



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
August 27, 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, Mike Hurst and Donny Mason were all present. Council member Dwain Mathers was absent. City staff members Ben White, Sandra Green, Kim Morris, Daphne Hamlin, Rick Ranspot, Michael Sullivan, Dana Mingo, 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.
 - City Hall will be closed on Monday, September 2nd in observance of Labor Day.
 - Farmers & Fleas will be on Saturday, September 7th at the Onion Shed.
 - Mayor Rice indicated there would be special City Council meetings on Sept. 3rd and September 17th for tax related matters.
 - Proclamation for Public Safety Sunday.
 - Mayor Rice read the Proclamation.

II. PUBLIC COMMENT

- Rachel Crist who resides at 1011 Westgate Dr. addressed Council in regards to code enforcement and how the different neighborhoods looked. She stated her four year old daughter pointed out how some areas looked. She passed out a picture of a neighborhood yard that was by her residence and how it was grown up. She explained rats have been coming on to her property because of it. She indicated you could not walk down the street without walking in to a swarm of bugs at the front of the house. She asked that Council do something about the issue.
- John Richard Smith who resides at 617 County Road 610 stated he wanted to complain about Camden Park. He said that since they had started work on

Phase 3 they had ripped off some of the bark on his 150 year old Bois D 'Ark tree. He stated they have torn down a fence at two different locations. He indicated that he had proven before that the survey from last year was incorrect. He said Camden Park has installed silt fences and has not installed them according to the approved plans. He also said they now have dirt that is 15 feet higher than the ground and is concerned where the dirt would go in a heavy rain.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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
 - o Motion to approve made by Craig Overstreet
 - o 2nd to approve was Donny Mason
 - o All council members voted in favor

IV. INFORMATIONAL ITEMS

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

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

- A. City Amenities Board
 - 1. Possible Council Liaison Report
- 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
 - Mike Hurst stated the budget was complete and they discussed impact fees.
- 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
 - Craig Overstreet stated they had met and are still going over their budget for next year.

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.

- Mayor Rice opened the public hearing at 6:17 p.m.
- Josh Burkhart with Beck Architecture introduced himself and stated he was available to answer any questions the Council might have.
- John Richard Smith who lives at 617 County Road 610 stated he was opposed to changing the zoning on the whole 75 acres. He explained that the changing from agriculture to commercial would be a bad idea because Collin College may decide not to build there and sell some of the property. He pointed out that he felt that way especially since the city was now responsible for constructing the roadway. He stated they could build somewhere else. He was concerned because the city currently does not receive any taxes for the property anyway.
- Josh Burkhart stated Mr. Smith had great points, but there was a need for the campus. This campus location is the farthest east and it would have the widest draw of students from around the areas. He explained there would be a few hundred students when Phase 1 was built and then the population would grow. He stated the college is committed to working in Farmersville and growing.
- Tayseer Hourani who works with AECOM and is affiliated with the college stated they are going through the same thing in the City of Celina right now. They are building Phase 1 and they will eventually build it all. They have to deal with bonds for the funding of all their campuses and Farmersville was allocated so much money.
- Mayor Rice closed the public hearing at 6:26 p.m.
- Craig Overstreet pointed out that the college was asking for variances on landscaping, parking, off-street loading, roof, and roof pitch. He stated the Planning & Zoning Commission's concern was the roof pitch and the parking. The Planning & Zoning did approve the parking the college was asking for and the roof pitch. He explained a new parking study would be required for each phase.
- Mike Hurst stated he believed the campus would be an asset to the community and that it would be built out quickly.
 - Motion to approve the zoning change with variances as recommended by the Planning & Zoning Commission made by Mike Hurst
 - 2nd to approve was Jim Hemby
 - All council members voted in favor

VI. REGULAR AGENDA

- A. Consider, discuss and act upon mini city-wide cleanups.
 - Chief Sullivan addressed Council and stated that after the last cleanup took place he and Danny Ruff, Public Works Lead, came up with an idea. They thought it would be wise to have four smaller cleanup days and break it into sections of the town. Only the people who live within that specific area could bring their stuff for drop-off that day. He explained then they would have one city-wide cleanup day where they would take other material and items. He stated by doing this it would also cut down on the number of volunteers and roll off containers that would be needed.

- Craig Overstreet asked why they would not have additional roll off container costs or additional employees or volunteers helping on the mini cleanup days.
- Chief Sullivan stated they would have the cost of the roll off containers but it would spread out over the year.
- Ben White stated there are more people required to conduct the service on one city-wide day. It would probably only take the one employee who was on call that day to help if they separate it to selected areas. It would not be as intense and only about a four hour day. He suggested the Council try it out and stated he did not feel it would have a huge budgetary impact.
- Donny Mason stated he thought it should be tested to see if it would be successful.
- Mike Hurst stated it would have to be advertised well so people understand what areas were allowed during the mini cleanup day.
- Council indicated to move forward with a trial day.

B. Consider, discuss and act regarding water and wastewater rate study information.

- Ben White stated he was recommending a water rate change to offset the cost of increase coming from North Texas Municipal Water District (NTMWD). He stated the City of Farmersville would not be the highest rate compared to other cities in the area. He indicated our cost to citizens was in the middle compared to those other cities.
- Donny Mason asked how much it was going up.
- Ben White stated it was a little bit less than a dollar. He stated he has been hesitant to recommend a rate increase for the sewer rates because they are already high.
- Craig Overstreet asked if last June or July was the highest increase we have seen.
- Ben White indicated it was. He stated the city has had large increases from NTMWD regarding sewer that we have not passed along to citizens. They charge us for maintaining our wastewater treatment plants. He stated his proposed increase would increase revenues to \$144,861.12 a year.
- Craig Overstreet stated that of all five of our enterprises the wastewater fund has the most trouble.
- Ben White stated until we pay off the bond we would be faced with this issue. He said that Camden Park and Palladium are supposed to cover the bond payment for us once they are up and running fully.
- Craig Overstreet asked what an example would look like to the customer.

- Ben White stated it would be approximately \$10.00 more per month per residential user.
 - Craig Overstreet stated it has to start paying for itself and he knows people hate to see the rate increases.
 - Mike Hurst asked what position the city was currently in to handle new business and residents that might come in to the city.
 - Ben White stated he believed Farmersville was in a great position for large incremental changes. He indicated from Lake Haven MUD's perspective they are happy they can put in a development. He stated he was looking for direction from the Council as to whether they wanted to pass along the wastewater costs to the citizens.
 - Craig Overstreet asked if Daphne Hamlin had time to change the budget with the rates.
 - Council gave direction to move forward with the rate increases for wastewater and water.
- C. Consider, discuss and act regarding recycling rate increase.
- Ben White stated that Community Waste Disposal (CWD) has asked for an increase to their contract because of market costs. He stated the increase to the residential customer would be approximately \$0.10 per month. He indicated there would not be an increase to the commercial side and no increase on the residential household hazardous waste collection.
 - Council gave direction to pass the rate increase to the citizens.
- D. Consider, discuss and act regarding solid waste rate increase.
- Ben White stated there were a lot of different rates that are charged for solid waste fees. He indicated the first polycart went up from \$13.40 to \$13.67. For a typical residential bill for solid waste it would be a \$0.37 per month increase. He explained he would come back with an ordinance if Council recommended the increase.
 - Council gave direction to come back with an ordinance for the increase.
- E. Consider, discuss and act upon city code enforcement.
- Craig Overstreet stated he received complaints about code enforcement or roadways almost every day. He wanted to know if our ordinances are not structured correctly or if enforcement was the problem. He also asked about houses being torn down and why that was not happening.
 - Chief Sullivan stated that when people stop taking care of the property it requires the city to go through a court process to condemn the property.

Some of the properties are purchased by someone else and the violations get corrected, but it takes time.

- Craig Overstreet brought up the house Rachel Crist had discussed in the Public Comments section of the meeting and said that it was appalling.
- Dwain Mathers came in late to the Council meeting.
- Chief Sullivan stated that if they could not see it from the street they could not do anything.
- Craig Overstreet stated some of the problem is high grass that needs to be taken care of in residential areas and commercial areas.
- Chief Sullivan stated that most people do not follow the ordinance. He stated tickets can be issued but that does not solve the problem. He said that sometimes they recruit the Boy Scouts and other entities to help with some of the elderly people's property.
- Donny Mason asked why the Building & Property Standards has not met in a year and a half.
- Chief Sullivan stated that is for abandoned houses and to tear down houses.
- Mike Hurst stated that other cities do not have the problems we have with code enforcement.
- Craig Overstreet asked if the tickets get thrown out of court.
- Chief Sullivan stated that was sometimes the case. He explained he did not feel that tickets were the way to solve the problem.
- Mike Hurst asked if the city could mow the property and put a lien on it.
- Alan Lathrom stated there are procedures that have to be followed before the city can mow a piece of property and put a lien on it.
- Craig Overstreet stated that some of the customers have to be dealt with by using a stronger hand because they are repeat offenders. He stated the lack of code enforcement is a reflection on the Police Department since it falls under Chief Sullivan.
- Mike Hurst stated that he receives complaints about the way the city looks all the time. He stated he does not want people to come in to town and see the way some areas look.
- Dwain Mathers stated that part of the situation is the road conditions. He stated that since the roads are so bad then people think about why they should take care of their property and yard. He asked Chief Sullivan what he felt like works in regards to code enforcement.
- Chief Sullivan stated that working with the people helps. He said getting volunteer groups and others to help work for the department. He did want to caution Council that if they came into a situation where the owners were written a ticket and they did not pay the ticket it would become a warrant. He said if they go to warrant then those people could get arrested. He

explained he would hate to see elderly people arrested for a situation they could not physically correct.

- Mike Hurst stated the Council was not suggesting that something like that happen.
- Ben White asked if the city could place extra fees on the water bill for mowing.
- Alan Lathrom stated the city could not add fees to the bill for mowing, it would have to be done in the form of a lien. He indicated the city still has to protect property rights. He explained the goal of code enforcement was to achieve compliance and not use punitive measures.
- Ben White asked if being home-rule would change what can be done with code enforcement.
- Alan Lathrom stated it would not.
- Donny Mason asked if the police officers still put notices on the doors since they did not hire another code enforcement officer.
- Chief Sullivan stated they do.

- Mayor Rice called for a break at 8:00 p.m.
- Mayor Rice stated the Council meeting would reconvene at 8:05 p.m.

F. Consider, discuss and act upon forming a Census Bureau Committee to help with the 2020 Census.

- Ben White stated that the US Census representatives came in and stated the city could form a committee to help spread the word about the upcoming census.
- Mayor Rice stated if Councilmembers came up with any names for a committee member they could forward those names to the City Secretary.

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.

- Ben White stated this was the standard process that the Steering Committee negotiated on the city's behalf for rates.
 - Motion to approve made by Mike Hurst
 - 2nd to approve was Jim Hemby
 - All council members voted in favor

H. Discussion regarding the upcoming election of Collin Central Appraisal District Board of Directors.

- Mayor Rice stated he received a letter from the District saying it was time to nominate people for the election. He stated Council would have until Oct. 14th if they wanted to submit a nomination.

I. Consider, discuss and act on the Main Street bylaws.

- Ben White stated the changes included at least four (4) members of the Board shall own a building or business in the Main Street district and it changed the number of board members to seven (7).
- Dwain Mathers asked how the Main Street district was defined.
- Ben White stated there was a map that showed the Main Street district.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Dwain Mathers
 - All council members voted in favor

J. Consider, discuss and act upon a recommendation from the Farmersville Community Development Board regarding the Professional Services Contract.

- Ben White indicated the changes mirrored those of the Main Street bylaws to show they had to own a business or building in the Main Street district.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Dwain Mathers
 - All council members voted in favor

VII. BUDGET WORKSHOP

- Daphne Hamlin stated that she and Ben White balanced the budget. She handed out a form and explained that she came up with some options to get more money to put into road repairs as requested by Mr. Overstreet. She stated that some of the options were extreme, but she wanted to give all the options.
- Craig Overstreet stated the TIRZ board met and they are trying to put in their budget to take on a roadway project every year that is in the TIRZ district. He stated the amount in the city's street budget was really low and the city needed to receive revenue to keep the streets in good condition. He pointed out that the roads needed to be addressed.
- Daphne Hamlin stated we try to increase the streets budget every year.
- Ben White explained the amount in the budget only allows them to fix some pot holes.

VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mayor Rice wanted the new public comment rules on the agenda.
- Mike Hurst wanted a progress report on Martin Marietta, Camden Park, Palladium, Reliable Concrete and Nelson's Ready Mix.

IX. ADJOURNMENT

Meeting was adjourned at 8:33 p.m.

APPROVE:



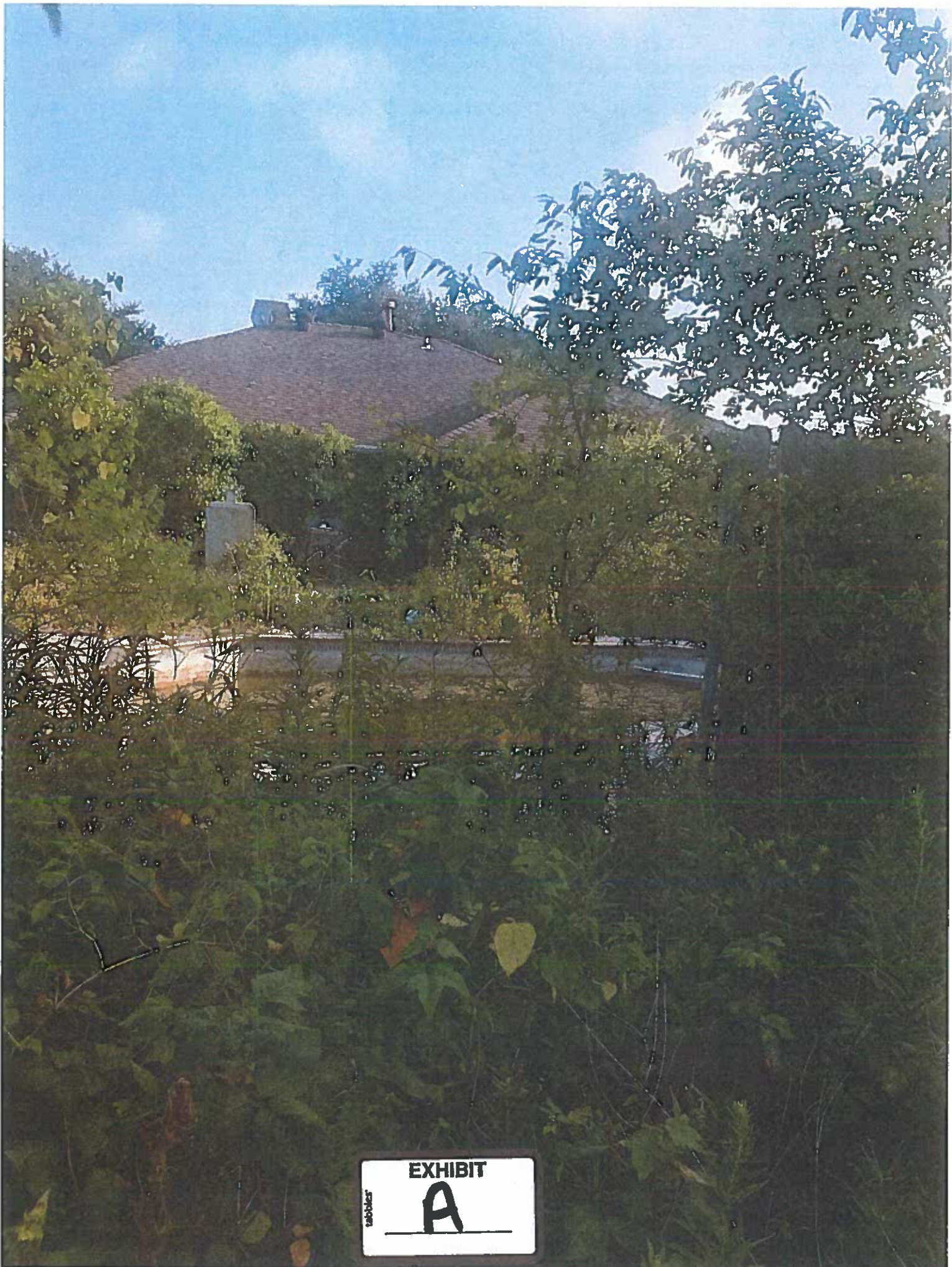
Jack Randall Rice, Mayor

ATTEST:



Sandra Green, City Secretary





EXHIBIT

A

LABORATORY



TO: Mayor & City Council
FROM: Daphne Hamlin, Finance Director
DATE: August 23rd, 2019
SUBJECT: Options to increase Street Department Budget by \$300k

Option 1) Increase Property Tax:

Increasing property tax by \$0.14125 would increase the General Fund Budget by \$301,639.00
Tax rate would go from \$0.750000 to \$0.891250.

Option 2) Increase Base Water Rates:

Increase base water rate from \$26.19 an additional \$18.75. New base rate \$44.94 would increase revenues by \$303,075.00.

Option 3) Increase Base Sewer Rates:

Increase base sewer rate from \$31.07 an additional \$18.75. New base rate \$49.82 would increase revenues by \$303,075.00

Option 4) Personnel Cut:

Cut 3.5 employees making \$65k + benefits

Option 5) TIRZ:

Current TIRZ bank balance:	\$578,059.03
Committed to Highway 380 project:	(\$300,000.00)
Proposed 2019-2020 Revenues:	\$430,397.00
Bond Payment 2019-2020:	(\$120,275.00)
Total available funds 2019-2020:	\$588,181.03

Please note this is only for discussion purposes. Options are not in any particular order.