adopt an ordinance for impact fees, but in order to do this the City will need a capital improvement plan, land use plan, and street improvement plan in place in order to perform a study for impact fees. Mr. Ellison stated he is personally convinced that the City does not have enough building activity to justify the expense involved in an impact fee study at this time.

Mr. Ellison stated the handout is information from City of McKinney and what they went through developing an impact fee schedule. Impact fees are accessed to accommodate capital improvements that are necessary for a particular development going in. You

cannot use them to do maintenance or improvements of existing facilities. It will need to be new development and must be in the capital improvement plan. You cannot collect impact fees outside of your City limits. Mr. Ellison stated water and sewer you can go out into the ETJ. Water and sewer you have to look at drainage areas and need to determine the fees. Bottom line City will need to have a capital improvement plan, thoroughfare plan, land use plan, and street improvement plan in place first.

Mr. Lane asked if City Council has indicted to move forward. Mr. Ellison stated no this is information only.

Mrs. Piwko stated the reason this item came up was during the 4A EDC budget discussion. Mrs. Piwko suggested to budget some seed money for this item not necessarily for an impact fee study. Just to get some handle on when we could possibly start this process of developing an impact fee.

Mr. Ellison said it would be in the best interest of the City to focus on getting the thoroughfare plan done.

Mr. Smith stated impact fees are similar to the TIRZ District.

Mrs. Piwko stated when the College road is built in 2020 everyone is going to look at that plan wide open prime location, we would be entitled to impact fees in that area. Mrs. Piwko feels we are at a point now to study this or we are going to miss out.

Mr. Collins stated whether or not the land is in the City or the ETJ it does not impact the fact that we need to do a land use map and a thorough fare plan. Mr. Ellison stated yes all this will need to be done first.

Mrs. Piwko stated adding this to a line item in the budget keeps it in front of the board. Mr. Smith feels we spend the bulk of EDC 4A funds on studies maybe we are getting something to show for it, just no jobs. Mr. Smith stated we have funds allocated for school if there is a valid school for this I have no issues. I do have two problems with this one being the timing, second do not know how the impact of the College is going to affect the City. Mrs. Piwko development is coming up from Josephine a need for 4 lane highway will be needed.

## **BUDGET WORKSHOP**

Mr. Lane began the workshop reminding the EDC board about the discussion in the prior meeting on the budget workshop and hopefully everyone has had the time to review and share ideas on what the EDC 4A wants to accomplish.

Mr. Tedford stated he has reviewed the trends on our revenues and feels it is a good number.

Mr. Smith stated there are funds budgeted for the land use map.

Mr. Lane asked where the funds are coming from for the land use map. Mr. Hurst stated the City would fund the biggest amount and we will be asking 4A to assist.

The board reviewed the budget numbers and discussed. Mr. Tedford stated that he and Daphne had worked on this but not sure on the addition of the numbers in the marketing section.

Under development:

EDC 4A Board added 30,000.00 to the 2019-2020 budget under the planner land use/thoroughfare map.

Mr. Lane brought up to the board the Electric for the College. If not spent in current budget year to carry forward into budget year 2019-2020.

EDC Board agreed to continue with the Façade in the amount 50,000.00

Mr. Smith would like to see line item for low interest loans. Mr. Lane stated if it was legal for the Board to loan funds to companies. We are not a bank. Mr. Smith stated it's not that we would have to give it to them but have it available.

Mrs. Piwko stated maybe the Board needs to look for businesses that we really need. She mentioned the laundry matt that was needed very bad and the Mexican food restaurant on Highway 380 that is having issues getting the building finished.

Mr. Lane stated that we can add a line item to the proposed 2019-2020 budget and label TBD.

Mr. Ellison stated that City doesn't make loans and feels that it should be called a payback Grant.

Mrs. Piwko stated she would like to see a Grant in place for the Fire Sprinkler / Health for the businesses. Maybe 10,000.00. Which is the estimated cost for a 3,000 sq. ft. building.

Mr. Tedford stated in regards to the loans just do not feel that the City will ever get the money back.

Attachment "A" is a results of the Budget Workshop

# REQUESTS TO BE PLACED ON FUTURE AGENDAS

Concrete facilities - TCEQ
Update on Collin College (someone from College)
TIRZ update
Info on Life
Monthly update from City Manager

# **ADJOURNMENT**

On a motion from Mr. Lane with a second from Mr. Tedford meeting was adjourned at 8:28 p.m.

ATTEST:

APPROVE:

Diane C. Piwko, Secretary

Jason Lane, Chairman

# Impact Fees

# **About Impact Fees**

Impact Fees are authorized under Chapter 395 of the Texas Local Government Code and are defined as a charge imposed against new development to pay for the off-site construction or expansion of infrastructure facilities that are necessitated by and benefit the new development. For more information about existing impact fees, please contact <u>Karen McCutcheon</u> at <u>972-547-7411</u>.

2017 Impact Fee Amendment - new utility fees effective February 13, 2017! Recent changes in city practice have necessitated an amendment to the Utility Impact Fee Ordinance. At the January 10 Planning and Zoning Commission meeting, staff presented the recommended changes to the Commission (acting as the Capital Improvements Advisory Committee). Information about the proposed amendment is available in the meeting details.

At the February 7, 2017 meeting, City Council approved a minor amendment to the Utility Impact Fee Ordinance to modify the fee structure based on recent changes in City practice. Information about the City Council meeting is available in the <u>meeting details</u>.

New fees will become effective on Monday, February 16th and only apply to those projects with plats file on or after November 20, 2013. The new fees are as follows:

Meter Size/Type		3/4" simple
Water Impact Fee	\$1,294.70	
Wastewater Impact Fee	\$162.14	
Meter Size/Type		1" simple
Water Impact Fee	\$2,200.99	
Wastewater Impact Fee	\$275.64	
Meter Size/Type		2" ultrasonic
Water Impact Fee	\$10,746.01	
Wastewater Impact Fee	\$1,345.76	
Meter Size/Type		3" ultrasonic

Water Impact Fee	\$21,621.49	
Wastewater impact Fee	\$2,707.74	
Meter Size/Type		4" ultrasonic
Water Impact Fee	\$43,113.51	
Wastewater Impact Fee	\$5,399.26	
Meter Size/Type		6" ultrasonic
Water Impact Fee	\$69,007.51	
Wastewater Impact Fee	\$8,642.06	
Meter Size/Type		8" ultrasonic
Water Impact Fee	\$120,795.51	
Wastewater Impact Fee	\$15,127.66	
Meter Size/Type		10"- 12" ultrasonic
Water Impact Fee	\$237,318.51	
Wastewater Impact Fee	\$29,720.26	

# Semi-Annual Impact Fee Report

On February 5, 2019, McKinney City Council approved the Semiannual Impact Fee Report. This report is filed twice per year per Chapter 395 of the Texas Local Government Code. <u>Approved Report</u>

# 2012-2013 Impact Fee Update

On November 19, 2013, McKinney City Council approved fee amendments as part of the 2012-2013 Impact Fee Update. This action marks the close of the five-year update. For more information about the update process, contact <u>Jennifer Arnold</u>.

# Online Impact Fee Calculator

Current	t Roadway Impact Fee Information	Roadway Impact Fee Ordinance Chapter 130 Code of Ordinances (Last Amended November 2013)
0	Approved 20	013 Land Use Assumptions Report
O	Approved 2013 Capital Improvement	Plan for Roadway for impact Fees
0		Service Area Maps
0		Fee Schedule 1, Toble A (approved 2013)

Fee Schedule 1, Table B (approved 2013) o Fee Schedule 1, Table C (approved 2013) Fee Schedule 1, Table D (approved 2013) Current Utility Impact FeeInformation **Utility Impact Fee Ordinance** Chapter 130 Code of Ordinances (Last Amended February 2017) 0 Approved 2013 Land Use Assumptions Report Approved -Updated 2017 Capital Improvement Plans for Water and Wastewater Impact **Fees** 0 Service Area Map Q Schedule 1 (approved 2017) Fee Schedule 2 (approved 2017)

# Contact Us

Planning

<u>Email</u>

Physical Address 221 N. Tennessee St. McKinney, TX 75069

Mailing Address P.O. Box 517 McKinney, TX 75069

Phone: <u>972-547-2000</u> Fax: <u>972-547-2604</u>

Hours

Monday - Friday 8 a.m. - 5 p.m.

Directory

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# FAQs

- The information in these FAQs is adapted from Chapter 395 of the Texas Local Government Code
- What are Impact Fees?
- Who is authorized to enact or impose Impact Fees?

**VIEW ALL** 

Government Websites by CivicPlus® An **impact fee** is a fee that is imposed by a local government within the United States on a new or proposed development project to pay for all or a portion of the costs of providing public services to the new development. [1] Impact fees are considered to be a charge on new development to help fund and pay for the construction or needed expansion of offsite capital improvements. [2] These fees are usually implemented to help reduce the economic burden on local jurisdictions that are trying to deal with population growth within the area. [1]

# History

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Impact fees were first implemented in Hinsdale, Illinois in 1947. To finance a water treatment plant expansion, the Hinsdale Sanitary District president John A. McElwain implemented a "tap-in" fee of \$50 per new residential sewer line. The sanitary district was sued by the Illinois Home Building Association, but the district prevailed. The case was appealed to the Illinois Supreme Court and that court ruled that impact fees are legal if used for capital expenditures, but not legal if used for operating expenses.

Impact fees became more widely accepted in the United States in the 1950s and 1960s. First used to help fund capital recovery fees for water and sewer facilities, then in the 1970s, with the decline of available Federal and State grants for local governments, their use increased and expanded to non-utility uses including roads, parks, schools, and other public services. Finally, in the 1980s the impact fee became a universally used funding approach for services and started to include municipal facilities such as fire, police, and libraries. After court cases in states such as Florida and California approved their legal use, many other states enacted laws which approved the use of impact fees by local jurisdictions. [2]

Impact fees have developed as an offspring of in lieu fees but have had a more

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significant effect on funding infrastructure. In some cases, the use of the impact fee has developed its own phrase of "growth should pay its own way". [2]

# In lieu fee

The use of impact fees originated in environmental law practices and in lieu fees. In Lieu fees are different from impact fees and are not as flexible because they relate only to required dedications where they can be appropriately used. Because the use of the in lieu fee may not always be efficient, planners and cities are now turning to impact fees as a more appropriate way to collect money for facilities and services. Impact fees can be more easily applied to needed infrastructure or facilities while in lieu fees cannot. Impact fees can be applied before new development is started or completed, which may allow costs to be transferred to future residents in the area. Another advantage of using an impact fee compared to the in lieu fee is that it can be applied to any new construction from single family homes, apartments, and even commercial development. In lieu fees may not always be as easily applied to any specific zone. Finally, impact fees can be implemented earlier than in lieu fees so that the capital need matches the need for services.<sup>[1]</sup>

# Implementation and legal basis

There are two main rationales that focus on how to implement impact fees. The first focuses on recognizing that the fees are positive exactions of funds for a community and should be used in that manner. Second, impact fees should be used for any need in the community. At the time when impact fee usage first started people argued whether they should just focus on utility types or include other types of special services of facilities. Some argued for just utility types because only the people paying the actual fee would receive the service. This is known as a closed ended use. An open ended use, such as parks or libraries,

allows anyone to use the service, even if they have not directly paid for the service. Still people argue and believe that development can affect all services and should help contribute to them. When it comes to implementing impact fees there is a legal basis that must be considered or followed in order for legal implementation. They must follow the rational nexus and roughly proportional rules or guidelines. There must be a connection between the new development and the need for the new facilities in the region. Also, the impact fee must be able to benefit the person paying the fee along with calculating the fee on a fair proportionate formula for all residents. One main dilemma with implementing the fee is characterized as the exclusiveness of benefit. It focuses on determining who should pay for what in the case of impact fees. Some may have to pay for the fee, but may not get to use the service which can be seen as a tax, but by using impact fees on people that cause the need for the new service it helps to not cause a tax on everyone and allows those that are not using the service to be excluded from paying the fee.

# How they are used

Impact fees have become the most important method in infrastructure financing and an essential part of local governments to fund infrastructure or public services. Impact fees may help to assist in the development of needed parks, schools, roads, sewer, water treatment, utilities, libraries, and public safety buildings to the newly developed area. In most cases impact fees are used in new development. An example of this would be when a new neighborhood or commercial development is constructed the developer may be forced to pay the fee for new infrastructure or a new fire station in the area due to the demand the new development causes. In some cases the developer may pass on the fee to the future property owners through housing costs or charges. It can be seen as a growth management tool that collects development funding payment as a way to exercise police power. Impact Fees are seen as a regulation tool, but at the

same time their revenue raising purpose can be seen as a tax to some. Still most states recognize and allow the use of impact fees as a way to regulate land use.<sup>[1]</sup>

The cost of an impact fee can vary from state to state. Generally, areas in the Western United States charge higher fees than other places in the country. They can also vary depending on the type of need by a community with school facilities causing the greatest cost of an impact fee.<sup>[2]</sup>

Depending on the region or stated impact fees can be classified under different types of names. Early on they were known as Capital Recovery or Expansion fees. In some states such as Oregon they are known as system development charges while in North Carolina they are known as facility fees. No matter the title of the fee within a state they all function on the same premise. [2]

Today, impact fees have become a popularly used method. About 60% of all cities with over 25,000 residents along with 40% of metropolitan counties use impact fees on new developments for public services or infrastructure. In some cities or states such as Florida, 90% of communities use Impact Fees. Twenty six states have implemented the use of impact fees in the western portion of the country, along the Atlantic coast, and within the Great Lakes region. [2]

# Court cases

Court cases along the way have dealt with the issue of impact fees. Two main cases that dealt with impact fees development have been Pioneer Trust and Savings Bank v. Mount Prospect and Gulest Associate Incorporated v. Newburgh. Another is Krupp versus Breckenridge Sanitation District, whereby the Colorado Supreme Court found that a wastewater impact fee was lawful and not subject to a takings analysis. The U.S. Constitution's Takings Clause was found to apply to an impact fee by the U.S. Supreme Court in Koontz v. St.

Johns River Water Management District.

# Linkage and mitigation fees

Since impact fees have been so widely accepted with cities, counties, and states they have helped to lead to the development/encroachment of other types of regulation fees. Two main examples are linkage fees and mitigation fees.

Linkage fees are levied in some states (like MA, NJ & CA) on nonresidential and market-rate multifamily residential projects, normally upon receipt of the building permit or prior to construction. The proceeds are used to fund the construction of affordable housing residential developments. Arguments against linkage fees are similar to impact fees, including the question of whether local governments have the right to enact these types of programs.<sup>[1]</sup> Linkage fees and Inclusionary zoning regulations are two examples of local government methods to boost the supply of affordable housing.

Mitigation fees are similar to impact and linkage fees but they differ in their focus on the environment. These fees are charged to reimburse or compensate the community for the negative impact that development may have on the community. In some cases these fees are used to help preserve a component of the local environment and regulate pollution. There is debate about whether these types of fees are a legally acceptable form of government funding like impact and linkage fees are.

# Criticism

Impact fees are accepted forms of financing in many communities in the country. Still, their use is not universally accepted, and the use of impact fees as

a means to collect revenue is still controversial in many communities. One argument against impact fees is that they may constrain and hurt the local economy. The argument includes the assertion that they may serve as a de facto tax which can have a result of slowing or ending development in an area and instead cause investment in other areas that do not levy impact fees. Another argument is that the fees increase the price of housing—especially new construction, where developers who pay the fees pass the cost of the fees onto the future property owners. Another concern is that the negative effect that they may have on a local economy may directly hurt job growth and reduce the number of jobs that are available in an area. [4]

# See also

- Economic development
- Exaction
- Public finance
- Taxation
- Value capture

# **Notes**

- Juergensmeyer, Julian C., and Thomas E. Roberts. Land Use Planning and Development Regulatory Law. St. Paul, MN: West Group, 2003. 351-373.
- 2. Duncan Plan & Associates. "Impact Fees The nation's best resource for online information relating to impact fees" . impactfee.com. Retrieved 4 June 2015.
- KRUPP v. BRECKENRIDGE SANITATION DISTRICT Supreme Court of Colorado 19 P.3d 687; 2001 Colo. LEXIS 134; 2001 Colo. J. C.A.R. 930

February 26, 2001, Decided

4. Arthur C. Nelson (1 June 2003). "Paying for Prosperity: Impact Fees and Job Growth" H. The Brookings Institution. Retrieved 4 June 2015.

# External links

- impactfees.com ##
- tischlerbise.com≝



Who is authorized to enact or impose Impact Fees?

Political subdivisions may enact or impose impact fees only by complying with Chapter 395 of the Local Government Code.

impact fees may not be enacted or imposed in the extraterritorial jurisdiction (ETJ) for roadway facilities.

Political subdivisions may enact or impose impact fees within their corporate boundaries or extraterritorial jurisdiction (ETJ) for utility facilities.

## **▼** Planning - Impact Fees

**Hide All Answers** 

1. The information in these FAQs is adapted from Chapter 395 of the Texas Local Government Code

The information provided herein has been adapted from Chapter 395 of the Texas Local Government Code and serves as a guide to answering general questions about Impact Fees in the City of McKinney. For more detailed information about the general application of Impact Fees please refer to Chapter 395 of the Texas Local Government Code which can be accessed through the <u>Texas Legislative Council online</u>

## 2. What are Impact Fees?

Impact Fees are authorized under Chapter 395 of the Texas Local Government Code.

Texas Local Government Code defines impact fees as "a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development"

As it relates to Impact Fees, "new development" shall mean the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural, alteration, relocation, or enlargement of any structure; or any use or expansion of the use of land; any of which increases the number of service units.

## **Categories**

- All Categories
- Animal Control
- Apex Centre
- Apex Centre Online Registration
- CERT
- City Council
- Code International Property
   Maintenance Code
- CSS
- CSS Most Commonly Asked Questions
- Emergency
   Management Metro
   Safe Room Rebate
   Program
- Emergency
   Management Outdoor Warning
   System
- Engineering
- Engineering Capital Improvement Projects
- Engineering Development
   Engineering
- Engineering -Drainage & Sediment
- Engineering -Healthy Creeks and Lakes
- Engineering -Standard Details
   Update
- Engineering -Stormwater
- Engineering Water and Wastewater Engineering
- Environmental
   Education
- Environmental
   Education Texas

- Dedication of land for public parks or payment in lieu of the dedication to serve park needs
- Dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development
- Lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water mains, sewer mains or lines
- Other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision
- 3. Who is authorized to enact or impose Impact Fees?

  Political subdivisions may enact or impose impact fees only by complying with Chapter 395 of the Local Government Code.

Impact fees may not be enacted or imposed in the extraterritorial jurisdiction (ETJ) for roadway facilities.

Political subdivisions may enact or impose impact fees within their corporate boundaries or extraterritorial jurisdiction (ETJ) for utility facilities.

#### 4. What are Roadway Impact Fees?

A Roadway Impact Fee is a charge imposed against new development to pay for the off-site construction or expansion of roadway facilities that are necessitated by and benefit the new development. These roadway facilities may be adjacent to the new development or within the same service area as the new development.

Roadway impact Fees are assessed in proportion to the anticipated traffic generated on roadway facilities by the new development in the service area. In other words, impact fees are assessed as a proportion of the development's impact on the system.

As it relates to Impact Fees "roadway facilities" shall mean arterial or collector streets or roads that have been designated

#### Trash-Off

- Eire
- Fire Community
   Risk Reduction
- Fire Hiring Process
- Fire Life Safety
- Fire Self-evaluationBusiness
- Fire Senior Fall
   Prevention Tips
- Fire Senior Fire Safety Tips
- Health Compliance
- Historic Preservation
- Historic Preservation
   Certificate of
   Appropriateness
- Historic Preservation
   Researching Your
   Home
- Housing & Community
   Development
- Human Resources
- Library Cords and Accounts
- Library Catalog
- Library Digital Resources
- Library Interlibrary
   Loans
- Library Programs
- Mosquito Control
- Municipal Court
- Parks Bingo
- Parks Senior
   Recreation Center
- Parks and Recreation
- Parks Construction
- Performing Arts Center - Filming Permits
- Planning
- Planning Annexations
- Planning Impact
   Fees
- Police

on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

## 5. What are Utility Impact Fees?

A Utility Impact Fee is a charge imposed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development.

Utility impact fees help pay the cost of building or expanding facilities in order to provide the adequate service that a new development requires.

#### 6. Who pays Impact Fees?

Any developer who is seeking a building permit for a new development (residential or commercial) that will generate additional use of roadway and/or utility resources will be responsible for paying Roadway Impact Fees.

As it pertains to Impact Fees, "developer" shall mean any person, company, agency, or entity that is undertaking a project. This includes non-profit entities, churches, and individuals subdividing land for family members as well as those whose primary business is developing land or constructing homes or businesses for profit.

Political subdivisions and other governmental entities must pay impact fees imposed under Chapter 395 of the Local Government Code, except school districts are not required to pay impact fees imposed under Chapter 395 of the Local Government Code unless the Board of Trustees of the school district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees.

#### 7. When must Impact Fees be paid?

For residential and non-residential developments, a building permit will not be issued until any and all impact fees have been paid.

8. What is a "Service Area" for Roadway Impact Fees?

A service area, or roadway benefit area, refers to the area

- Police Alorm Permits
- Police Employment
- Police Records
- Public Works
- **■** Traffic
- Troffic Bike
   McKinney
- Transit Services
- Water Billing

within the corporate boundaries of the political subdivision that will be served by the capital improvements specified in the Roadway Improvements Plan.

For roadway facilities, a service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles.

For the facilitation of Roadway Impact Fees, the City of McKinney is divided into 13 service areas.

Roadway Impact Fees collected in a Service Area may only be expended in that service area.

## 9. What is a "Service Area" for Utility Impact Fees?

A service area, or water benefit area, refers to the area within the corporate boundaries or extraterritorial jurisdiction of the political subdivision that will be served by the capital improvements specified in the Capital Improvements Plan.

For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the Capital Improvements Plan and shall not extend across watershed boundaries.

For the facilitation of Utility Impact Fees, the City of McKinney identifies its corporate boundaries and extraterritorial jurisdiction as one service area.

What is the general process for updating Impact Fees?
 Chapter 395 of the Texas Local Government Code mandates that impact fees be reviewed and updated at least every 5 years.

The update of impact fees for Roadway and Utility facilities are determined using Land Use Assumptions and the Capital Improvements Plan.

As mandated by State Law, the updating of impact fees involves three components:

- Land Use Assumptions
- Capital Improvement Planning

 Fee Setting / Adopting the Ordinance - With the final phase of the process, the majority of policy discussion will occur as the City Council should consider actual fee amounts to charge, the phase-in of any fee increases and how credits are calculated.

## 11. What are Land Use Assumptions?

Land Use Assumptions project growth over a 10-year period. They project population growth by using the number of housing units and non-residential growth by using building square footage and then spatially allocates this growth to designated service areas.

These projections are used in the Capital Improvements Plan to determine the necessary expansions needed to accommodate the increased impacts on infrastructure resulting from new development.

Land Use Assumptions require approval by the Planning and Zoning Commission or other citizens committee following a public hearing.

#### 12. What is a Capital Improvements Plan?

A Capital Improvements Plan is required under Chapter 395 of the Local Government Code and must identify the capital improvements or facility expansions for which impact fees may be assessed.

A capital improvement is defined as water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; storm water, drainage, and flood control facilities; and roadway facilities with a life expectancy of three or more years.

The Capital Improvements Plan for Roadway Impact Fees (known as the Roadway Improvements Plan) identifies and estimates the cost of all roadway improvements projected for each Service Area for a ten-year period.

The Capital Improvements Plan for Utility Impact Fees identifies and estimates the cost of all water and wastewater infrastructure improvements projected for a ten-year period.

The needed improvements identified in the CIP are based on the Land Use Assumptions for the City Limits and ET). The CIP for Roadway Impact Fees is developed by transportation planning professionals. The CIP for Utility Impact Fees is developed by engineering professionals.

The Capital Improvements Plans are reviewed by the Planning and Zoning Commission or other citizens committee and is adopted by the City Council following a public hearing.

#### 13. What is a Service Unit?

A service unit is a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development.

A service unit is calculated in accordance with generally accepted engineering and/or planning standards and is based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous ten years.

For roadway impact fees, the basic service unit is a vehicle mile of travel during the afternoon peak hour.

For utility impact fees, the basic service unit is a ¾-inch water meter typically used for a single family detached dwelling.

#### 14. What are Impact Fee Credits?

Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Any construction or dedication of a water or wastewater facility that includes lines which are greater than twelve inches (12") in diameter and similar lines which serve solely the new development and which are on the Impact Fee Capital Improvements Plan shall be credited against utility impact fees otherwise due from the development.

# Farmersville Economic Development Corp 4A "Exhibit A"

REVENUE	2018-2019 Revised Budget	2019-2020 Proposed Budget
	Value Vi-lands aggly play &	
Sales Tax	\$225,600.00	\$206,000.00
Interest Earned Independent Bank	\$100.00	\$100.00
Interest Earned Independent Bank CD	\$2,500.00	\$13,250.00
Interest Earned Texpool	\$20,000.00	\$24,000.00
Total Revenue:	\$248,200.00	\$243,350.00
Administration Expenses	"Published foreignitis perhaps: 4. Approximate about distributing during distributing designing foreigning designing foreigning designing designin	The states of the standard spin and the standard spin and the spin and
Administration	\$1,000.00	\$1,000.00
Meeting Expenses	\$1,000.00	\$1,000.00
Dues/School/Travel	\$7,700.00	\$7,700.00
Legal Services	\$2,500.00	\$2,500.00
Office Supplies	\$200.00	\$2,500.00
Total Administration Expenses	\$12,400.00	\$12,400.00
Marketing/Sponsorship/Adver.	and the state of t	
Marketing/Promotion Expenses/Adv	\$11,160.00	
Chamber Sponsorship	\$1,000.00	\$11,160.00
Rotary Sponsorship	\$500.00	\$1,000.00
Collin College Sponsorhship	\$7,500.00	\$500.00
Small Business Conference	\$500.00	\$7,500.00
Total Expenses:	\$33,060.00	\$500.00 \$33,060.00
Development	All to an experience we are a process company of the debated to the polycy give go, and a common analysis of the contract of t	
Facade Grant Program	\$50,000.00	the control of the property of the property of the control of the
Electric Substation Loan (210k)	\$210,000.00	\$50,000.00
Land Use Map/Thoroughfare Plan (36k)	\$36,000.00	\$110,000.00
Collin College Electrical Distrb. (150k)	\$15,000.00	\$30,000.00
Total Development Cost:	\$311,000.00	\$135,000.00 \$325,000.00
A STATE OF THE STA	The state of the s	
Total Expenditures	\$344,060.00	\$358,060.00
Revenue vs. Expenditures	\$(95,860.00)	\$(114,710.00)
From Reserves	\$95,860.00	\$114,710.00
Balance Budget	\$-	- A gal - page phase data or Statist companies of the plant distance in many

# FARMERSVILLE ECONOMIC DEVELOPMENT CORP 4A JULY 2019 FINANCIAL BUDGET REPORT

# Farmersville Economic Development Corp 4A July 2019

#### Statement Balance 7-1-2019

\$53,987.76

Deposits:

Sales Tax: March

\$20,394.36

Cking Int .05%

\$2.39

CD Interest Transfer from Texpool

Cleared Checks 1314

\$(8,189.59)

Statement balance 7-31-2019

\$66,194.92

### **Outstanding Transactions**

Sales Tax Transfer to Texpool CD Interest Oustanding checks

Balance 8-14-2019

\$66,194.92

Farmersville Economic Development Corporation Cummulative Income Statement For the 12 Months Ended, September 30, 2019

	*													
4 1 1 1 1 1 1 1 1	Budget	October	Movember	December	January	February	March	April	May	June	July	August September		YTD
Beginning Bank Balance		\$313,827.04	\$327,937.93	\$348,145.25	\$64,385.87	\$79,743.23	\$70,775.20	\$ 87,639.36	\$106,581.87	\$32,626.41	\$45,798.17	1		
Deposits													+	J
Sales Tax Collections	\$225,600.00	10.867,738	\$20,068.44	\$16,133.36	\$15,355.25	\$23,529.03	\$16,618.90	\$ 18,938.56	\$25,980.55	\$70,384.54	\$20,394,36		5.1	S105 799 nn
Interest Income ching	\$6,000.00	\$13.32	\$13.58	\$10.27	\$2.11	\$2.94	27.16	3.95	28.03	\$1.47	\$2.39			85.8 1B
Transfer to Texpool				\$(300,000,000)									ł	2
Transfer From Teapool									\$150,000.00					
Purchae CD									\$(250,000.00)					
Texpool Interest		\$1,615.63	\$1,609.59	\$1,943.81	\$2,419.76	\$2,197.36	\$2,456.81	\$ 2,400.18	\$2,303.17	\$2,063.33	\$2,142.05		D.	\$21 151 80
CD Interns! Earned		\$123.29	\$127.40	\$123.29			\$1,541 10			\$1,575.34				27 490 42
Total Revenue	8231,600.00	\$331,761.66	\$348,145.25	\$64,412.17	\$79,743.23	\$103,275.20	\$89,139.36	\$106,581.87	\$12,566.41	87.78	\$66.194.92		420	4720 00e 2a
Expenses:					2									
Achninistration	\$1,000.00													10
Meeting Expenses	\$1,000.00								00 OFS					Cana
Dues/School/Travel	\$5,200.00	\$1,282.71												C1 262 71
Office Supplies	\$200.00	561.12		\$26.30								-		667.47
.egal Service	\$2,500.00													7
Marketing/promotion Expenses	penses													V J
Marketing/Promotion Expenses/Advertising	\$11,150.00												ľ	
Collin College Sponsorship	\$7,500.00					\$7,500.00								57,600.00
Entrepreneurship Conf	\$500.00						-		SKON OD			-		000
Tex-21	\$2,500.00	\$2,500.00												00.0004
Farmersville Chamber	\$1,000.00						\$1,000.00						J	32,300,00
Farmersville Rotary	\$500.00						\$500.00						·	00.000,00
Total Expanditures	\$33,060.00	E3,823.83		\$26.30	STATE OF STREET		\$1,500.00		2540.00					041 300 43
Directive Business Incentives	tives													2,000,13
Collin College Loop	\$15,000.00									5.0 189.59			ļ.	
Planner Land Use Map Electrical Substation Loan	\$210,000.00													**
Façade Grant Program	\$50,000.00					\$25,000,00			-				9.0	4 5
Total Davelopment Cost	\$311,000.00	J								-			200	00.000.534
Total Expenditures	8344,060,00	\$3,823.83	J	828.30		\$32,500,00	\$1.500.00		2540.00	SA 180 AS			: : 	00.000,004
Revenue vs Expenditures	(\$112,460)												1	DI-SECTION
From Reserves													-	
Total Expenditures		\$3,823.83	J	\$26.30		\$12,500.00	\$1,500.00		\$540,00	\$2,189.59			2	\$38,390,13
Ending Bank Balance	İ	\$327,937.63	\$346,145.25	\$64,385.87	\$79,743.23	\$70,775.20	\$47,639.36	\$106,581.87	\$32,026.41	\$45,798.17	\$60,194.92			
CD Investment		\$250,000.00		\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$500,000,00	\$500,000.00	\$500,600.00			-
wagood parence		70.775.0004	ш.	\$1,192,477.27	51,194,697.03	51,197,094,39	\$1,189,551.20	\$1,201,951,38	\$1,054,254.56	\$1,056,317.88	\$1,058,459.93			
Fotal Aveitable Funds		\$1,466,861.70	\$1,488,678.71	\$1,506,863.14	\$1,524,640.26	\$1,517,869.59	\$1,537,190,56	\$1,558,531.25	\$1,586,280.96	\$1,602,116.05	\$1,624,654.85	-	-	

Agenda Section	Informational Items
Section Number	IV.D
Subject	Main Street Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Possible Council Liaison 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> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>

Agenda Section	Informational Items
Section Number	IV.E
Subject	Planning & Zoning Commission
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Minutes     Possible Council Liaison 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> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>



# CITY OF FARMERSVILLE PLANNING AND ZONING COMMISSION MINUTES REGULAR SESSION MEETING JUNE 17, 2019, 6:30 P.M. COUNCIL CHAMBERS, CITY HALL 205 S. Main Street

# I. PRELIMINARY MATTERS

- Vice-Chairman, Lance Hudson presided over the meeting which was called at 6:32 p.m. Commissioners Leaca Caspari, Luke Ingram, Rachel Crist John Klostermann, Michael Hesse and Brian Brazil were in attendance. Also, in attendance were City Manager, Ben White; staff liaison, Sandra Green; Council liaison, Craig Overstreet; and City Attorney, Michael Martin.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.

# II. REORGANIZATION OF COMMISSION

- A. Election of Chairman
  - Luke Ingram nominated Michael Hesse.
  - John Klostermann nominated Leaca Caspari
  - Lance Hudson called for a vote.
  - Voting went as follows:
    - o John Klostermann Leaca Caspari
    - Brain Brazil Michael Hesse
    - Leaca Caspari Michael Hesse
    - Lance Hudson Michael Hesse
    - Michael Hesse abstained
    - Luke Ingram Michael Hesse
    - Rachel Crist Michael Hesse

### B. Election of Vice-Chairman

Rachel Crist nominated Lance Hudson

- Leaca Caspari nominated John Klostermann
- John Klosterman made a motion to close nominations.
- Leaca Caspari made a 2<sup>nd</sup> to the motion
- Voting went as follows:
  - John Klostermann abstained
  - Brain Brazil Lance Hudson
  - Leaca Caspari John Klostermann
  - Lance Hudson abstained
  - Michael Hesse Lance Hudson
  - Luke Ingram Lance Hudson
  - Rachel Crist Lance Hudson

### C. Election of Secretary

- Luke Ingram nominated Rachel Crist
- Leaca Caspari made a motion to close nominations
- John Klostermann made a 2<sup>nd</sup> to the motion.
- Voting went as follows:
  - John Klostermann Yes
  - o Brain Brazil Yes
  - Leaca Caspari Yes
  - Lance Hudson Yes
  - Michael Hesse Yes
  - Luke Ingram Yes
  - Rachel Crist Yes
- Michael Hesse took charge of the meeting as Chairman.

# III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon a recommendation to the City Council regarding the Final Plat of the Hannah Addition, Lots 1 & 2.
  - Ben White stated there were several items incorrect on the plat. Some of the
    incorrect items were the ownership names of surrounding properties. He was
    concerned about drive access and fire access to the properties. He wanted
    the applicant to show the nearest fire hydrant on the plat. He stated staff
    recommended disapproval of the plat until all the issues have been resolved.
  - Michael Hesse asked about the zoning of the property.
  - Sandra Green stated the property was zoned commercial. She explained the
    applicant built a duplex on a portion of his residentially used property and the
    plat was created to try and correct the problem. A duplex is allowed in a
    commercial zone, just not as a part of the property that is being used as a
    residence as well. She stated he would have to apply for a site plan as a
    separate application.
  - Rachel Crist asked if the structures were built without a permit.

- Ben White stated they were built without the proper approval. He asked Sandra Green how many structures were built on the property.
- Sandra Green stated that he built two carports/garages and then the duplex.
- Leaca Caspari asked about the engineer's approval letter and questioned why it stated that the project "generally complied" with the requirements.
- Ben White stated he wanted the engineer to change the wording on their letter.
  - Motion to disapprove made by Michael Hesse
  - 2<sup>nd</sup> to disapprove made by Lance Hudson
  - All members voted in favor
- B. Consider, discuss and act upon minutes from May 20, 2019.
  - Motion to approve made by Rachel Crist
  - o 2<sup>nd</sup> to approve made by Lance Hudson
  - All members voted in favor

#### IV. WORKSHOP

- A. Discussion regarding proposed changes to industrial zoning districts requested by the FEDC (4A) and City Manager.
  - Ben White addressed the Commission and stated the 4A Board had reviewed the Zoning Ordinance and were requesting a few changes be made. He started they were requesting some changes regarding the Agriculture (AG) District uses. He explained that Bob Collins, who came from Plano, stated he felt they needed to eliminate some of the permitted uses because some of those items gave them trouble in Plano when they were growing. He explained they wanted the Planning & Zoning Commission to review the "Farm, Ranch, Garden, or Orchard" use, especially as it related to the SF-1, SF-2, SF-3, and 2F residential districts. He stated they wanted them to review the "College, university or private school" category to see if it would be allowed in the appropriate districts. He explained they were recommending some deletions to the Highway Commercial Overlay District where Specific Use Permits were required. He stated they also wanted them to consider adding a few prohibited uses to the Commercial Overlay District, as well as, a few other changes as it applies to entrances in the Highway Commercial Overlay District. The 4A board was asking that Section 3.14.1.6.c.i. be deleted. He indicated that as the City Manager he had a few changes he was requesting. He was requesting that all internal drive ways had to be an impervious surface. He wanted to incorporate that small airborne particles had to be enclosed in such a manner that driving winds would not cause the material to become airborne. He also wanted to make sure that screening was covered adequately in the ordinance. He stated that a screening wall could be masonry but may not look like masonry, so he wanted a clause in the

ordinance that would allow the Building Official to review the plans and make sure the screening wall was appropriate for the use. He also discussed how he wanted living ground cover to be required in industrial zones. He suggested the Planning & Zoning Commission handle the first five items on the list at the next meeting.

- Michael Hesse stated he would like to see what the staff recommended regarding the changes. He also asked who the Building Official was.
- Ben White stated he was the Building Official.
- John Klostermann agreed that he would like the recommendations from staff.
- Rachel Crist asked when the last Zoning Ordinance was adopted.
- Sandra Green stated May of 2018.
- Leaca Caspari stated that some of the comments were brought about by concerns regarding the Comprehensive Plan versus the Zoning Ordinance and how that relates to industrial uses.
- The Commission agreed to look at the first five items on the list at the next Planning & Zoning Meeting.

## V. <u>ADJOURNMENT</u>

Meeting was adjourned at 7:10 p.m.

ATTEST:

Sandra Green, City Secretary

APPROVE:

Michael Hesse, Chairman

A	1.6
Agenda Section	Informational Items
Section Number	IV.F
Subject	TIRZ Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	August 27, 2019
Attachment(s)	Financials     Possible Council Liaison 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> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>

TIRZ BOARD

JULY 2019

FINANCIAL BUDGET REPORT

# TIRZ July 2019

Statement Balance 7-1-2019

\$699,033.18

\$1,169.59

Deposits:

**Cking Int** 

CD Interest

Transfer from Texpool

Statement balance 7-31-2019

\$700,202.77

**Outstanding Transactions** 

Balance 8-14-2019

\$700,202.77

TIRZ
Cummulative Income Statement
For the 12 Months Ended, September 30, 2019

Budget   October   November   December   Augusty   Editionary   March   August   Septimary   Septim		FY 2019				-							-	-	
S281,502.00   S756.54   S123,130   S424,136.61   S425,130.140   S425,130.144.50   S426,130.144.50	1	Budget	October	Movember	December	January	February	March	April	May	June		August	eptember	Ę
### \$12,500 00 \$7,56.56 \$1,202.72 \$267,262.22 \$1,202.75 \$1,202.72	Beginning Bank Balanca Deposits		M22,777.34	\$423,533.90	\$424,296,61	\$425,120.76	\$425,993.45	\$426,769.90	427,642.35	\$696,254,32	\$697,592.46	1-10			
\$5,500.00 \$156.50 \$10227.3 \$624.15 \$472.60 \$1776.45 \$1,329.75 \$1,439.14 \$1340.72 \$1,329.75 \$1,339.72 \$1,33	Ad Valorem Tax Collection	\$257,562.00						•							
\$283,062.50   \$423,533.50   \$424,294.61   \$445,693.45   \$442,745.00   \$427,642.36   \$496,254,32   \$487,692.46   \$499,033,16   \$7 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	interest Income ching	\$5,500.00	\$756.58	\$762.71	\$824.15	\$872.69	\$776.45			\$1,438,14	\$1,340,72	\$1.169.59			
\$20,000 00 \$420,001.00 \$422,000.00 \$422,00	Fransfer to Texpool		and the second s			the state of the state of the state of									
\$220,000.00 \$27,444.00 \$37,444.00 \$427,642	Transfer From Texpool														
\$2200.00 \$423,533.00 \$424,296.81 \$425,120.76 \$425,893.45 \$426,769.00 \$427,642.36 \$896,254.32 \$487,892.46 \$896,254.32 \$487,892.46 \$896,254.32 \$487,892.46 \$896,254.32 \$425,120.76 \$425,120.76 \$425,120.76 \$425,930.5 \$425,720.76 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.70 \$425,720.7	Texpool Interest	_													
\$2,000.00 \$22,000.00 \$27,144.00 \$237,144.00 \$35,000.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,144.00 \$427,120.76 \$425,120.77 \$425,120.77	Total Revenue	\$283,062,60				\$425,893.45	\$426,769.80	\$427,642.36	\$896,254,32	\$887,692.48	\$699,033,16	\$700.202.77			
\$2,000.00 \$2,000	Expenses:							-					-	-	
\$2,000.00 \$27,144.00 \$45,000.00 \$450,000.00 \$427,144.0	kimmestration	\$2,000.00											-		
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study  8427,144.00  8.134,062  8427,533.50  \$425,120.76  8425,120.76  8425,593.45  \$426,769.50  \$426,769.50  \$427,642.15  \$689,254.12  \$689,254.12  \$689,254.12  \$689,254.12	rincipal Payment	\$65,000.00								-			-		
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	inding Bank Balanca		\$423,533.90	\$424,296.61	\$425,120.76	\$425,993.45	\$426,769.90	\$427,642,35	\$696,254.12	\$697,692.46	\$699,033.18	\$700.202.77			
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V. Public Hearing