



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION AGENDA  
January 28, 2020, 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, February 17<sup>th</sup> in observance of President's Day.

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

If you wish to address the City Council on a matter not posted on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to a total of thirty (30) minutes.

**IV. CONSENT AGENDA**

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent

Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
- B. Police Department Annual Report
- C. City Financial Report

**V. 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. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
  - 1. Minutes
  - 2. Possible Council Liaison Report
- D. Main Street Board
  - 1. Minutes
  - 2. Possible Council Liaison Report
- E. Planning & Zoning Commission
  - 1. Possible Council Liaison Report
- F. City Manager's Verbal Report
  - 1. Hamilton Street Update
  - 2. Palladium Apartments Update

### 3. Camden Park Update

#### **VI. PUBLIC HEARING**

- A. Public hearing to hear public comments regarding a petition for annexation into the City's corporate limits of approximately 26.6 acres of land located on the northwest quadrant of U.S. Highway 380 and County Road 699 in Collin County, Texas, in the W. B. Williams. Survey, Abstract No. A-952.

#### **VII. READING OF ORDINANCES**

- A. Consider, discuss and act upon the second reading of Ordinance #O-2020-0128-001 granting an exception to the "inscription requirements" for city-owned vehicles.
- B. Consider, discuss and act upon the first and only reading of Ordinance #O-2020-0128-002 calling a general election for May 2, 2020 to elect Mayor, Councilmember Place 2, and Councilmember Place 4.

#### **VIII. REGULAR AGENDA**

- A. Consider, discuss and act upon presentation from SHG Land Investments of Farmersville, Ltd. regarding new project and incentives.
- B. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the final plat of the Chaparral Trail Estates.
- C. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the development plat for the Farmersville Railyard Addition.
- D. Consider, discuss and act upon Resolution #R-2020-0128-001 finding and declaring the current number of inhabitants within the city's corporate limits to exceed 5,000.
- E. Consider, discuss and act upon murals on or in city owned buildings.
- F. Consider, discuss and act upon possible sign ordinance changes regarding murals.
- G. Consider, discuss and act upon an appointment to the Texoma Housing Board.
- H. Update and discussion regarding the present status of TxDOT and County Commissioners relating to U.S. Highway 380 and State Highway 78.

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

#### **X. ADJOURNMENT**

Dated this the 24<sup>th</sup> day of January, 2020.



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 January 24, 2020 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**

# January 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			<b>1</b> City Hall Closed - New Year's Day	2	3	4 Farmers & Fleas 9:00 am
5	6	7	8	9	10	11
12	13 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	14 City Council Meeting 6:00 pm	15	16 FEDC (4A) Meeting 6:30 pm	17	18 National Weather Service Sky Warn Training at Collin College – McKinney 8:30 am
19	<b>20</b> City Hall Closed – MLK Day	21	22	23	24	25
26	27 P&Z Special Meeting 6:30 pm	28 City Council Meeting 6:00 pm	29	30 Main Street Special Meeting 4:30 pm	31	

# February 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						<b>1</b> Farmers & Fleas 9:00 am
<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b> City Amenities Board Meeting 4:15 pm	<b>7</b>	<b>8</b> Valentine's on the Square 11 am – 3 pm
<b>9</b>	<b>10</b> Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	<b>11</b> City Council Meeting 6:00 pm	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b>	<b>17</b> Presidents Day – City Hall Closed	<b>18</b>	<b>19</b>	<b>20</b> FEDC (4A) Meeting 6:30 pm	<b>21</b>	<b>22</b>
		Early Voting 8-5	Early Voting 8-5	Early Voting 8-5	Early Voting 8-5	Early Voting 7-7
<b>23</b>	<b>24</b> P&Z Meeting 7:30 pm	<b>25</b> City Council Meeting 7:30 pm	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>
Early Voting 1-6	Early Voting 7-7	Early Voting 7-7	Early Voting 7-7	Early Voting 7-7	Early Voting 7-7	

# March 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Primary Election 7-7	3	4	5 City Amenities Board Meeting 4:15 pm	6	7 Farmers & Fleas 9:00 am
8	9 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	10 City Council Meeting 6:00 pm	11	12	13	14
15	16 P&Z Meeting 6:30 pm	17	18	19 FEDC (4A) Meeting 6:30 pm	20	21
22	23	24 City Council Meeting 6:00 pm	25	26	27	28
29	30	31				



# April 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 City Amenities Board Meeting 4:15 pm	3	4 Farmers & Fleas 9:00 am
5	6	7	8	9	10 City Hall Closed – Good Friday	11
12	13 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	14 City Council Meeting 6:00 pm	15	16 FEDC (4A) Meeting 6:30 pm	17	18
19	20 P&Z Meeting 6:30 pm Early Voting 8-5	21 Early Voting 8-5	22 Early Voting 8-5	23 Early Voting 8-5	24 Early Voting 8-5	25 Early Voting 8-5
26	27 Early Voting 7-7	28 City Council Meeting 7:30 pm Early Voting 7-7	29	30		

**II. Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

Agenda Section	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
Section Number	II
Subject	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	NA
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.
Action	NA

### **III. cITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

Agenda Section	cITIZEN COMMENTS ON MATTERS NOT ON AGENDA
Section Number	III
Subject	cITIZEN COMMENTS ON MATTERS NOT ON AGENDA
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	NA
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	If you wish to address the City Council on a matter not posted on this agenda, please fill out a " Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to a total of thirty (30) minutes.
Action	NA

#### **IV. Consent Agenda**

Agenda Section	Consent Agenda
Section Number	IV.A
Subject	City Council Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
January 14, 2020, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Rice called the meeting to order at 6:00 p.m. Council members Jim Hemby, Mike Hurst, Craig Overstreet, Dwain Mathers and Donny Mason were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Kim Morris, Rick Ranspot, Paula Jackson, Daphne Hamlin and City Attorney Alan Lathrom were also present.
- Prayer was led by Kim Morris, Fire Chief for the City of Farmersville, followed by the pledges to the United States and Texas flags.
  - Calendar of upcoming holidays and meetings.
  - City Hall will be closed on Monday, January 20<sup>th</sup> in observance of Martin Luther King, Jr. Day.
  - The first day to submit an application for the May City Council election will be Wednesday, January 15<sup>th</sup>. Application packets can be picked up at City Hall.
  - A free Skywarn training session will be held at the Collin College Conference Center on Saturday, January 18<sup>th</sup> at 8:30 a.m.
    - Mayor Rice also stated that the Collin County Citizens Prosecutor's Academy deadline for registration would be January 15<sup>th</sup> and he highly recommended the program.

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

- No one came forward.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- No one came forward.



#### **IV. CONSENT AGENDA**

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- A. City Council Minutes
- B. Police Department Report (OpenGov)
- C. Code Enforcement/Animal Control Report (OpenGov)
- D. Fire Department Report (OpenGov)
- E. Municipal Court Report (OpenGov)
- F. Warrant Officer Report (OpenGov)
- G. Public Works Report
- H. Library Report (OpenGov)
- I. City Financial Report
- J. City Manager's Report

- Mike Hurst wanted to pull the City Manager's Report.
  - Motion to approve items A-I made by Jim Hemby
  - 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor
- Mike Hurst wanted an update regarding the progress of filling the position for the Building Official.
- Ben White stated since the title was changed to Building Official the city received more applications. He explained that we have interviewed someone for the position and a follow up interview will be soon.
  - Motion to approve the City Manager's Report made by Mike Hurst
  - 2<sup>nd</sup> to approve was Craig Overstreet
  - All council members voted in favor

#### **V. INFORMATIONAL ITEMS**

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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. Financials
  - 3. Possible Council Liaison Report
    - Dwain Mathers stated there was no quorum.
- C. Farmersville Economic Development Board (Type A)
  - 1. Financials
  - 2. Possible Council Liaison Report
- D. Main Street Board
  - 1. Annual Report
  - 2. Possible Council Liaison Report
    - Donny Mason stated he was out of town.
- E. Planning & Zoning Commission
  - 1. Possible Council Liaison Report
    - Craig Overstreet stated they last meet on Dec. 16<sup>th</sup> and they had a public hearing on the Tran 557 Addition that the City Council would hear later on the agenda.
- F. TIRZ Board
  - 1. Financials
  - 2. Possible Council Liaison Report

## VI. PUBLIC HEARING

- Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0114-001 regarding a text amendment to Chapter 77, "Comprehensive Zoning Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend various provisions of said Chapter which regulate the building products, materials or methods used in the construction or renovation of residential or commercial buildings to bring such provisions into conformity with new state laws adopted by and through House Bill 2439.
  - Ben White stated the Planning & Zoning Commission did review the changes and approved them. He recommended approval so the Zoning Ordinance would become compliant with state law.
  - Mayor Rice opened the public hearing at 6:12 p.m. and asked if anyone wanted to speak for or against the item.
  - No one came forward so he closed the public hearing at 6:12 p.m.
  - Mayor Rice read the caption of the Ordinance.  
**AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS,  
AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE  
CITY OF FARMERSVILLE, AS HERETOFORE AMENDED, THROUGH  
THE AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING  
SECTION 77-29, "DEFINITIONS," TO MODIFY THE DEFINITIONS OF  
"BUILDING" AND "STRUCTURE" AND ADD DEFINITIONS FOR THE  
PHRASES "HISTORICALLY SIGNIFICANT AREA" AND  
"SIGNIFICANTLY IMPORTANT BUILDING," AMENDING SECTION 77-  
51, "NON-CONFORMING USES AND STRUCTURES," BY AMENDING  
PARAGRAPHS (c) AND (d) THEREOF TO RECOGNIZE ADDITIONAL  
REQUIREMENTS APPLICABLE TO STRUCTURES LOCATED IN A  
HISTORICALLY SIGNIFICANT AREA OR WHICH ARE A  
SIGNIFICANTLY IMPORTANT BUILDING, AMENDING SECTION 77-66,  
"ACCESSORY BUILDING REGULATIONS," BY AMENDING  
PARAGRAPH (b)(6), "OTHER REGULATIONS," TO RECOGNIZE  
ADDITIONAL REQUIREMENTS APPLICABLE TO STRUCTURES  
LOCATED IN A HISTORICALLY SIGNIFICANT AREA OR WHICH ARE  
A SIGNIFICANTLY IMPORTANT BUILDING, AMENDING SECTION 77-  
67, "EXTERIOR CONSTRUCTION STANDARDS FOR STRUCTURES,"  
BY RELETTERING PARAGRAPHS (a) THROUGH (i) AS PARAGRAPHS  
(b) THROUGH (j) AND INSERTING A NEW PARAGRAPH (a) TITLED  
"RESTRICTIONS ON EXTERIOR BUILDING MATERIAL**

**REGULATIONS,” AND, AMENDING SECTION 77-73, “EXTERIOR LIGHTING,” BY RELETTERING PARAGRAPHS (a) THROUGH (e) AS PARAGRAPHS (b) THROUGH (f) AND INSERTING A NEW PARAGRAPH (a) TITLED “RESTRICTIONS ON EXTERIOR LIGHTING REGULATIONS” TO BRING ALL OF SAID PROVISIONS INTO CONFORMITY WITH NEW STATE LAWS ADOPTED BY AND THROUGH HOUSE BILL 2439, ALL AS SET FORTH HEREIN BELOW; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

- Motion to approve made by Craig Overstreet
- 2<sup>nd</sup> to approve was Jim Hemby
- All council members voted in favor

- B. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding requested variances from the City’s Subdivision Ordinance that require the proposed Tran 557 Addition to construct certain off-site public improvements as are needed to fully serve the property including (1) water lines and other appurtenant improvements required to provide the water volumes and flows sufficient for both domestic and fire-flow uses, (2) connections and sewer lines together with all other appurtenant improvements to the City’s wastewater system required to allow the subdivision to tie in to the City’s wastewater system, and/or (3) roadway improvements; and, consider, discuss, and act upon a recommendation to the City Council regarding the minor plat for the Tran 557 Addition as well as a proposed ETJ Facilities Agreement addressing the variances requested for the Tran 557 Addition.
- Mayor Rice opened the public hearing at 6:17 p.m. and asked if anyone wanted to speak for or against the item.
  - No one came forward so he closed the public hearing at 6:17 p.m.
  - Alan Lathrom stated the Council would need to approve the plat together with the Facilities Agreement that addresses some of the issues laid out in the letter from DBI Engineering.

- Craig Overstreet stated it does come with a recommendation from the Planning & Zoning Commission and the ETJ Facilities Agreement has been signed by the owners of the property.
  - Motion to approve the plat and Facilities Agreement made by Mike Hurst
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

## VII. READING OF ORDINANCES

A. Consider, discuss and act upon the first reading of Ordinance #O-2020-0114-002 granting an exception to the "inscription requirements" for city-owned vehicles.

- Chief Mike Sullivan stated he was unaware of this requirement and it is state law.
- Mayor Rice stated that all city vehicles have to have markings on them unless the exception is granted.
- Chief Sullivan explained that he does not believe other agencies know about the requirement because only a few have adopted the exception.
- Mayor Rice stated if the police officers drive the cars without the markings there could be a penalty. He explained that every time they drive a car on the street that is not properly marked it could cost a fine of \$100.00.
- Chief Sullivan stated he just wanted to make sure the law was being followed.
- Mayor Rice read the caption of the Ordinance.

**AN ORDINANCE GRANTING AN EXCEPTION TO THE "INSCRIPTION REQUIREMENTS" OF TEXAS TRANSPORTATION CODE § 721.004 FOR CERTAIN CITY-OWNED VEHICLES USED TO PERFORM AN OFFICIAL DUTY OF THE FARMERSVILLE POLICE DEPARTMENT; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

- Motion to approve made by Craig Overstreet
- 2<sup>nd</sup> to approve was Mike Hurst
- All council members voted in favor

## **VIII. REGULAR AGENDA**

- A. Consider, discuss and act upon presentation from SHG Land Investments of Farmersville, Ltd. regarding new project and incentives.
- Mayor Rice stated this item would be postponed until the next meeting.
- B. Update from Fire Department regarding Crisis Management Program.
- Chief Kim Morris stated that last year Mr. Brigandi was allowed by Council to form the Crisis Management Program and he was in attendance to give an update.
  - Mr. Brigandi stated they completed their first year as the newly formed unit. They have responded to 16 calls for services resulting in 84 citizens in the state being served. Four of the more challenging calls for service included a pediatric homicide, a line of duty death of a police chief, a fire lieutenant, two children and the perpetrator of the incident, three separate calls to assist suicidal firefighters from agencies in Texas, and the fatality car crash that took the lives of four Community High School students in Nevada. While the calls were challenging, he stated he was inspired and wants to take the program to the next level. He wants to add additional trained crisis counselors to his team and take the time to make them all more available to the surrounding areas once they have more people trained to serve. Calls for services has taken them to Johnson, Ellis, Dallas, and Hunt counties. They have been approached by fire departments in Grayson and Hunt counties to provide behavior health mutual aid when needed. He explained that other agencies are wanting to partner with them or calling to see how to start their own program. He thanked each of the Councilmembers for making the program possible. He explained that they always tell the people they provide service to that they are there on behalf of and because of the citizens of Farmersville. He also thanked Chief Morris and Chief Sullivan for their support.
  - Craig Overstreet asked how many people are involved in the program currently.
  - Mr. Brigandi stated there were three providers right now. He explained that he and Mrs. Brigandi are licensed professional counselors trained and board certified in crisis and another member is Mike Hudson. He is assisting with EMS coordination, has 40 years' experience as a paramedic and is currently in school for counseling.
  - Craig Overstreet stated it was very warming to hear of the number of people they assisted last year.

- C. Consider, discuss and act upon Resolution #R-2020-0114-001 regarding a Memorandum of Understanding between the City of Farmersville Fire Department and the City of Princeton Fire Department.
- Chief Kim Morris stated we have mutual aid agreements already with all nearby cities and we all respond if we are called, but automatic aid is different. He explained it would allow Princeton to come immediately and be dispatched at the same time as Farmersville. He stated they also needed this for the ISO 2 rating as well.
  - Craig Overstreet asked what the legal ramifications would be if the city was limited from being dispatched on a structure fire.
  - Alan Lathrom stated there was no obligation. He stated it would be up to the chief to decide if we have the equipment and support necessary to dispatch that equipment automatically.
  - Chief Morris explained that the county dispatchers would automatically dispatch Princeton at the same time they dispatch the City of Farmersville.
  - Mayor Rice stated it gives the advantage of minutes on a call.
  - Chief Morris stated there was a structure fire last week and it worked then. A lot of the structure was saved.
    - Motion to approve Resolution and the Memorandum of Understanding made by Donny Mason
    - 2<sup>nd</sup> to approve was Jim Hemby
    - All council members voted in favor
- D. Consider, discuss and act upon an interlocal agreement with Collin County for Ambulance Services.
- Ben White stated the agreement comes up every year. It was originally effective in 2018 and we are in the second year of the renewal. He recommends payment for this in the amount of \$27,036.55. We would pay it in four payments of \$6,759.14.
  - Alan Lathrom stated the contract was a one year contract with an additional four years of renewals.
    - Motion to approve made by Craig Overstreet
    - 2<sup>nd</sup> to approve was Donny Mason
    - All council members voted in favor
- E. Update regarding boundary agreements.
- Ben White stated we are trying to establish a meeting with the City of Josephine. Mayor Holt wanted time to discuss with his engineer's and Council before the information is formally presented by the City of

Farmersville. He stated we are trying to set something up with the City of Blue Ridge as well.

- Craig Overstreet asked what cities were involved with the boundary agreements.
- Ben White explained the City of Josephine, City of Nevada, City of Blue Ridge and the City of Princeton are Farmersville's neighboring cities. He stated the City of Nevada and Princeton had already signed the agreements.

#### **IX. EXECUTIVE SESSION**

- Mayor Rice read the statement below and said the Council would go in to Executive Session at 6:39 p.m.

Discussion of matters permitted by Texas Government Code Chapter 551 as follows:

##### **A. Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:**

1. Consultation with City Attorney regarding mediation or contemplated litigation with United States Department of Justice concerning ADA.

#### **X. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTION 551.072 OF THE TEXAS GOVERNMENT CODE.**

- Mayor Rice stated the Council would reconvene from Executive Session at 7:07 p.m.
  - Motion to move forward with mediation in regards to ADA compliance made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

#### **XI. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- Craig Overstreet wanted an item about U.S. Highway 380 and State Highway 78 on the agenda.
- Donny Mason wanted an update on Hamilton Street.

#### **XII. ADJOURNMENT**

Meeting was adjourned at 7:09 p.m.



APPROVE:

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Jack Randall Rice, Mayor

ATTEST:

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Sandra Green, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	Police Department Annual Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	Annual Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> </ul> <p>No motion, no action</p>



Farmersville Police Department  
134 North Washington Street  
Farmersville, TX 75442  
972-782-6141

## Farmersville Police Department ANNUAL REPORT 2019

Total Calls For Service: **6,028**

### Tier 1 Crimes

Robbery: **0**  
Assault: **22**  
Theft: **32**  
Burglary: **17**  
Motor Vehicle Theft: **5**

### Tier 2 Crimes

Forgery: **5**  
Fraud: **7**  
Criminal Mischief: **20**  
Weapons: **2**  
DWI: **24**  
Public Intoxication: **16**  
Disorderly Conduct: **1**  
Drugs: **21**

### Miscellaneous

Traffic Stops: **1,817**  
Citations: **911 (1,029 violations)**  
Alarms: **120**  
Major Accidents: **58**  
Minor Accidents: **67**  
Agency Assist: **364**

### Cases filed with the District Attorney's Office:

Felony: **37**  
Misdemeanor: **46**



## CRIME STATISTICS 2019

Overview of crime statistics between 2018/2019 revealed minor increases and decreases in overall categories. We've consistently seen a rise for calls for service, Tier 2 crimes, and alarm response. The remaining categories are generally consistent +or- within acceptable historic norms. We attribute some of these increases to the up-tick in growth our area has experienced and expect that will continue to increase as levels of service demand and as the community continues to grow. We are encouraged by our levels of case filings with the District Attorney's office, which we believe has a direct correlation in mitigating community crime issues.

Date	Call for Service	Tier 1 Crimes	Tier 2 Crimes	Traffic Stops	Citations	Violations	Major Accidents	Minor Accidents	Alarms	Agency Assist
Totals 2012	4,948	135	83	1,896	981	1,238	25	44	90	199
Totals 2013	5,066	162	156	2,199	793	1,012	26	81	85	233
Totals 2014	5,595	141	106	2,685	1,047	1,288	12	76	70	274
Totals 2015	4,685	113	102	1,951	801	956	13	70	106	392
Totals 2016	5,605	94	92	2,626	1,311	1,504	24	72	100	389
Totals 2017	5,763	94	78	2,798	1,275	1,457	10	71	96	382
Totals 2018	5,784	67	77	1,950	819	948	56	76	109	448
<b>Totals 2019</b>	<b>6,028</b>	<b>56</b>	<b>160</b>	<b>1,817</b>	<b>911</b>	<b>1,029</b>	<b>58</b>	<b>67</b>	<b>120</b>	<b>364</b>

**CRIME STATISTICS 2019**

**Breakdown by Category:**

Assaults	31	Felony (11)	Misdemeanor- (20)	(30 of the 31 assaults reported involve family violence offenses)
Theft	32			
Burglary	17	Residential (1)	Building (6)	Motor vehicle (10)
Motor Vehicle Theft	5	(4) Motor Vehicles (1) Boat	(all but one vehicle was recovered)	
Forgery	5			
Fraud	7			
Criminal Mischief	20			
Weapons	2			
DWI	24			
Public Intoxication	16			
Disorderly Conduct	4			
Drugs	21			

Respectfully Submitted,

Michael P. Sullivan  
Chief of Police



## **FARMERSVILLE POLICE DEPARTMENT**

134 North Washington Street  
Farmersville, Texas 75442  
972-782-6141  
Fax 972-782-7693

### **Annual Analysis of Accidents and Injuries 2019**

There was (2) reportable accidents and (0) injuries for 2019.

The week of 10/21 to 10/25/2019 was a tough week for Chief Sullivan more specifically, his assigned vehicle. On 10/21/2019 while traveling to work a large turkey buzzard flew up in front of his vehicle and struck the front hood. Subsequently, a medium size dent was discovered on the front edge of the hood. The damage was repaired locally w/o insurance.

On 10/25/2019 Chief Sullivan was backing out of his driveway to catch a flight for an out of town conference when he struck the front of his personal truck. This was completely Chief Sullivan's fault. The repairs to Chief Sullivan's assigned vehicle was reported to insurance but Chief Sullivan personally covered the cost of the City deductible. There was no cost to the city for the repairs rendered.

I found no incidents or issues in regards to accidents and/or injuries that cause me concern.

Respectfully,

M.P. Sullivan  
Chief of Police



## **FARMERSVILLE POLICE DEPARTMENT**

134 North Washington Street

Farmersville, Texas 75442

972-782-6141

Fax 972-782-7693

### **Annual Analysis of Pursuits 2019**

January 16<sup>th</sup>, 2019 @ 12:00 a.m.: Pursuit initiated by Officer Maggie Olvera in response to an unknown disturbance call at the Shell Station 1806 Audie Murphy Parkway. After the pursuit review by Supervisor, it was determined that the pursuit did not fall within department policy and procedures. This was Officer's Olvera first ever initiated pursuit to date. Based on the departments discipline continuum; Officer Olvera was issued and received an oral and written counseling in regards to initiating a pursuit.

Respectfully,

Michael P. Sullivan  
Police Chief



## **FARMERSVILLE POLICE DEPARTMENT**

134 North Washington Street  
Farmersville, Texas 75442  
972-782-6141  
Fax 972-782-7693

### **Annual Analysis Use of Force 2019**

There were (4) use of force incidents for 2019.

**05/04/2019:** Officer Wallace and Princeton Officer was dispatched to a domestic disturbance. Upon arrival, officers encountered a juvenile subject who had assaulted and threatened family members. Said Juvenile subject is diagnosed as paranoid schizophrenic and not taking her medication. Officers attempted to detain said juvenile for medical/mental evaluation when she resisted detention. During the course of subject resistance, subject kicked the Princeton officer twice in the face and continued to resist as officers until she was physically overpowered and placed in custody. The Princeton Officer did suffer injuries to his face and was treated on scene by EMS.

**07/18/2019:** Sergeant F. Gonzalez and Officer W. Redding were affecting a felony arrest warrant and had hand-cuffed the subject. Subsequently, the subject fled on foot away handcuffed from the officers. Officers gave chase and during the course of the foot pursuit, deployed a Taser in order to stop the suspect from fleeing. The Taser prongs didn't make contact with the subject but the subject fell to the ground and was recaptured by the officers. Upon policy review, it was determined that we had a prohibition against using a Taser under these circumstances and therefore, both Officer's received a documented oral counseling-consistent with the continuum of discipline spelled out in policy. There were no injuries to the officers and/or subject in this incident.

**11/21/2019:** Officer Wallace was dispatched to a single vehicle accident on FM 2194 at Main St. Subsequently, EMS arrived on scene and in attempt to check the subject welfare, the subject began resisting and would not exit his vehicle. The subject continued to resist Officer Wallace and would not exit the vehicle. Officer Wallace was struggling in getting the subject from the vehicle and pulled his Taser and sparked tested it to emit the Taser sound. Shortly thereafter, Collin County Deputies Jeffcoat and Richardson arrived on scene to help Officer Wallace. The subject continued to fight and resist officers and Deputy Jeffcoat then deployed pepper-spray on



the subject. Officers were then able to remove the subject from the vehicle and he was placed into custody without further incident. Although, Officer Wallace deployed his Taser for sound, the Taser prongs were not deployed.

**12/11/2019:** Officer W. Redding was attempting to stop a subject for speeding and many other traffic infractions while the subject was trying to evade the officer and subsequently parked the vehicle and ran on foot to a house. Refusing commands to stop and continuing to run, officer Redding drew and pointed his service revolver at the subject and continued to give commands for the subject to stop. The subject then complied, stopped, and was placed into custody. Subsequently, it was discovered that the subject was required to have an interlock device due to a previous DWI and the vehicle he was operating had no such device. The subject was charged with DWI/Open container.

After review, beyond the aforementioned use of force on 07/18/2019 involving Sergeant Gonzalez and Officer Redding, subsequent corrective action taken, I found no patterns and/or issues of concern to address in our use of force continuum.

In light of the aforementioned incident as it pertains to a policy violation, the variables and danger to deploying a Taser on a running handcuffed subject versus not and the subject becomes injured by his own actions...doesn't place the officer's in a good place. On one hand do we deploy the Taser to keep further injury to the subject or officers or do we continue to pursue a handcuffed subject? In this case, the Taser prongs didn't make contact and...there is not a prohibition against using a Taser against a handcuffed subject but there must be specific criterion in order to do so, this incident didn't meet that criterion.

The department will continue to train and utilize all available resources to limit our use of force interactions.

Respectfully,

M.P. Sullivan  
Chief of Police

Agenda Section	Consent Agenda
Section Number	IV.C
Subject	City Financial Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	City Financial Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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## MEMO

To: Benjamin White, City Manager  
From: Daphne Hamlin, City Accountant  
Date: January 23, 2020  
Subject: December 2019 Budget Report

*New Software for Financial Reporting is available for review on the City website.  
[www.farmersvilletx.com](http://www.farmersvilletx.com). Press OpenGov button ;> Press Stories button at the top under City logo;  
Press City of Farmersville December 2019 Financial Report.*

### Cash Summary

The cash summary is attached.

# SUMMARY OF CASH BALANCES DECEMBER 2019

ACCOUNT: FNB (0815)

	Interest Earned	Restricted	Assigned	Account Balance
<b>Clearing Accounts</b>				
General Fund			\$ 376,895.97	
Permit Fund			\$ (45,793.40)	
Refuse Fund			\$ 17,748.92	
Water Fund			\$ (248,705.69)	
Wastewater Fund			\$ 569,035.40	
Electric Fund			\$ (615,687.77)	
CC Child Safety		\$ 20,453.94		
2012 Bond		\$ 11,725.79		
Waterwaste Bond Fund		\$ (90,628.57)		
Law Enf Training		\$ 1,874.31		
Disbursement Fund		\$ 2,143.33		
Library Donation Fund		\$ 2,522.79		
Court Tech/Sec		\$ 17,127.13		
Civic Ctr/Library Repair		\$ (26,498.35)		
JW Spain Grant		\$ 46,663.38		
Rike St. Grant		\$ (93,610.22)		
Radio Note		\$ 6,082.79		
Chapparal Grant/Safe Route To School/Sewer/Sidewalk		\$ (41,383.58)		
CC Bond Farmersville Parkway		\$ 180,000.86		
CC Bond Floyd		\$ (49,667.75)		
Equipment Replacement		\$ 5,322.29		
Interest Earned	\$ 357.90			
<b>TOTAL:</b>	<b>\$ 357.90</b>	<b>\$ (7,871.86)</b>	<b>\$ 53,493.43</b>	<b>\$ 45,621.57</b>
<b>Debt Service Accounts</b>				
County Tax Deposit (FNB 0807)(Debt Service)	\$ 363.06	\$ 356,073.14		
Debt Service Reserve (Texpool 0014 ) (2 months rsv )	\$ 580.85	\$ 514,663.59		
<b>TOTAL:</b>	<b>\$ 943.91</b>	<b>\$ 870,736.73</b>		<b>\$ 870,736.73</b>
<b>Appropriated Surplus Investment Accounts</b>				
Customer meter deposits (Texpool 0008)	\$ 156.06	\$ 113,401.18		
Water Dev. Board (Texstar 1110)	\$ 1,708.45	\$ 1,177,566.59		
2019 C/O Street ( Texstar 0190)	\$ 2,359.86	\$ 1,778,614.41		
Listcon Escrow(Texstar 0300)	\$ 201.55	\$ 151,930.86		
Summit Property Sewer Escrow (fmb 231)	\$ 22.67	\$ 16,642.07		
2012 G/O Bond, streets, water, wastewater (Texstar 0120 )	\$ 1,521.31	\$ 1,146,623.07		
<b>TOTAL:</b>	<b>\$ 5,969.90</b>	<b>\$ 4,384,778.18</b>	<b>\$ -</b>	<b>\$ 4,384,778.18</b>
<b>Unassigned Surplus Investment Accounts</b>				
Gen Fund Acct. (Texpool 0004)( Reso. 90 Day Reserve)	\$ 1,194.39	\$ 866,700.00		
Water/WW Fund (Texpool 0003)(Operating 90 day)	\$ 556.19	\$ 395,034.62		
Water/WW Fund (Texpool 00017)(Capital)	\$ 454.61	\$ 330,333.72		
Elec. Fund (Texpool 0005) (Operating)	\$ 68.90	\$ 50,000.00		
Elec. Fund (Texpool 0016)(Capital)	\$ 464.59	\$ 337,595.34		
Elec. Surcharge (Texpool 0015)	\$ 175.40	\$ 127,444.05		
Money Market Acct. (FNB 092)	\$ 9.42		\$ 73,920.80	
<b>TOTAL:</b>	<b>\$ 2,923.50</b>	<b>\$ 2,107,107.73</b>	<b>\$ 73,920.80</b>	<b>\$ 2,181,028.53</b>
<b>Contractor Managed Accounts Nonspendable</b>				
NTMWD Sewer Plant Maint. Fund	\$ -			
<b>TOTAL APPROPRIATED SURPLUS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL CASH &amp; INVESTMENT ACCOUNTS</b>	<b>\$ 7,354,750.78</b>	<b>\$ 127,414.23</b>	<b>\$ 7,482,165.01</b>	

## SUMMARY OF CASH BALANCES DECEMBER 2019

FEDC 4A Board Investment & Checking Account					
FEDC 4A Checking Account(Independent Bank 7909)	\$	3.65	\$	102,557.96	
FEDC 4A Investment Account (Texpool 0001)	\$	1,468.36	\$	1,066,957.57	
FEDC 4A Certificate of Deposit (Independent Bank)	\$	1,558.22	\$	500,000.00	
<b>TOTAL:</b>	<b>\$</b>	<b>3,030.23</b>	<b>\$</b>	<b>1,669,515.53</b>	<b>\$ - \$ 1,669,515.53</b>

FCDC 4B Board Investment & Checking Account					
FCDC 4B Checking Account (Independent Bank 3035)	\$	8.33	\$	210,621.75	
FCDC 4B Investment Account (Texpool 0001)	\$	474.59	\$	344,844.16	
<b>TOTAL:</b>	<b>\$</b>	<b>482.92</b>	<b>\$</b>	<b>555,465.91</b>	<b>\$ - \$ 555,465.91</b>

TIRZ Account					
County Tax Deposits (FNB 01276)	\$	177.26	\$	129,410.23	
TIRZ Texpool Account ( )	\$	435.76	\$	316,626.43	
<b>TOTAL:</b>	<b>\$</b>	<b>613.02</b>	<b>\$</b>	<b>446,036.66</b>	<b>\$ - \$ 446,036.66</b>

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:

Daphne Hamlin  
Daphne Hamlin, City Investment Officer

10-2019 NCTCOG - Public Funds Inv Act.

## **V. Informational Items**

Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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Agenda Section	Informational Items
Section Number	V.B
Subject	Farmersville Community Development Board (Type B)
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	1. Minutes 2. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote               <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____               <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**CITY OF FARMERSVILLE  
FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION MINUTES  
DECEMBER 19TH 2019, 6:30 P.M.  
COUNCIL CHAMBERS, CITY HALL  
205 S. Main Street**

**CALL TO ORDER**

The Farmersville EDC met in regular session on December 19th, 2019 at 6:30 p.m. in the City Hall Council Chambers with the following board members present: Jason Lane, Bob Collins, Diane Piwko, Robbie Tedford and Randy Smith. Special guest recognized Councilman Mike Hurst, Ben White City Manager, and Daphne Hamlin City Accountant

**RECOGNITION OF CITIZENS AND VISITORS**

No visitors

**PUBLIC COMMENT**

No Comments

**RECEIVE UPDATE ON COLLIN COLLEGE/STAFFING/COURSES/ECONOMIC IMPACT**

Mr. White updated the board with a handout – building size is 52,000 square feet air conditioned. Basic focus is Associates Degree in Science and Arts. There will be 30 different courses offered. Core, Supply Chain, Logistics, Marketing, Applied Science, Computer Systems, Management. Number of Staff will be 35 plus 25 part time. Economic impact no information as of today. February 2014, article "Where Value Meets Value" an article on impact of Community Colleges:

***"Dividing the benefits to taxpayers by the amount that they paid to support the colleges yields a 6.8 benefit-cost ratio, i.e., every \$1 in costs returns \$6.80 in benefits. In other words, taxpayers fully recover the cost of the original investment and also receive a return of \$5.80 in addition to every dollar they paid. The average annual internal rate of return for taxpayers is 14.3%."***

Mr. White stated for around \$1,000 we can have a report professionally prepared economic analysis. Also, worth noting called and talked with Jason Greener with Wylie Economic Development mentioned 4 out of their top 6 sales tax generating areas in Wylie are apartments. It's due to people shopping in local area. Dr. Matkin stated that there is an economic impact study it was done on one of the campus.

Will share with board once received. Ground breaking ceremony happened December 6<sup>th</sup>, 2019, very nice event. Construction is underway main focus is on foundation preparation, stabilizing soil. Farmersville Electric ready to install temporary electric once we get the go ahead from the College. Waiting on exact easement. On East Side of Campus is a petroleum pipe line and North Texas Line currently a debate of exactly where everything is at. Mr. Lane stated he has a GIS map of all the gas lines on Texas New Mexico. DBI moving forward on developing engineer plans for Farmersville Parkway. Large customer electrical rate agreement almost complete. Mr. Smith asked about Farmersville Parkway engineering when will it be completed. Mr. White bids going out first quarter 2020. Mr. Smith asked about 35 employees will it be just the first building. Mr. White stated yes first building.

### **RECEIVE UPDATE ON CONCRETE FACILITIES**

Mr. White stated Reliable continues with construction. Finishing up electrical and plumbing. Once complete they will start up plant. 12 inch water line complete that TIRZ invested in. Nelson Brothers completed annexation paperwork. Martin Marietta no change. TCEQ denied permit and denied appeal. Working on resubmission second pass permit currently

### **RECEIVE UPDATE ON SALES TAX REPORT**

Included in paperwork is a graph. In the past 6 months an upward tick previously downward turn. CMC (Consolidated Metals) has taken over from Gerdau, AFI is improving, and both are boding well for our City.

### **RECEIVE UPDATE REGARDING INFRASTRUCTURE/INFILTRATION ISSUES**

In our water capacity area we are in good shape. 22% capacity for storage, 42% capacity for pumping, 66% for production. North Texas can deliver more when we ask for it. Next pumping capacity fairly easy to increase. Double our capacity no problem. In good shape on water we can currently add 1,600 connections. Just one large development away from needing more capacity. My recommendation would be to increase one of our facilities Mrs. Piwko stated in the City Manger's report regarding realigning water tower with a cost of 100K. Should we consider? Mr. White stated we need to get on it as soon as I can afford. Cannot use impact fees. Need to make money in water account to rehab. Look at what's critical may need to replace is aging galvanized lines ahead of this. It is a big ticket item but have other needs. Mrs. Piwko stated just concerned it has been an issue for a long time just don't want to get into a critical situation. Mr. White said it is inspected every year.

Wastewater City is part of a SSOI program. Several things associated with it in the graph it shows we busted our limits during infiltration episodes. But if you take the average of what is going on we have 755,000 gallons a day capacity, but we us ½ of that average. All about infiltration listed on of the projects are JW Spain, Farmersville Parkway, Washington Street repair are ahead of this project.

Regarding City Streets we receive complaints every day. TIRZ is focused on street projects. TIRZ is financing Collin College project. May also support Farmersville Parkway East of Collin College the 5 to 1 match. Also possible TIRZ may be funding interface Highway 380 project especially Raymond Street. Looking into improving interfaces in the TIRZ Zone. When you come into Farmersville you don't want to be greeted by pot holes. TIRZ is also working on internet study. Mrs. Piwko asked did the debrief happen last week. Mrs. Piwko asked if we could review on line. Mr. White stated you can but really like to complete before releasing. Feel like it is too preliminary at this point.

Electric – purchased substation. Executing plan to move substation to the East to support future growth a 2 to 3 year plan. Supporting service to Collin College long term plan have back up and more reliable service all of Farmersville and College. Mr. Collins the retention ponds who is specifying is it the City? Mr. White state we have a requirement how big it has to be.

Storm water as we grow this will become a bigger item, need to have a plan. You can receive impact fees from storm water

Mr. White stated we can handle growth we have engineering plans, would take a little over a year to get up and going. Mrs. Piwko SSOI program thought it was a time limit of 7 to 10 years we have to get out. Mr. White stated he keeps it alive.

Mr. White stated we are in good shape just need to watch wastewater. Have an aging transformer need to concentrate on building new substation. Mr. Smith asked on the chart in the green line is that plant 2 is that actually plant 2 or plant 1 and 2 combined. Mr. White stated that is the old limits. But with both plants together should go up to .755. Mr. Smith said that should be doable. Mr. White stated has a problem with plant one with trickling filter. Just letting it weigh out. TCEQ take a 90% and 75% number go over so many time. Mrs. Piwko asked about Scada. Mr. White stated Scada at the wastewater treatment plant and 2 other lift stations. Getting rid of 3 old lift stations on west side. East side removing 3 small lift stations replacing with like lift station with scada. Hoping to have enough funds available to repair Floyd Lift Station. Mr. Smith asked about other subdivisions coming into the City. Mr. White stated not that would impact this wastewater. Mrs. Piwko asked if Palladium has open house. Mr. White stated Chamber would probably be the ones to contact of that. Mr. Smith asked concrete batch plants if all 3 came on line would that have impact on water. Mr. White stated he has a lot of capacity we can go 5 time more than what we are doing today.

#### **RECEIVE UPDATE ON EDC ROUNDTABLE**

Mr. White stated not in any position to discuss not really any news to give.

#### **RECEIVE UPDATE ON GRANT LOAN PROGRAM FOR BUSINESSES**

Mrs. Piwko stated we can do it if we have an economic reasons. Mr. Tedford it's more for new business or expanding business, more employees. Mr. Smith stated what about retaining jobs. Mr. Tedford that is not the way the Attorney advised.

Mrs. Piwko asked if we can do something physical as a lien against the building have some type of way to get our money back within a year or two. Mr. Smith normally not much equity. Mr. Smith said lien would be extinguished with foreclosure.

Mr. Collins stated we use to grant for increase in sales tax in return. Mr. Collins stated we are not in the business of giving loans. Mrs. Piwko stated see helping small business owners. Mr. Collins stated it is not our job to make sure someone survives. Mr. Lane stated he sees an interest in doing this but not going to be able to resolve this issue today. Mr. Smith said he spoke to the director of Anna where they set up program revolving loan program. USDA. Mrs. Piwko state she initially brought this up to preserve our historic Downtown fire suppression. Mr. Lane asked to table and would be interested in the contact with Anna and Ben has contact in Wylie.

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

- o Motion made by Mr. Tedford to approve November 2019 financials as submitted, second by Mrs. Piwko. Motion passed all in favor.

#### **CONSIDER, DISCUSS AND ACT UPON MEETING MINUTES FOR NOVEMBER 21<sup>ST</sup> 2019**

- o Motion to defer minutes to next meeting all in favor

#### **CITY MANAGER REPORT**

Lake Haven has 15 million dollars, starting by building a certain number of homes. Phase in, will not be sacrificing the design of the wastewater plant.

Camden Park Phase III continues, contracted to build 40 homes

Palladium delay opening due to no internet service.

City Broadband – survey is complete. Received analysis. The Tirz Board received their first briefing from Texas A&M Commerce.

Thoroughfare Plan and land use map (hand out) IPO for the agreed to price of \$30k scope of service thoroughfare plan - asked to lay out trails and bike corridors as well. Agreed to do as part of the original 30K. These two items are core to the City. Completing March time frame.

#### **REQUESTS TO BE PLACED ON FUTURE AGENDAS**

Bids for Farmersville parkway

Schedule for funding proposal update with county matching funds transportation project. (City Manager update) Collin College Parkway.

**ADJOURNMENT**

On a motion from with a second from Mr. Tedford meeting was adjourned at 7:29p.m.

ATTEST:

APPROVE:

  
\_\_\_\_\_  
Diane C. Piwko, Secretary

  
\_\_\_\_\_  
Jason Lane, Chairman

Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	<ol style="list-style-type: none"> <li>1. Minutes</li> <li>2. Possible Council Liaison Report</li> </ol>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



## **FARMERSVILLE MAIN STREET BOARD MINUTES**

**December 9, 2019**

**4:30 P.M. Farmersville City Hall**

**205 S. Main St. Farmersville, TX 75442**

### **I. PRELIMINARY MATTERS**

**Call to order.** The meeting of the Farmersville Main Street Board, was called to order at 4:31 p.m. by Mrs. Doris Cooks, President.

**Roll Call:** Board Member Billie Goldstein, called the roll. The following board members were present: Allison Mathers, Diane Piwko, Doris Cooks, Billie Goldstein and Katherine Hershey. President Cooks reported a quorum. City Secretary, Sandra Green was in attendance due to Main Street Manager out ill.

**Recognition of visitors:** President Cooks welcomed the visitors.

**Treats for Tatum update:** The event is scheduled for December 13, 2019 from 9:00 am until 2:00 p.m. at the gazebo. We are expecting 250 students, serving cookies and juice (maybe). The principal asked that we do not serve hot chocolate. The tree is up for the kids to add their decorations. Billie Goldstein will bring décor for the table.

### **II. PUBLIC COMMENT**

There was a public comment from Gwen Snyder, owner of The Ville Studio, downtown. She is excited about the new initiative from the board, concerning cultural arts. She had an event in October showcasing art with over 200 people in attendance over the two day event, it was a great turnout. On December 20<sup>th</sup>, the Farmersville High School will have an art show with a private reception for the friends and family, from 7-9 pm. The event will be open to the public as well, on December 21<sup>st</sup> from 11-4 pm. She has schedule another public event January 11, 2020 from 11-4 pm.

In regards to the downtown window art that some businesses tend to add. She suggested the recommendation to the downtown merchants to utilize Farmersville high school students to complete the projects. The only thing needed is to provide art supplies for them to use. One can coordinate through the school's art department. Future planning for the studio involves working with Texas A & M Commerce to bring some of their performing arts events to Farmersville. The plan is to have something special for the city, along with a photography class and showcase the photos of the city. She would like to gain insight from the community on their vision for the city. Ms. Snyder thanked the board for their work and all the planning that is taking place. She loves the city and excited about its future.

There were no further public comments, therefore the public comments sections was closed at 4:40 pm.



### **III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION:**

- A. Discuss and approve the December 2019 Meeting Minutes: Motion made by Billie Goldstein, seconded by Allison Mathers, all approved.
- B. Discuss and approve the December 2019 monthly payments: Motion made by Allison Mathers, seconded by Diane Piwko, all approved.
- C. Main Street Program Annual Report Finalization:
  - The board discussed their input on the 4 points approach for Organization, Promotion, Design and Economic Vitality, along with adding strategies for implementation and planning.
  - Refer to the final submitted annual report (attached) for detailed information on the goals and strategies that were discussed and outlined.
  - City Secretary Sandra Green, reminded the board, they are unable to have subcommittees where the board members are active members. The bylaws allows community volunteers be assigned to the subcommittee, to then meet about various items for discussion and report back to the board. Diane Piwko stated we need to keep the dialogue through the Main Street Manager to board members. City Manager White stated, you do have to have a quorum, meet as a board and can have a special meeting, as long as the meeting is posted 72 hours in advance and held in the council chambers. Board members may also meet with the Main Street Manager Mingo to then bring those items for discussion to the board meetings.
  - Board members need to send their final reports for President Cooks to meet with Main Street Manager to coordinate the report.
  - Once the final report is completed, Main Street Manager Mingo, will email a copy to the board members to review and for any necessary edits before submission.

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

- a. 20 year Main Street Celebration update for May 9, 2019 @ 10 am. Speaker to kick off celebration. Family Friendly, Entertainment, Nightlife and the Arts. Theme: 2020 Vision (Past, Present, Future).
- b. Main Street District -Design Review Board Request to City Council Agenda: will table until the city has adopted a process for the board to follow. Nothing is in place at this time.
- c. Main Street District Business- Board Assignments (Cooks)
- d. Main Street Board Wrap Recommendation to 4B Agenda Update (Moss)
- e. Main Street Instagram Account (Mingo)

### **V. ADJOURNMENT** - The meeting was adjourned at 5:11 pm.

#### **SIGNATURES:**

  
**Doris M. Cooks, President**

  
**Clifford James Moss, Secretary**

Agenda Section	Informational Items
Section Number	V.E
Subject	Planning & Zoning Commission
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Informational Items
Section Number	V.F
Subject	City Manager's Verbal Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ol style="list-style-type: none"> <li>1. Hamilton Street Update</li> <li>2. Palladium Apartments Update</li> <li>3. Camden Park Update</li> </ol> <p>City Council discussion as required.</p>
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

## **VI. Public Hearing**

Agenda Section	Public Hearing
Section Number	VI.A
Subject	Public hearing to hear public comments regarding a petition for annexation into the City's corporate limits of approximately 26.6 acres of land located on the northwest quadrant of U.S. Highway 380 and County Road 699 in Collin County, Texas, in the W. B. Williams. Survey, Abstract No. A-952.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	<ol style="list-style-type: none"> <li>1. Petition for Annexation</li> <li>2. Annexation Service Agreement</li> <li>3. Map of property</li> </ol>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

## REQUEST FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF FARMERSVILLE, TEXAS:

I, Tony Strickland, in my capacity as Senior Vice President of Nelson Bros Ready Mix and represent the owner of the hereinafter described tract of land (the "Property"), which Property is vacant and without residents, or on which Property fewer than three qualified voters reside, hereby requests that the City of Farmersville, Texas annex the Property into the City's corporate limits so as to include as part of the City of Farmersville, Texas, the following described Property, to wit:

A tract of land situated within the W.B. Williams Survey, Abstract Number 954, Collin County, Texas and being the same tract of land conveyed to Anani LLC by a deed filed for record at Collin County Clerk's Document No. 96-0098597 in the Deed Records of Collin County, Texas and said tract of land being more particularly described by metes and bounds as follows:

"Beginning at wood fence corner post from which a capped iron rod found stamped "ENCOMPASS" bears South 76 Degrees 42 Minutes 57 Seconds East, 2.97 feet, said corner post being in the North line of the Kansas City Southern Railroad and being the Southeast corner of a tract of land described as "Exhibit B" in a deed to JMR Farms, Ltd .. recorded in Volume 4572. Page 3840 and Document Number 99-156397. of said Records, and being the Southwest corner of the herein described tract;  
THENCE North 01 Degree 15 Minutes 55 Seconds East with the East line of  
said JMR Farms, Ltd. tract, 576.89 feet to a wood fence corner post, being the Southeast corner of a tract of land described as "Exhibit c" in a deed to JMR Farms, Ltd., recorded in Volume 4572, Page 3840 and Document Number 99-156397, of said Records:  
THENCE South 89 Degrees 32 Minutes 33 Seconds East, at 2003.87 feet  
passing a capped iron rod found stamped "RPLS 4967" and continuing for a total of 2034.84 feet to a point in Collin County Road 699, being the Northeast corner of the herein described tract;  
Thence South 00 Degrees 32 Minutes 21 Seconds West along the center of said County Road, 367.05 feet to a point, being the most Northerly Southeast corner of the herein described tract;



THENCE North 84 Degrees 13 Minutes 45 Seconds West,  
531.16 feet to a 5/8 inch iron rod found. being a reentrant for  
the herein described tract;

THENCE South 00 Degrees 27 Minutes 59 Seconds West,  
399.85 feet to a 5/8 inch iron rod found in the North line of  
Kansas City Southern Railroad. being the most Southerly  
Southeast corner of the herein described tract:

THENCE North 84 Degrees 13 Minutes 27 Seconds West  
along said North line, 1520.05 feet to the Point of Beginning.

Said tract of land containing 26.6 acres, more or less."

I hereby certify that the Property is contiguous and adjacent to the City of Farmersville,  
Texas, and that this Request for Annexation is signed and duly acknowledged by each  
and every person having an interest in said land.

By: *Tony Strickland*  
Name: Tony Strickland  
Title: SR Vice President

THE STATE OF TEXAS  
COUNTY OF DENTON

BEFORE ME, the undersigned authority, on this day personally appeared  
Tony Strickland, in his capacity as SR VP of  
Nelson Bros Remedy Mfg, a LLC, known to me to be the person whose  
name is subscribed to the foregoing instrument and acknowledged to me that he  
executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 4 day of DEC,  
2019.



*Hazel Alene Talmor*  
Notary Public in and for  
Denton County, Texas.

**AFTER RECORDING, RETURN TO:**

City Manager  
City of Farmersville  
205 S. Main Street  
Farmersville, Texas 75442

**ANNEXATION SERVICE AGREEMENT BY AND BETWEEN THE CITY OF  
FARMERSVILLE, TEXAS AND FARMERSVILLE PLANT, LLC**

This Annexation Service Agreement ("Service Agreement") is made and entered into pursuant to Texas Local Government Code § 43.0672 as of this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the CITY OF FARMERSVILLE, TEXAS, ("City") and FARMERSVILLE PLANT LLC, a Texas limited liability company, doing business as NELSON BROS. READY MIX, INC., (hereinafter referred to collectively as "Owner") on the terms and conditions hereinafter set forth. The City and Owner may hereafter be referred to collectively as the "Parties" or individually as a "Party" from time to time.

**WHEREAS**, City and Owner previously entered into that certain Development Agreement Applicable to Approximately 26.60 acres of Land Acquired by FARMERSVILLE PLANT, LLC from an Approximate 31.458 Acre Tract Owned by Anani, LLC, which was recorded as Clerk's Document No. 20180920001180520 in the Official Public Records of Collin County, Texas on September 20, 2018 (the "Farmersville Plant Agreement"); and

**WHEREAS**, Owner has submitted a petition for the annexation of the 26.60 acre tract of land, described in Exhibit "A", (the "Land") that has been accepted by City; and

**WHEREAS**, Texas Local Government Code § 43.0672 now requires the owner of land that petitions for annexation into a city and the city to enter into an agreement that details the manner in which municipal services will be provided to such land upon its annexation;

**NOW, THEREFORE**, in consideration of the mutual benefits and premises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Owner agree as follows:

1. **Findings Incorporated.** All of the above premises are found to be true and correct and are incorporated into the body of this Service Agreement as if copied in their entirety.
2. **Development Agreement Incorporated.** Certain City services shall be provided to the Land in accordance with the provisions of the Farmersville Plant Agreement that is incorporated herein by reference for all purposes allowed by law. To the extent that the type and timing and manner of providing municipal services identified in the Farmersville Plant Agreement conflict with the provisions of this Service Agreement, the provisions of the Farmersville Plant Agreement shall control.



3. **Agreed Service Plan for Providing Municipal Services.** Municipal services will be provided to the annexed tract(s) of land, by the City in accordance with the following provisions and Texas Local Government Code Section 43.0672.

A. **Police Protection.**

1. Police personnel and equipment from the Farmersville Police Department will be provided to the area annexed on the effective date of this ordinance.

2. Police protection services will be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever is applicable.

B. **Fire Protection.**

1. Fire protection and Emergency Medical Services (EMS) from the Farmersville Volunteer Fire Department will be provided to the area annexed on the effective date of this ordinance.

2. Fire protection services will be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever is applicable.

C. **Fire Prevention.**

The services of the Collin County Fire Marshal, pursuant to a contract with the City, will be provided to the area annexed upon the effective date of this ordinance.

D. **Solid Waste Collection.**

1. Solid waste collection will be provided to the area annexed upon the effective date of this ordinance. However, for the first two years following annexation, a person in the area who used the services of a privately-owned solid waste management service provider prior to the effective date of the annexation may continue to utilize the services of privately-owned solid waste providers in accordance with Texas Local Government Code § 43.0661 rather than immediately converting to the City's provider.

2. Solid waste collection services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever may be applicable.

3. The collection of refuse from individual properties will be made in accordance with the usual Sanitation Department scheduling.

E. Water Service.

1. For portions of the annexed area within the City's legally certificated area (CCN), the City will provide water services to the area by any of the methods by which it extends the services to any other area of the municipality. For portions of the annexed area within the City's legally certificated area (CCN), water services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever may be applicable.

2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.

3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.

4. For portions of the annexed area within the City's legally certificated area (CCN), the City will allow the provision of extensions of water facilities to the areas annexed on the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code and the City's Design Standards, and as amended.

5. Connection to existing city water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.

6. Water mains installed or improved to City standards within the annexed area which are part of the City of Farmersville water system and are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City upon the effective date of this ordinance.

7. Maintenance of private lines shall continue to be the responsibility of the owner or occupant of property situated within the area annexed.

8. Where other water districts provide water service, any development that occurs will still meet the City of Farmersville standards for the sizing and construction of utilities.

9. For portions of the annexed area which are not solely within the City's legally certificated area (CCN), water services shall continue to be provided in the same manner that is described in an approved Judgment, Agreement, Decree or other legal document as of the effective date of this ordinance and as it may thereafter be adopted or amended.

F. Sanitary Sewer Service.

1. The City will provide sewer services to the annexed area by any of the methods by which it extends the services to any other area of the municipality. Upon annexation, sanitary sewer services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever may be applicable.

2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.

3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.

4. The City will allow the provision of extensions of sanitary sewer facilities to the areas annexed upon the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code, and as amended.

5. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.

6. Sanitary sewer mains and lift stations installed or improved to City Standards within the annexed area which are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City of Farmersville upon the effective date of this ordinance.

G. Streets.

1. Emergency street maintenance will be provided for publicly dedicated streets or roads within the area annexed upon the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.
2. Street services will be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever may be applicable.

H. Parks and Recreation.

1. The City of Farmersville will provide parks and recreation services to the annexed area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City requires developers to construct hike/bike trails in keeping with the Parks Master Plan. Additionally, new developments must still satisfy the parkland dedication requirements that call for the dedication of land or the payment of fees in lieu of land for park uses.
2. Residents within the areas annexed may utilize all existing park and recreation facilities upon the effective date of this Ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.
3. Additional park and recreation facilities will be constructed based on Park policies defined in the 2013 Comprehensive Plan, as amended, and the Farmersville Code. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from areas being considered for annexation.

I. Environmental Health and Code Enforcement Services.

1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, will begin within the area annexed upon the effective date of this annexation ordinance.
2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings,

plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within the area annexed upon the effective date of this ordinance.

3. The City will provide the level of Environmental Health and Code Enforcement Services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the annexed area, whichever may be applicable.

J. Planning and Zoning.

The annexed area shall be zoned in conjunction with the annexation pursuant to the City's Comprehensive Zoning Ordinance (Chapter 77 of the Farmersville Code, as amended). The Future Land Use Plan and Future Land Use Plan Modules Diagram contained within the Comprehensive Plan, as amended, will serve as a guide for consideration of future (re)zoning requests.

K. Miscellaneous.

Any city owned facility, building, or service located within the annexed area will be operated and maintained by the City upon the effective date of the annexation ordinance.

L. Capital Improvements Program.

The area annexed is eligible for Capital Improvement Program consideration upon the effective date of the annexation ordinance.

M. Other Municipal Services.

Other municipal services not specifically listed in Sections A-L shall be provided to the annexed area no later than two and one-half years after the effective date of the annexation, unless certain services cannot reasonably be provided within two and one-half years. In that case, the City shall propose a schedule for providing certain services, and the schedule shall provide for the provision of full municipal services no later than four and one-half years after the effective date of the annexation ordinance.

4. **Term and Renewal.** This Service Agreement is valid for ten years. Renewal of the Service Agreement is at the discretion of the City of Farmersville.

5. **Level of Services.** This Service Agreement does not require a uniform level of full municipal services to each area of the City, including the annexed area, if different

characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

6. **Amendments.** This Service Agreement shall not be amended unless public hearings are held in accordance with Texas Local Government Code, § 43.052.

7. **Conflict of Interest.** To the extent that this Service Agreement (a) must be approved by the City's governing body before it may be signed or (b) has a value of \$1,000,000, or more, Owner shall comply with the requirements of Texas Government Code § 2252.908 by completing and submitting Form 1295 to the Texas Ethics Commission ("Commission") at the time Owner submits this signed Service Agreement to City, and as follows:

Form 1295 Filing Process: The Commission has made available on its website a new filing application that must be used to file Form 1295. The Owner must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the Owner must sign the printed copy of the form and complete the "unsworn declaration" which includes, among other things, the date of birth and address of the authorized representative signing the form. The completed Form 1295 with the certification of filing must be filed with the City.

The City must notify the Commission, using the Commission's filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the Service Agreement binds all parties to the Service Agreement. The Commission will post the completed Form 1295 to its website within seven business days after receiving notice from the City.

Form 1295 Availability: Certificate of Interested Parties Form is available from the Texas Ethics Commission website at the following address:

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

For questions regarding and assistance in filling out Form 1295, please contact the Texas Ethics Commission at 512-463-5800.

8. **No Boycotting of Israel.** In accordance with Chapter 2270, Texas Government Code, a Texas governmental entity may not enter into a contract with a company for the provision of goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. Chapter 2270 does not apply to (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) a contract that has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless the CONSULTANT is not subject to Chapter 2270 for the reasons stated herein, the signatory executing this contract on behalf of the CONSULTANT verifies by its

signature on this Contract that the CONSULTANT does not boycott Israel and will not boycott Israel during the term of this contract.

9. **Entire Agreement.** This Service Agreement together with the Farmersville Plant Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified or terminated except upon the mutual written agreement of the parties hereto save and except for the termination rights set forth herein.

10. **Venue.** This Service Agreement shall be construed in accordance with the laws of the State of Texas and shall be performable in Collin County, Texas. Exclusive venue shall be in Collin County, Texas.

11. **Binding Effect.** This Service Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

12. **Savings/Severability.** In case any one or more of the provisions contained in this Service Agreement shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Service Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

13. **Construction.** This Service Agreement shall be construed fairly and simply, and not strictly for or against any party. Headings used throughout this Service Agreement are for convenience and reference only, and the words contained therein shall in no way be interpreted or held to explain, restrict, modify, amplify or aid in the interpretation or construction of the meaning of the provisions of this Service Agreement.

14. **Multiple Counterparts.** This Service Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties have executed this Service Agreement and caused this Service Agreement to be effective on the latest date as reflected by the signatures below.

***CITY OF FARMERSVILLE***

By: \_\_\_\_\_  
JACK RANDALL RICE  
Mayor

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
SANDRA GREEN  
City Secretary

THE STATE OF TEXAS           §  
COUNTY OF COLLIN           §

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared JACK RANDALL RICE, Mayor of the **CITY OF FARMERSVILLE**, a Texas Municipal Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she has executed the same on City's behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_

**FARMERSVILLE PLANT LLC**, a Texas  
limited liability company

By: \_\_\_\_\_  
TONY STRICKLAND  
Sr. Vice President

Date Signed: \_\_\_\_\_

THE STATE OF TEXAS           §  
COUNTY OF \_\_\_\_\_ §

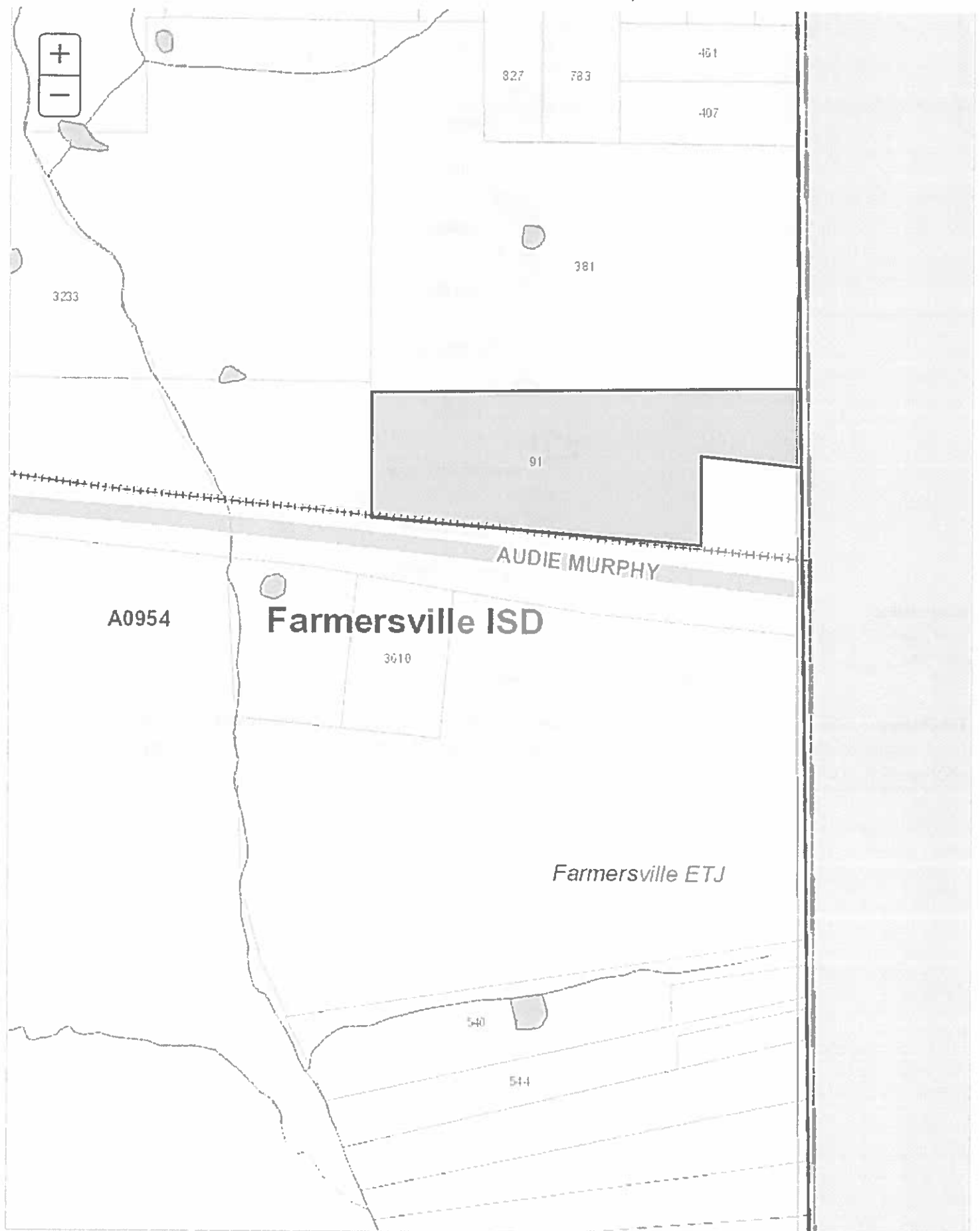
This instrument was acknowledged before me on this day by TONY STRICKLAND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is a Sr. Vice President of **FARMERSVILLE PLANT**



**LLC**, a Texas limited liability company and that he executed the same on behalf of **FARMERSVILLE PLANT LLC** for the purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_



If you'd prefer to use a standalone version of this map, please [click here](https://www.collincad.org/maps/gis).

## **VII. Reading of Ordinances**

Agenda Section	Reading of Ordinances
Section Number	VII.A
Subject	Consider, discuss and act upon the second reading of Ordinance #O-2020-0128-001 granting an exception to the "inscription requirements" for city-owned vehicles.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	O-2020-0128-001
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
ORDINANCE # O-2020-0128-001**

**AN ORDINANCE GRANTING AN EXCEPTION TO THE "INSCRIPTION REQUIREMENTS" OF TEXAS TRANSPORTATION CODE § 721.004 FOR CERTAIN CITY-OWNED VEHICLES USED TO PERFORM AN OFFICIAL DUTY OF THE FARMERSVILLE POLICE DEPARTMENT; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Farmersville, Texas is a Type A General-Law Municipality located in Collin County, established in accordance with the provisions of Chapter 6 of the Texas Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Texas Transportation Code § 721.004 requires any motor vehicle or piece of heavy equipment that is used by a city have the name of the city and the title of the department or office using the vehicle or equipment printed on each of its sides (collectively "Inscription Requirements"); and

**WHEREAS**, Texas Transportation Code § 721.005 authorizes the governing body of a city to grant an exception to the Inscription Requirements for any automobile that is used to perform an official duty by its police department; and,

**WHEREAS**, the City Council has determined that it is in the best interest of the City to adopt an exception under the Texas Transportation Code § 721.005 that will allow certain vehicle(s) that are used by the Farmersville Police Department ("Department") for official duty by assignment for one or more of the following uses to remain un-marked and/or without inscription including Police Administration, Criminal Investigations (CID), Traffic Enforcement, City Marshall vehicle, and one 2008 Dodge Pick-up which is assigned to the Department.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**SECTION 1. INCORPORATION OF FINDINGS**

The findings set forth above are found to be true and correct legislative and factual determinations of the City of Farmersville and are hereby approved and incorporated into the body of this Ordinance and made a part hereof for all purposes as if fully set forth herein.

**SECTION 2. GRANTING AN EXCEPTION TO INSCRIPTION REQUIREMENTS**

From and after the effective date of this Ordinance, the City Council hereby grants an exception under the Texas Transportation Code § 721.005 allowing certain vehicle(s) that

are used by the Department to perform official duty by assignment for one or more of the following uses to remain un-marked and/or without inscription including Police Administration, Criminal Investigations (CID), Traffic Enforcement, City Marshall vehicle, and one 2008 Dodge Pick-up which is assigned to the Department.

### **SECTION 3. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

### **SECTION 4. REPEALER**

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

### **SECTION 5. ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

### **SECTION 6. SAVINGS**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

### **SECTION 7. EFFECTIVE DATE**

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

**PASSED** on first reading on the 14<sup>th</sup> day of January, 2020, and second reading on the \_\_\_\_ day of \_\_\_\_\_, 2020 at properly scheduled meetings of the City Council of

the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

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

**ATTEST:**

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

Agenda Section	Reading of Ordinances
Section Number	VII.B
Subject	Consider, discuss and act upon the first and only reading of Ordinance #O-2020-0128-002 calling a general election for May 2, 2020 to elect Mayor, Councilmember Place 2, and Councilmember Place 4.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	O-2020-0128-002
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**CITY OF FARMERSVILLE  
ORDINANCE # O-2020-0128-002**

**A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, CALLING A GENERAL ELECTION FOR MAY 2, 2020 TO ELECT THE MAYOR, COUNCILMEMBER PLACE 2, AND COUNCILMEMBER PLACE 4, PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR RUNOFF ELECTION; PROVIDING FOR DESIGNATING POLLING PLACES; PROVIDING FOR EARLY VOTING, NOTICES AND OTHER MATTERS RELATING TO SAID ELECTION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 3.004 of the Texas Election Code mandates that the governing body of a city with elective officers should order the general election for those officers; and

**WHEREAS**, Section 3.005 of the Texas Election Code mandates that an election on a uniform date shall be ordered not later than the 78<sup>th</sup> day before Election Day.

**NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**Section 1.** In accordance with Texas Election Code § 3.004, this Ordinance constitutes the City Council's ordering of an election to be held on Saturday, May 2, 2020, to elect the following officials for the City of Farmersville ("City"): Mayor; Councilmember Place 2; and, Councilmember Place 4, all for two-year terms. The Order of General Election attached hereto as Exhibit A is hereby approved and adopted by the City Council of the City of Farmersville as the Order for the General Election to be held on May 2, 2020.

**Section 2.** All independent candidates for the General Election to be held on May 2, 2020, for the above-mentioned offices shall file their applications with the City Secretary at City Hall, 205 South Main Street, between 8:00 a.m. and 5:00 p.m. Monday through Friday, beginning January 15, 2020 and ending at 5:00 p.m. on February 14, 2020. All applications shall be on a form as prescribed by Section 141.031 of the Texas Election Code. All applications shall become public information immediately upon filing.

**Section 3.** Should all candidates for a particular office in the General Election fail to receive a plurality vote, in that event it shall be the duty of the City Council to order a runoff election for every office in the regular municipal election to which no one was elected.

*[Remainder of page left intentionally blank.]*

**Section 4.** The polling place for **Election Day, May 2, 2020**, shall be as follows:

**Farmersville City Hall  
205 S. Main Street  
Farmersville, TX 75442**

**Section 5.** The poll at the above designated polling place shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

**Section 6.** Early Voting by personal appearance for the election shall commence on April 20, 2020, at 8:00 a.m. and end at 7:00 p.m. on April 28, 2020. Early voting by personal appearance shall be conducted during regular business hours from 8:00 a.m. until 5:00 p.m., except for the final two days of the early voting period. On the final two days of early voting by personal appearance, which days are Monday, April 27, 2020, and Tuesday, April 28, 2020, the hours are hereby designated as 7:00 a.m. until 7:00 p.m.

**Section 7.** The polling place for **Early Voting, April 20, 2020, through April 28, 2020**, shall be in the Council Chambers in Farmersville City Hall, 205 S. Main St., Farmersville, TX.

**Section 8.** Collin County Elections Administrator is designated as the Early Voting Clerk. Qualified voters may mail applications for a voting mail-in ballot only from January 1, 2020 until the close of business on April 20, 2020. Requests for applications must be mailed to:

**Bruce Sherbet  
Elections Administrator  
2010 Redbud Blvd., Suite 102  
McKinney, Texas 75069**

**Section 9.** The City Secretary is ordered to do the following:

1. Coordinate with the Collin County Elections Department, Bruce Sherbet, Elections Administrator, to hold the May 2, 2020 City of Farmersville General Election. Voting on the date of the Election, and early voting therefor, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Texas Election Code, as amended.
2. Provide and publish notice of the elections ordered in this Ordinance in accordance with the Texas Election Code.
3. Coordinate with the Collin County Elections Department, Bruce Sherbet, Elections Administrator, to hold a runoff election conducted in accordance

with the Texas Elections Code if no candidate receives a plurality of the votes and two or more candidates for the same office tie for the number of votes required to be elected.

**Section 10.** The City Council shall give notice of this election in accordance with the terms and provisions of Chapter 4 of the Texas Election Code, and the City Council shall issue all necessary orders and writs for said election.

**Section 11.** The Collin County Elections Administrator shall be responsible for establishing and operating the Central Counting Station to receive and tabulate the electronic voted ballots in accordance with Section 127.001 of the Texas Election Code. Counting Station Manager and Central Count Judge shall be Bruce Sherbet.

**Section 12.** Notice of Election shall be published in both English and Spanish in accordance with the Texas Election Code. Returns of said election shall be made to the Council immediately after closing of the polls.

**Section 13.** Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this Ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this Ordinance, but in all respect said remaining portion shall be and remain in full force and effect.

**Section 14.** This Ordinance shall be effective immediately upon adoption.

**DULY PASSED AND APPROVED** on first and only reading on this 28<sup>th</sup> day of January, 2020 at a properly noticed meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 28<sup>th</sup> DAY OF JANUARY, 2020.**

**APPROVED:**

---

Jack Randall Rice, Mayor

**ATTEST:**

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Sandra Green, City Secretary

## **VIII. Regular Agenda**

Agenda Section	Regular Agenda
Section Number	VIII.A
Subject	Consider, discuss and act upon presentation from SHG Land Investments of Farmersville, Ltd. regarding new project and incentives.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• City Council discussion as required</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	VIII.B
Subject	Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the final plat of the Chaparral Trail Estates.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	<ol style="list-style-type: none"> <li>1. Application</li> <li>2. DBI Approval Letter</li> <li>3. Plat</li> <li>4. ETJ Facilities Agreement</li> </ol>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

20201567



## SUBDIVISION APPLICATION FORM

### City of Farmersville, Texas

**RECEIVED**  
 DEC 26 2019  
*[Signature]*

**Please Type or Print Information**

*This form shall be completed by the Applicant and submitted to the City Secretary's Office along with 6 copies of the respective plat, fees, and all other required information*

*In order for a completed package to be considered for a Planning and Zoning Board meeting all application materials will need to be turned into the City staff at least 3 weeks prior. The package will need to be technically complete 6 working days prior to the Planning and Zoning Board meeting.*

*The use of City of Farmersville administrative forms, checklists, and routing sheets shall not relieve the applicant from following the rules, standards, ordinances, and laws governing the City of Farmersville.*

*The submission of plans, drawings, calculations, etc., along with this application, makes such items public record and the Applicant understands that they may be viewed and/or reproduced by the general public.*

*For a list of fees associated see the City of Farmersville Master Fee Schedule. Fees shall be collected for the purpose of defraying the costs of administrative, clerical, engineering, legal, planning, inspection, and other services deemed necessary to properly review and investigate plats and subdivision construction.*

*Exemptions to the platting process are listed in section 1.5 of the Subdivision Ordinance.*

*Subdivision Ordinance variances/waivers may be granted by following the steps outlined in section 1.10 of the Subdivision Ordinance.*

*Public infrastructure requirements established by the respective code (example, International Fire Code) and interpreted by the code official may be appealed based on a claim of incorrect interpretation, code applicability, or equivalent methodology. Code requirements cannot be waived.*

*Place "X" or check mark in appropriate box. All answers must be "Yes" to submit application.*

		<b>Pre-Application Requirements</b>
<b>Yes</b>	<b>No</b>	<b>Requirement</b>
		Attended Pre-Application Conference
		Plat described by metes and bounds
		Plat located with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part
		Dimensions of plat and of each street, alley, square, park, or other part of the plat intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part
X		Plat is located in Collin County
		Plat is located in Hunt County
X		Plat is located within the City of Farmersville corporate limits or Extra-Territorial Jurisdiction (ETJ) limits

## Subdivision Application Form

Place "X" or check mark in appropriate box. Use the N/A (not applicable) box if a line item is not applicable. Double asterisk items are required for all applications. Where separate documents are requested attach them to this submission

Required Submission Materials		
Yes	No	N/A
X		
		** Six copies of plat. Dimensions should be 24" X 36".
		* * Original certified tax certificate
		** Utility service provider letters
		** Proof of land ownership document
X		** Electronic version of plat on CD (.PDF and .DWG)
		** Fees with appropriate retainer as required
		Governmental (TxDOT, Collin County, etc.) approval for major thoroughfare access such as driveway
		Farmersville Independent School District (FISD) accommodation letter (high impact residential or multi-family only)
		Two copies of engineering plans
		On-Site Sanitary Sewer Facility (OSSF) certification document
		Engineer's Summary Report
		Development schedule
		Development agreement
		Copy of covenants, conditions, restrictions, and agreements
		Geotechnical report
		Traffic study
		Application letter for proposed street names

Place "X" or check mark in appropriate box. Only one box may be indicated

Type of Plat Document Submittal	
	Concept Plan
	Preliminary Plat
X	Final Plat
	Development Plat
	Replat
	Amending Plat
	Minor Plat
	Vacated Plat



# Subdivision Application Form

Place information in all spaces that apply. Depending on the situation some spaces may be left empty

Property Owner Information	
Name	Harmon Development Inc.
Address	P.O. Box 1302
City	Rockwall
State	TX.
Zip	75087
Work Phone Number	
Facsimile Number	
Mobile Phone Number	214-695-6232 - Shane Harmon
Email Address	shane@harmon@shcglobal.net
Applicant/Responsible Party Information	
Name	
Address	
City	
State	
Zip	SAME
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	
Engineer Information	
Name	Carroll Consulting Group Inc.
Address	P.O. Box 11
City	Lavon
State	TX.
Zip	75166
Work Phone Number	972-742-4411
Facsimile Number	
Mobile Phone Number	
Email Address	
Surveyor Information	
Name	
Address	
City	
State	
Zip	SAME
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	

## Subdivision Application Form

General Application Information	
Proposed Name of Subdivision	Chaparral Trail Estates
Total Acreage of Development	33.051
Physical Location of Property	CR 661 & CR 658
Legal Description of Property	Nelson Strats Survey ABN #842/Susannah
Number of Lots	20 Walker Survey ABN #944

Place "X" or check mark in appropriate box indicating the form provided for proof of land ownership. Attach document in this submission.

Type of Plat Document Submittal	
<input checked="" type="checkbox"/>	General Warranty Deed
<input type="checkbox"/>	Special Warranty Deed
<input type="checkbox"/>	Title Policy
<input type="checkbox"/>	Other (approved by City Manager):

Place "X" or check mark in appropriate box indicating the current zoning districts comprising the land. Depending on the situation more than one box may be indicated.

Current Zoning	
<input checked="" type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input type="checkbox"/>	Extra-Territorial Jurisdiction

## Subdivision Application Form

Place "X" or check mark in appropriate box indicating the proposed zoning districts comprising the land. Depending on the situation more than one box may be indicated. If zoning remains unaffected mark the same as above in the "Current Zoning Districts" table.

Proposed Zoning		
	A	Agricultural District
X	SF-1	One-Family Dwelling District
	SF-2	One-Family Dwelling District
	SF-3	One-Family Dwelling District
	2F	Two-Family Dwelling District
	MF-1	Multiple-Family Dwelling District-1
	MF-2	Multiple-Family Dwelling District-2
	P	Parking District
	O	Office District
	NS	Neighborhood Service District
	GR	General Retail District
	C	Commercial District
	HC	Highway Commercial
	CA	Central Area District
	I-1	Light Industrial District
	I-2	Heavy Industrial District
	PD	Planned Development District
		Extra-Territorial Jurisdiction

Place "X" or check mark in appropriate box indicating the proposed use of the land. Depending on the situation more than one box may be indicated.

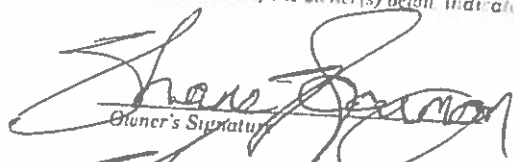
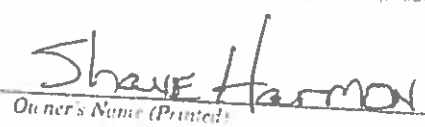
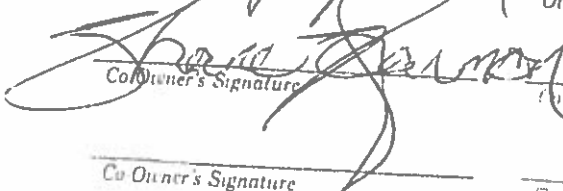



Use of Land and Buildings	
Housing Uses	
X	One Family Detached Dwelling
	One Family Attached Dwelling
	Zero Lot Line Dwelling
	Town Home
	Two Family Dwelling
	Multiple Family Dwelling
	Boarding or Rooming House
	Bed and Breakfast Inn
	Hotel or Motel
	HUD Code Manufactured Home
	Industrialized Housing
	Mobil Home

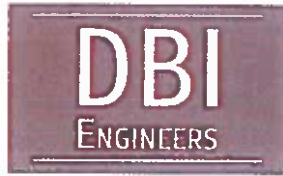
# Subdivision Application Form

Indicate the utility provider's name for the property in the space provided

Utility Providers	
Description of Service	Name
Electrical Service Provider	ONCOR
Water Supplier	Caddo Basin SUD
Sewage Disposal	On Site Septic
Telephone Service	N/A
Cable TV Service	N/A
Gas Service	N/A
Refuse Pick-Up	N/A

The signatures of the owner(s) below indicate intention to follow through with the platting/subdivision process

		<u>12-20-19</u>
Owner's Signature	Owner's Name (Printed)	Date
		
Co-Owner's Signature	Co-Owner's Name (Printed)	Date
		
Co-Owner's Signature	Co-Owner's Name (Printed)	Date



January 10, 2020

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Chaparral Trail Addition – Final Plat  
Dated January 6, 2020

Mr. White:

The above referenced plat has been reviewed according to the ordinances of the City of Farmersville and been found to be compliant

It is recommended that the Final Plat be approved. Please contact me if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive style with a large initial "J".

Jacob Dupuis, P.E.





20191104001396980

11/04/2019 01:59:13 PM AG 1/13

AFTER RECORDING, RETURN TO:

City Manager  
City of Farmersville  
205 S. Main Street  
Farmersville, Texas 75442

**City of Farmersville, Texas  
FACILITIES AGREEMENT**  
(Rough Proportionality of Required Improvements)

**Chaparral Trail Estates, Lots 1 -20**

THIS AGREEMENT, entered into effective the 29<sup>th</sup> day of Oct., 2019, by and between **CITY OF FARMERSVILLE**, a Texas municipal corporation and Type A general law city ("CITY"), and **HARMON DEVELOPMENT, INC.**, whose mailing address is P.O. Box 1302, Rockwall, Texas 75087 ("LANDOWNER") witnesseth that:

WHEREAS, the Subdivision Ordinance of the City of Farmersville, Texas contained in Chapter 65 of the Farmersville Code (the "Subdivision Ordinance") establish procedures and standards for the development and subdivision of real estate and for the surveying and platting thereof, requiring the installation of adequate public facilities to serve the subject property and providing penalties for violations, among other things; and

WHEREAS, Section 65-1(b) of the Subdivision Ordinance extends the application of the Subdivision Ordinance to all of the area outside of the corporate limits of the CITY, but within the extra-territorial jurisdiction of the CITY ("ETJ"); and

WHEREAS, Section 65-82 of the Subdivision Ordinance requires the execution of a Facilities Agreement prior to the approval of a plat to facilitate the deferral of required public improvements; and

WHEREAS, the development of the subdivision to be known as **Chaparral Trail Estates, Lots 1 -20**, which subdivision is situated in the ETJ of the City of Farmersville, involves certain pro rata payments, city participation in cost, escrow deposits or other future considerations, and/or other nonstandard development regulations, that trigger the requirement for a Facilities Agreement by and between the CITY and the LANDOWNER in accordance with Section 65-82 of the Subdivision Ordinance, as amended; and

WHEREAS, the Subdivision Ordinance also prohibits recording the Record Plat of a subdivision within the incorporated area and ETJ of the CITY until the LANDOWNERS have completed all of the public facilities required to serve the property being developed that must be dedicated to the City ("Public

Improvements") or has entered into a Facilities Agreement and guaranteed to the satisfaction of the CITY such improvements will be installed; and

WHEREAS, LANDOWNERS have appealed, or requested a waiver or variance, from the requirements that the Public Improvements identified in Paragraph D, below, (the "Appealed Improvements") must be included in the Minor Plat of the subdivision in the ETJ, to be known as **Chaparral Trail Estates, Lots 1 -20**, (the "Preliminary Plat") before said Preliminary Plat may be approved because the required design and construction of those Appealed Improvements is not roughly proportionate to the impact generated by the development proposed to be constructed on the "Property," defined below, as required by Texas Local Government Code § 212.904; and

WHEREAS, CITY concurs that the construction of twenty (20) lots on the Property that is being platted as **Chaparral Trail Estates, Lots 1 -20**, does not generate impacts roughly proportionate to require the design and construction of the Appealed Improvements but cannot unilaterally enforce the City's zoning ordinance in the ETJ to restrict the use of the Property for said twenty (20) lot subdivision; and

WHEREAS, CITY and LANDOWNERS desire to enter into a Facilities Agreement through a Development Agreement authorized by Section 212.172 of the Texas Local Government Code that will allow for the conditional deferral of the design and construction of the Appealed Improvements, specify the uses that can be made of the Property, and require that the Appealed Improvements be designed and constructed prior to any change or modification in the use presently proposed for the Property all as provided hereinafter below.

NOW THEREFORE, in consideration of the intent and desire of the LANDOWNERS, as set forth herein, and to gain approval of the CITY to approve said Minor Plat and ultimately record the Record Plat with Collin County, the LANDOWNERS and CITY agree as follows:

A. PROPERTY

This Agreement is for Property located in the ETJ of the City of Farmersville, that is situated along the southwest corner of the intersection of County Road 661 and County Road 658 containing approximately 33.051 acres of land, more or less, in the Nelson Staats Survey, Abstract No. 842 and the Susannah Walker Survey, Abstract No. 944, Collin County, Texas, and more fully described and depicted in the Preliminary Plat of the Property attached hereto as Exhibit A and fully incorporated herein by reference for all purposes allowed by law (the "Property").



B. USES ALLOWED ON PROPERTY

The use of the Property shall be limited to twenty (20) lots on the Property with each lot containing more than one (1) net acre of land. Subject to the foregoing restrictions and the specific limitations set forth herein, the use of the Property shall otherwise conform to the requirements of the ED - Estate Development District as set out in Section 77-52(b) of the Farmersville Code, as codified through Ordinance No. 2018-1023-002, enacted on October 23, 2018. However, due to the fact that the Public Improvements required to serve the full development potential of the Property are not being designed and constructed by LANDOWNERS the following permitted or accessory uses or uses requiring a special use permit under the ED - Estate Development District as identified in the Schedule of Uses are prohibited:

1. Bed and breakfast;
2. Church, rectory, or other places of worship including church-operated day-care facilities and pre-schools;
3. College or university;
4. Community center (public);
5. Day care center;
6. School, public, private or parochial;
7. Country club;
8. Golf course (public);
9. Park or playground (public);
10. Playfield or stadium (public);
11. Recreation center (public);
12. Rehabilitation care facility
13. Swimming pool (public);
14. Swim and tennis club; and
15. Utility substation or regulating station.

C. DEDICATIONS FOR PUBLIC IMPROVEMENTS

LANDOWNER hereby agrees to dedicate the following easements and rights-of-ways at no cost to CITY, in accordance with the CITY's Subdivision Ordinance and as approved by CITY Engineer.

1. THOROUGHFARES

LANDOWNER shall dedicate, at no cost to CITY, that amount of right-of-way along perimeter roadways adjacent to the Property as reflected on the Preliminary Plat attached hereto as Exhibit A which dedication will yield one-half (½) of the ultimate right-of-way width that is not already dedicated by plat or legal instrument as road right-of-way at such time as the Property is platted. If platting of the Property is delayed and the perimeter roadway right-of-way described above has not previously been dedicated, LANDOWNER

shall dedicate the right-of-way along perimeter roadways adjacent to the Property as required herein above upon receipt of the written request of the CITY's Engineer. Such right-of-way dedication shall include:

- a. The current dedication to Collin County, at no cost to CITY, of an approximately thirty-foot (30') wide right-of-way emanating from the centerline of County Road 661, along the entire length of the northern border of the Property adjacent to County Road 661 that includes and conveys the interest in the existing prescriptive right-of-way to Collin County.
- b. The current dedication to Collin County, at no cost to CITY, of an approximately thirty-foot (30') wide right-of-way emanating from the centerline of County Road 658, along the entire length of the eastern border of the Property adjacent to County Road 658 that includes and conveys the interest in the existing prescriptive right-of-way to Collin County.

The location of the foregoing described right-of-way dedication is more particularly depicted in the proposed Preliminary Plat attached hereto as Exhibit A and is incorporated herein by reference for all purposes allowed by law.

## 2. UTILITIES

LANDOWNER shall dedicate all easements, at no cost to CITY, specifically including, but not limited to, easements for water, sanitary sewer and storm water drainage to provide service to the Property in accordance with CITY standards, at such time as the Property is platted. If platting of the Property is delayed and the easements described herein have not previously been dedicated, LANDOWNER shall dedicate the easements as required herein upon receipt of the written request of the CITY's Engineer. Such easement dedication shall include those easements necessary to extend the CITY's water, sanitary sewer and storm water drainage lines (collectively "Future CITY-Owned Transmission Line(s)") to and across the Property in accordance with the CITY's Master Plan(s) together with easements for the connection points that will allow the Subdivision to be connected to the Future CITY-Owned Transmission Line(s) in accordance with CITY standards, at such time as the Property is platted. LANDOWNER easement dedication shall include:

- a. The current dedication to CITY, at no cost to CITY, of an approximately fifteen-foot (15') wide Utility Easement running east-west across the Property adjacent and parallel to the southern-most side of the thirty-foot (30') wide right-of-way dedicated to the CITY in accordance with Paragraph C.1.a, above.

- b. The current dedication to CITY, at no cost to CITY, of an approximately fifteen-foot (15') wide Utility Easement running north-south across the Property adjacent and parallel to the western-most side of the thirty-foot (30') wide right-of-way dedicated to the CITY in accordance with Paragraph C.1.b, above.

The locations of the foregoing described easement dedication are more particularly depicted in the proposed Preliminary Plat attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes allowed by law.

**D. CONDITIONAL DEFERRAL OF CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS UNTIL FURTHER DEVELOPMENT OCCURS**

1. LANDOWNER has appealed, or requested a waiver or variance, from the requirements of Section 65-41 of the Subdivision Ordinance that the LANDOWNER shall design and construct certain Public Improvements because the LANDOWNER'S portion of the costs required for such Public Improvements exceed the amount that is roughly proportionate to the proposed development to be constructed on the Property as set forth in Paragraph B, above, and that such exactions exceed the limits allowed by Texas Local Government Code § 212.904.
2. CITY agrees that the required exactions exceed the impacts of twenty (20) lots designed for one single-family dwelling unit on each such lot and hereby determines that LANDOWNERS are hereby conditionally relieved of the obligation to design and construct the following Public Improvements, at no cost to CITY, as required by Section 65-41 of the Subdivision Ordinance:
  - a. The requirement to construct sufficient system improvements to Caddo Basin Special Utility District's water lines to make such system capable of supplying adequate domestic and fire flow to the Property, in light of the fact that the Property is situated within the certificated area of, and is currently served by, Caddo Basin Special Utility District's rural water lines and which service appears to be otherwise adequate to provide domestic water supply only; and
  - b. The requirement to "connect to the City's wastewater system unless served by other means approved by the city council," see Farmersville Code § 65-48(b), in light of the fact that the Property and each lot therein is adequately sized to be served by on-site septic facilities; and
3. Notwithstanding the foregoing, at such time as the Property is further subdivided or replatted or the use of the Property is altered, changed, increased, expanded or enlarged from the uses identified in Paragraph B above, ("Change in Conditions") the conditional relief or deferral afforded to

the LANDOWNER from the requirements of Section 65-41 of the Subdivision Ordinance as enunciated in Paragraph No. 2 of this Paragraph D shall terminate and the LANDOWNER shall be required to promptly, and no later than sixty (60) days after such Change in Conditions occurs to, conform to all CITY development ordinances then applicable to the Property. However, the Property could be replatted to incorporate additional adjacent raw undeveloped land into the Property without terminating the conditional relief or deferral afforded to the LANDOWNER by and through Paragraph No. 2 of this Paragraph D provided that there is no other Change in Condition associated with the Property or the additional adjacent raw undeveloped land incorporated into the Property by such replat. In addition, LANDOWNER reserve the right to seek a modification of, or an amendment to, this Agreement in advance of any Change in Conditions proposed by LANDOWNER to avoid the termination of the conditional relief or deferral afforded to the LANDOWNERS by and through this Agreement.

4. At such time as the Property or any part or portion of the Property is connected to the City's potable water system and/or sanitary sewer system, LANDOWNER shall pay all then applicable tap fees, connection fees, meter fees, impact fees, pro rata fees and/or service fees as may be required by CITY regardless of the name by which such fees and charges may be called subject to the requirements of state law.

E. CONDITIONAL VARIANCES ALLOWED UNTIL FURTHER DEVELOPMENT OCCURS

1. For so long a period of time as the conditional deferral of designing and constructing the Public Improvements identified in Paragraph D is in effect and allowed, the following conditional variances to the then currently adopted editions of the *International Building Code*, *International Residential Code* and/or *International Fire Code*, and the Subdivision Ordinance are permitted provided that the LANDOWNER indemnify and hold the CITY harmless from and against any and all claims arising out of or in any way related to the following conditional variances requested by LANDOWNER:
  - a. The LANDOWNER will not be required to escrow the funds necessary to design and construct the Public Improvements identified in Paragraph D that are being conditionally deferred.
  - b. The LANDOWNER will be permitted to use a properly permitted on-site septic system for each lot on the Property that conforms to all requirements of the Texas Commission on Environmental Quality and the CITY.
  - c. The LANDOWNER will not be required to collect drainage in an underground storm water system.

- d. The LANDOWNER will not be required to install a water system that is capable of furnishing the fire flow and pressures required by the City of Farmersville Fire Department (1,000 gallons per minute and 20 pounds per square inch residual pressure) intended to provide sufficient fire protection for the safe, efficient and orderly development of the City to all or any part of the Property.
2. Notwithstanding the foregoing, at such time as the Property is further subdivided or replatted or the use of the Property is altered, changed, increased, expanded or enlarged from the uses identified in Paragraph B above, or the zoning on that portion of the Property which is situated within the City's corporate limits is changed to a more intense use, the conditional variances afforded to the LANDOWNER as enunciated in Paragraph No. 1 of this Paragraph E shall terminate and the LANDOWNER shall be required to promptly, and no later than sixty (60) days after such Change in Conditions occurs to, conform to all CITY development ordinances then applicable to the Property. However, the Property could be replatted to incorporate additional adjacent raw undeveloped land into the Property without terminating the conditional relief or deferral afforded to the LANDOWNER by and through Paragraph No. 2 of Paragraph D of this Agreement provided that there is no other Change in Condition associated with the Property or the additional adjacent raw undeveloped land incorporated into the Property by such replat. In addition, LANDOWNER reserves the right to seek a modification of, or an amendment to, this Agreement in advance of any Change in Conditions proposed by LANDOWNER to avoid the termination of the conditional relief or deferral afforded to the LANDOWNER by and through this Agreement.

F. CITY DEVELOPMENT ORDINANCES

If LANDOWNER decides to develop the Property, LANDOWNER shall develop the Property in accordance with the standards as set forth in the City of Farmersville zoning, subdivision and land development ordinances that are applicable in the ETJ or pursuant to this Agreement, including but not limited to provisions as to drainage, erosion control, pro rata payments, storm water, tree preservation, impact fees, Street Design Standards, Public Improvements Policy and construction standards except as herein specifically agreed to the contrary.

G. NO WAIVER

LANDOWNER expressly acknowledges that by entering into this Agreement, LANDOWNER, their successors, assigns, vendors, grantees, and/or trustees, shall not construe any language contained herein or in any Exhibits as waiving any of the requirements of the Subdivision Ordinance or any other ordinance of the CITY except as herein specifically agreed.

H. VARIANCES

It is expressly acknowledged that only those variances to the Subdivision Ordinance or other applicable CITY ordinances specifically stipulated in this Agreement are granted by CITY for this subdivision and/or development.

I. INDEMNITY AND HOLD HARMLESS AGREEMENT

LANDOWNER, their successors, assigns, vendors, grantees, and/or trustees do hereby agree to fully indemnify, protect and hold CITY harmless from all third-party claims, suits, judgments, and demands, including its reasonable attorney's fees, arising out of the sole or concurrent negligence of LANDOWNER, and only to the extent or percentage attributable to LANDOWNER, in the subdividing, development, or construction of public improvements, including the negligent maintenance thereof. LANDOWNER shall not be responsible for or be required to indemnify CITY from CITY'S own negligence. LANDOWNER, their successors, assigns, vendors, grantees, and/or trustees do hereby further agree to fully indemnify, protect and hold CITY harmless from and against any and all claims arising out of or in any way related to the CITY's approval and granting and/or termination of the conditional deferrals and conditional variances requested by LANDOWNER and set out in Paragraphs D and E, above. The indemnity contained in this Paragraph shall expire five (5) years from the date of termination of this Agreement.

J. WITHHOLDING APPROVALS AND PERMITS

In the event LANDOWNER fail to comply with any of the provisions of this Agreement, CITY shall be authorized to withhold any plat approvals and/or requests for permits associated with any development on the Property that conflicts with the provisions of Paragraph B of this Agreement or which requires compliance to Paragraphs D.3, D.4, or E.2 of this Agreement.

K. ROUGH PROPORTIONALITY AND WAIVER OF CLAIMS.

LANDOWNER has been represented by legal counsel in the negotiation of this Agreement and been advised, or have had the opportunity to have legal counsel review this Agreement and advise LANDOWNER, regarding LANDOWNER'S rights under Texas and federal law. LANDOWNER hereby waives any requirement that the CITY retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions required by the CITY as a condition of approval for the development of this Property are roughly proportional or roughly proportionate to the proposed development's anticipated impact. (These exactions may include but are not limited to the making of dedications or reservations of land, the payment of fees, the construction of facilities, and the payment of construction costs for public

facilities.) LANDOWNER specifically reserved his or her right to appeal the apportionment of municipal infrastructure costs in accordance with Tex. Loc. Gov't Code § 212.904. However, notwithstanding the foregoing, LANDOWNER hereby releases the City from any and all liability under Tex. Loc. Gov't Code § 212.904 regarding or related to the cost of any municipal infrastructure improvements required for the development of the Property.

It is the intent of this Agreement that the provision for roadway and utility improvements made herein constitutes a proportional allocation of LANDOWNER'S responsibility for roadway and utility improvements for the Property. LANDOWNER hereby waives any federal constitutional claims and any statutory or state constitutional takings claims under the Texas Constitution and Chapter 395 of the Tex. Loc. Gov't. Code. LANDOWNER further releases CITY from any and all claims based on excessive or illegal exactions; it being agreed that LANDOWNER'S infrastructure contribution(s) (after receiving all contractual offsets, credits and reimbursements as well as the conditional deferrals and conditional variances granted herein) is roughly proportional or roughly proportionate to the demand that is placed on the roadway and utility systems by LANDOWNER'S Property. LANDOWNER further acknowledges that the benefits of platting have been accepted with full knowledge of potential claims and causes of action which may be raised now, and in the future, and LANDOWNER acknowledges the receipt of good and valuable consideration for the release and waiver of such claims. LANDOWNER shall indemnify and hold harmless CITY from any claims and suits of third parties, including but not limited to LANDOWNER'S successors, assigns, grantees, vendors, trustees or representatives, brought pursuant to this Agreement or the claims or types of claims described in this paragraph.

L. CONTINUITY

This Agreement shall be a covenant running with the land, and be binding upon LANDOWNER, his or her successors, heirs, assigns, grantees, vendors, trustees, representatives, and all others holding any interest now or in the future.

M. ASSIGNABILITY

This Agreement shall not be assignable by LANDOWNER without the prior written consent of the CITY, and such consent shall not be unreasonably withheld, conditioned or delayed by CITY.

N. TERM

Pursuant to Section 212.172 of the Texas Local Government Code this Agreement may be valid for a term of up to forty-five (45) years unless earlier terminated by breach or pursuant to the specific provisions of Paragraphs D or E of this Agreement.

O. GENERAL PROVISIONS

1. LANDOWNER agrees that construction shall not begin on any proposed building improvements prior to City Council approval of this Agreement.
2. LANDOWNER agrees that all coordination required with public and/or private utility agencies to eliminate conflicts with proposed street grades or underground improvements shall be the responsibility of LANDOWNER. Likewise, coordination with agencies requiring special conditions (i.e., railroads and the Texas Department of Transportation) shall be the responsibility of LANDOWNER.
3. CITY agrees to record said Final Plat at such time as the Final Plat complies with the requirements set forth by the Subdivision Ordinance of CITY, and has been approved in the manner described therein.

CITY OF Farmersville



By: Jack R. Rice  
JACK RANDALL RICE  
Mayor

Date Signed: 11-4-19

ATTEST:

Sandra Green  
SANDRA GREEN  
City Secretary

LANDOWNERS

HARMON DEVELOPMENT, INC.

By: Shane Harmon  
Shane Harmon

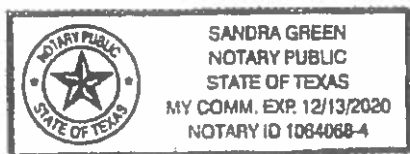
Date Signed: 10-29-19

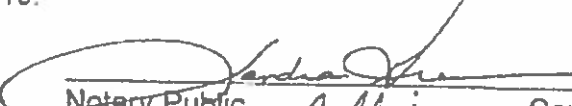


THE STATE OF TEXAS,  
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared JACK RANDALL RICE, Mayor of the **CITY OF FARMERSVILLE**, a Texas Municipal Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he has executed the same on the City's behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 4<sup>th</sup> DAY OF November, 2019.

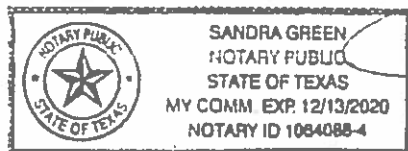


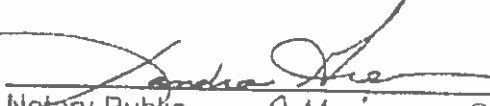
  
Notary Public Collin County, Texas  
My commission expires 12/13/2020

THE STATE OF TEXAS,  
COUNTY OF Collin

This instrument was acknowledged before me on the 29<sup>th</sup> day of October, 2019, by SHANE HARMON in his capacity the Landowner of the Property situated along the southwest corner of the intersection of County Road 661 and County Road 658 containing approximately 33.051 acres of land, more or less, in the Nelson Staats Survey, Abstract No. 842 and the Susannah Walker Survey, Abstract No. 944, Collin County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 29<sup>th</sup> DAY OF October, 2019.

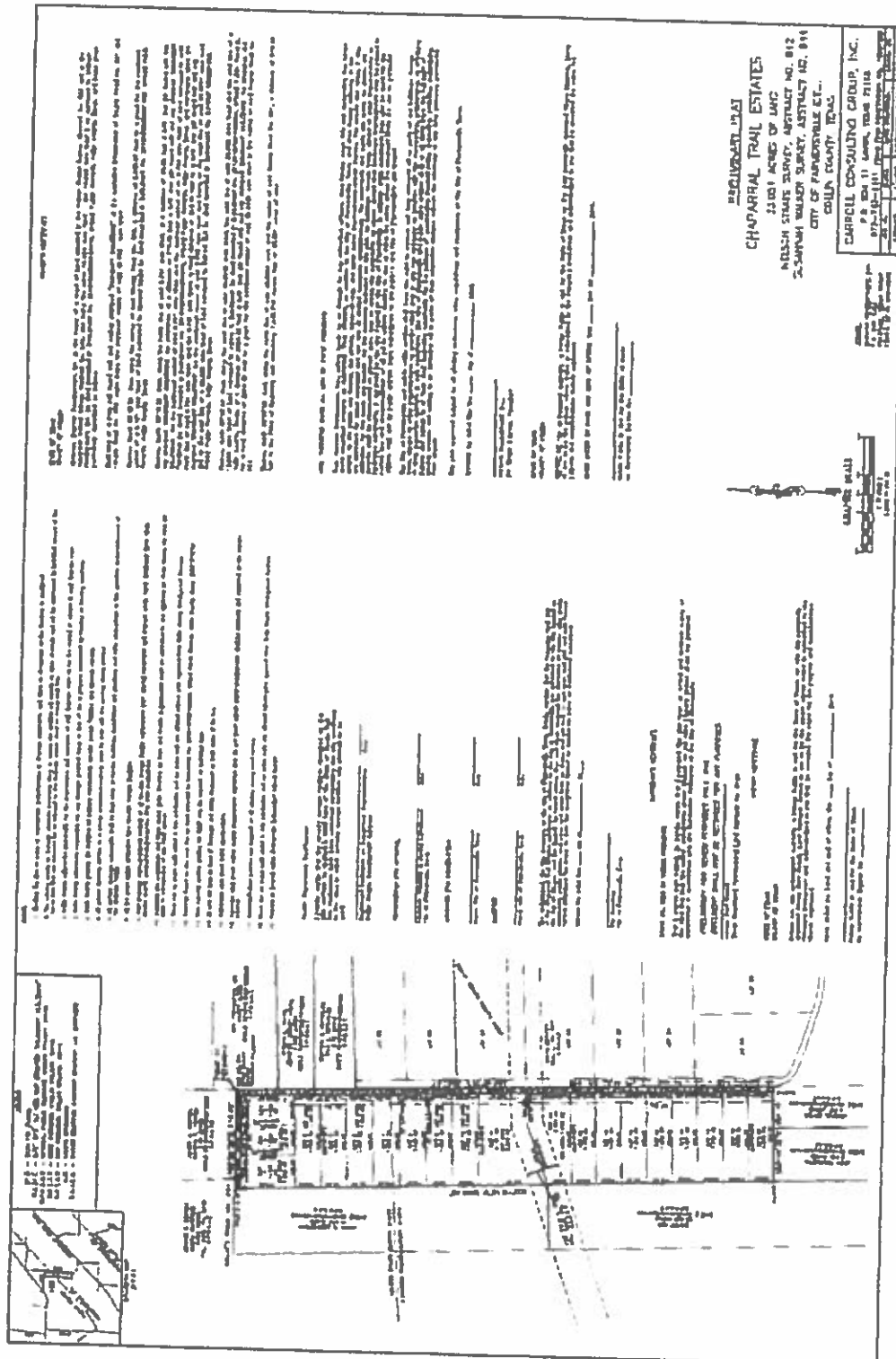


  
Notary Public Collin County, Texas  
My commission expires 12/13/2020

PREPARED IN THE OFFICES OF:

BROWN & HOFMEISTER, L.L.P.  
740 East Campbell Road, Suite 800  
Richardson, Texas 75081  
214/747-6100  
214/747-6111 Fax

# PRELIMINARY PLAT OF PROPERTY



Filed and Recorded  
Official Public Records  
Stacey Keep County Clerk  
Collin County TEXAS  
11/04/2019 01:59:13 PM  
\$74.00 NPCELLA  
20191104001396980



A handwritten signature in cursive script, reading "Stacey Keep", is written in black ink.

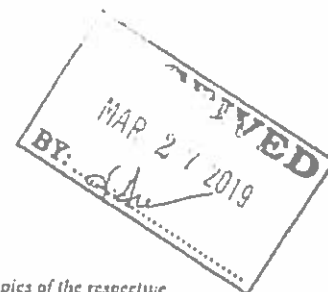
Agenda Section	Regular Agenda
Section Number	VIII.C
Subject	Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the development plat for the Farmersville Railyard Addition.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	<ul style="list-style-type: none"> <li>1. Applicaiton</li> <li>2. DBI Approval Letter</li> <li>3. Plat</li> </ul>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

20191101



## SUBDIVISION APPLICATION FORM

### City of Farmersville, Texas



#### Please Type or Print Information

*This form shall be completed by the Applicant and submitted to the City Secretary's Office along with 6 copies of the respective plat, fees, and all other required information*

*In order for a completed package to be considered for a Planning and Zoning Board meeting all application materials will need to be turned into the City staff at least 3 weeks prior. The package will need to be technically complete 6 working days prior to the Planning and Zoning Board meeting*

*The use of City of Farmersville administrative forms, checklists, and routing sheets shall not relieve the applicant from following the rules, standards, ordinances, and laws governing the City of Farmersville*

*The submission of plans, drawings, calculations, etc., along with this application, makes such items public record and the Applicant understands that they may be viewed and/or reproduced by the general public*

*For a list of fees associated see the City of Farmersville Master Fee Schedule. Fees shall be collected for the purpose of defraying the costs of administrative, clerical, engineering, legal, planning, inspection, and other services deemed necessary to properly review and investigate plats and subdivision construction*

*Exemptions to the platting process are listed in section 1.5 of the Subdivision Ordinance.*

*Subdivision Ordinance variances/waivers may be granted by following the steps outlined in section 1.10 of the Subdivision Ordinance*

*Public infrastructure requirements established by the respective code (example, International Fire Code) and interpreted by the code official may be appealed based on a claim of incorrect interpretation, code applicability, or equivalent methodology. Code requirements cannot be waived*

*Place "X" or check mark in appropriate box. All answers must be "Yes" to submit application*

Pre-Application Requirements		
Yes	No	Requirement
		Attended Pre-Application Conference
		Plat described by metes and bounds
		Plat located with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part
		Dimensions of plat and of each street, alley, square, park, or other part of the plat intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part
		Plat is located in Collin County
		Plat is located in Hunt County
		Plat is located within the City of Farmersville corporate limits or Extra-Territorial Jurisdiction (ETJ) limits

Place "X" or check mark in appropriate box. Use the N/A (not applicable) box if a line item is not applicable. Double asterisks: items are required for all applications. Where separate documents are requested attach them to this submission.

Required Submission Materials		
Yes	No	N/A
		Item Description
✓		** Six copies of plat. Dimensions should be 24" X 36".
✓		** Original certified tax certificate
		** Utility service provider letters <i>Sewer (County)</i>
✓		** Proof of land ownership document
		** Electronic version of plat on CD (.PDF and .DWG)
		** Fees with appropriate retainer as required
		Governmental (TxDOT, Collin County, etc.) approval for major thoroughfare access such as driveway
		Farmersville Independent School District (FISD) accommodation letter (high impact residential or multi-family only)
		Two copies of engineering plans
		On-Site Sanitary Sewer Facility (OSSF) certification document
		Engineer's Summary Report
		Development schedule
		Development agreement
		Copy of covenants, conditions, restrictions, and agreements
		Geotechnical report
		Traffic study
		Application letter for proposed street names

Place "X" or check mark in appropriate box. Only one box may be indicated.

Type of Plat Document Submittal	
	Concept Plan
	Preliminary Plat
	Final Plat
✓	Development Plat
	Replat
	Amending Plat
	Minor Plat
	Vacated Plat

## Subdivision Application Form

Place information in all spaces that apply. Depending on the situation some spaces may be left empty

Property Owner Information	
Name	Hanno Gulf Coast
Address	<del>1503</del> 1503 LBT Freeway, Suite 400
City	DALLAS
State	Tx
Zip	75234
Work Phone Number	(501) 620-5492
Facsimile Number	
Mobile Phone Number	
Email Address	
Applicant/Responsible Party Information	
Name	Randy Wilkinson
Address	
City	
State	
Zip	
Work Phone Number	501 620 5492
Facsimile Number	
Mobile Phone Number	
Email Address	RANDY.WILKINSON@MartinMarietta.Co
Engineer Information	
Name	Jones + Carter
Address	6509 Windcrest Dr. Suite 600
City	Plano, Tx
State	Tx
Zip	75024
Work Phone Number	(972) 488-3880
Facsimile Number	
Mobile Phone Number	
Email Address	
Surveyor Information	
Name	Same as Eng.
Address	
City	
State	
Zip	
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	

## Subdivision Application Form

General Application Information	
Proposed Name of Subdivision	Farmersville Railway Addition
Total Acreage of Development	85.381
Physical Location of Property	U.S. Hwy 38
Legal Description of Property	William Hemphill Survey Abstract No. 448
Number of Lots	1

Place "X" or check mark in appropriate box indicating the form provided for proof of land ownership. Attach document to this submission.

Type of Plat Document Submittal	
<input checked="" type="checkbox"/>	General Warranty Deed
<input checked="" type="checkbox"/>	Special Warranty Deed
<input type="checkbox"/>	Title Policy
<input type="checkbox"/>	Other (approved by City Manager):

Place "X" or check mark in appropriate box indicating the current zoning districts comprising the land. Depending on the situation more than one box may be indicated.

Current Zoning	
<input type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input checked="" type="checkbox"/>	Extra-Territorial Jurisdiction



## Subdivision Application Form

Place "X" or check mark in appropriate box indicating the proposed zoning districts comprising the land. Depending on the situation more than one box may be indicated. If zoning remains unaffected mark the same as above in the "Current Zoning Districts" table.

Proposed Zoning	
<input type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input checked="" type="checkbox"/>	Extra-Territorial Jurisdiction

Place "X" or check mark in appropriate box indicating the proposed use of the land. Depending on the situation more than one box may be indicated.

Use of Land and Buildings	
Housing Uses	
<input type="checkbox"/>	One Family Detached Dwelling
<input type="checkbox"/>	One Family Attached Dwelling
<input type="checkbox"/>	Zero Lot Line Dwelling
<input type="checkbox"/>	Town Home
<input type="checkbox"/>	Two Family Dwelling
<input type="checkbox"/>	Multiple Family Dwelling
<input type="checkbox"/>	Boarding or Rooming House
<input type="checkbox"/>	Bed and Breakfast Inn
<input type="checkbox"/>	Hotel or Motel
<input type="checkbox"/>	HUD Code Manufactured Home
<input type="checkbox"/>	Industrialized Housing
<input type="checkbox"/>	Mobil Home

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Accessory And Incidental Uses</b>	
	Accessory Building
	Farm Accessory Building
	Home Occupation
	Off Street Parking Incidental to Main Use
	Stable
	Swimming Pool
	Temporary Field Office or Construction Office
<b>Utility And Services Uses Electrical Substation</b>	
	Electrical Energy Generating Plant
	Electrical Transmission Use
	Fire Station
	Gas Lines and Regulating Station
	Public Building Shop or Yard of Local State or General Agency
	Radio, Television, or Microwave Tower
	Radio or Television Transmitting Station
	Sewage Pumping Station
	Sewage Treatment Plant
	Telephone Business Office
	Telephone Exchange, Switching Relay or Transmitting Station
	Utility Line, Local
	Utility Shops or Storage Yards or Buildings
	Water Standpipe or Elevated Water Storage
	Water Reservoir, Well or Pumping Station
	Water Treatment Plant
<b>Recreational And Entertainment Uses</b>	
	Amusement, Commercial
	Amusement, Commercial
	Country Club with Golf Course
	Dance Hall or Night Club
	Day Camp for Children
	Drag Strip or Commercial Racing
	Go Cart Track
	Gun Range
	Park or Playground
	Play Field or Stadium
	Rodeo Grounds
	Swim or Tennis Club
	Theater
	Trailer Park - Recreational Vehicle Park

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Educational And Institutional Uses</b>	
	Art Gallery or Museum
	Cemetery or Mausoleum
	Church or Rectory
	College, University or Private School
	Community Center
	Convent or Monastery
	Fairgrounds or Exhibition Area
	Fraternity, Sorority, Lodge or Civic Club
	Home for Alcoholic, Narcotic or Psychiatric Patients
	Hospital Acute Care
	Hospital Chronic Care
	Historical, Religious, Charitable or Philanthropic Nature
	Kindergarten or Nursery
	Library
	Nursing Home or Residence for Aged
	School, Business or Trade and
	School, Public or Parochial
<b>Transportation Related Uses</b>	
	Airport, Landing Field or Heliport
	Bus Station or Terminal and
	Motor Freight Terminal
	Parking Lot Truck
	Parking Lot Structure Commercial
	Railroad Freight Terminal
	Railroad Passenger Station
	Railroad Track or Right-of-Way
	Railroad Team Tracks
<b>Automobile Service Uses</b>	
	Auto Glass, Muffler or Seat Cover Shop
	Auto Laundry
	Auto Parts and Accessory Sales
	Auto Parts and Accessory Sales
	Auto Painting or Body Rebuilding Shop
	Automobile Repair Garage
	Gasoline or Fuel Service Station
	New or Used Auto Sales in Structure
	New or Used Auto Sales Outdoor Lot
	Motorcycle or Scooter Sales and Repair
	Steam Cleaning or Vehicles or Machinery
	Tire Retreading or Capping
	Trailer, Cargo Sales or Rental
	Wrecking or Auto Salvage Yard

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Retail And Related Service Uses</b>	
	Antique Shop
	Art Supply Store
	Bakery or Confectionery Shop
	Bank or Saving And Loan Office
	Barber or Beauty Shop
	Book or Stationery Shop
	Camera Shop
	Cleaning Shop or Laundry
	Cleaning Laundromat
	Clinic, Medical or Dental
	Custom Personal Service Shop
	Department Store or Discount Store
	Drug Store or Pharmacy
	Farmers Market
	Florist Shop
	Food Store
	Furniture or Appliance Store
	Garden Shop and Plant Sales
	Handcraft and Art Objects Sales
	Hardware Store or Hobby Shop Key Shop
	Laboratory, Medical or Dental
	Medical Appliances, Fitting, Sales or Rental
	Mortuary
	Offices, General Business or Professional
	Office Showroom/Warehouse or Sales Facilities
	Optical Shop or Laboratory
	Pawn Shop
	Pet Shop, Small Animals, Birds, and Fish
	Private Club
	Repair of Appliances, T.V., Radio and Similar Equipment
	Restaurant or Cafeteria
	Restaurant or Eating Establishment
	Retail Shop, Apparel, Gift Accessory and Similarities
	Sexually Oriented Establishment
	Studio Decorator and Display of Art Objects
	Studio Health Reducing or Similar Service
	Studio, Photographer, Artist, Music, Drama, or Dance
	Tool Rental
	Trailer or RV Sales or Display
	Variety Store or Other Retail Outlet Store
	Veterinarian Office Only

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Agricultural Types Uses</b>	
	Farm or Ranch
	Animal Pound
	Animal Clinic or Hospital
	Animal Clinic, Hospital or Kennel
	Greenhouse or Plant Nursery
<b>Commercial Type Uses</b>	
	Bakery Wholesale
	Building Material Sale
	Cabinet and Upholstery Shop
	Cleaning, Drying or Laundry Plant
	Clothing or Similar Light Assembly Process
	Contractors Storage or Equipment Yard
	Heavy Machinery Sales, Storage or Repair
	Lithographic or Print Shop
	Maintenance and Repair Service for Buildings
	Milk Depot, Dairy or Ice Cream Plant
	Manufactured House or Industrialized Homes Sales and Display
	Open Storage of Furniture, Appliances or Machinery, Etc.
	Paint Shop
	Petroleum Products, Storage and Wholesale
	Plumbing Shop
	Propane Storage and Distribution
	Storage Warehouse
	Trailer or Recreational Vehicle Sales or Display
	Welding or Machine Shop
	Wholesale Office Storage or Sales Facilities
<b>Industrial Uses</b>	
	Asphalt Paving Batching Plant
	Concrete Batching Plant
	Concrete Products Manufacture
	Light Manufacturing
	Sand and Gravel Storage
	Sand, Gravel, Stone or Petroleum Extraction

## Subdivision Application Form

Indicate the utility provider's name for the property in the space provided.

Utility Providers	
Description of Service	Name
Electrical Service Provider	
Water Supplier	
Sewage Disposal	
Telephone Service	
Cable TV Service	
Gas Service	
Refuse Pick-Up	

The signatures of the owner(s) below indicate intention to follow through with the platting/subdivision process.

*RB Wi*  
Owner's Signature

*Randy Wilkinson*  
Owner's Name (Printed)

*3-27-19*  
Date

\_\_\_\_\_  
Co Owner's Signature

\_\_\_\_\_  
Co Owner's Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co Owner's Signature

\_\_\_\_\_  
Co Owner's Name (Printed)

\_\_\_\_\_  
Date

Dear City of Farmersville Planning Division:

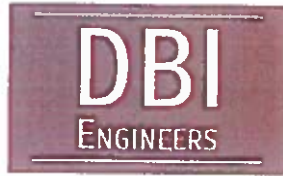
I, Randy Wilkins, am the owner or owner's representative of a tract or tracts of real property located in the City of Farmersville, Texas, located at and described as Farmersville Railway. I have filed an application for approval of a subdivision plat for this property. I hereby waive the 30-day plat review period established by Section 212.009 of the Texas Local Government Code and acknowledge that the City may require more than 30 days to properly review and consider the plat application. I understand and agree that the plat application may be considered and approved or denied by the Planning and Zoning Commission and/or the City Council more than 30 days later than the date that it was first filed.

Respectfully,

Randy Wilkins  
Signed by or on behalf of the applicant

3-27-19

Date



January 21, 2020

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Farmersville Railyard Addition – Development Plat  
Dated January 15, 2020

Mr. White:

The above referenced plat has been reviewed according to the ordinances of the City of Farmersville and been found to be compliant

It is recommended that the Development Plat be approved. Please contact me if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive, flowing style.

Jacob Dupuis, P.E.

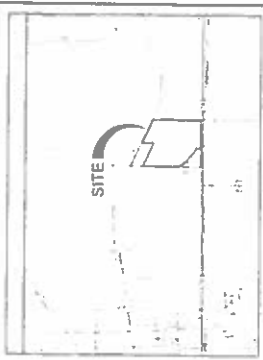


# CURVE TABLE

Curve	Radius	Chord	Angle	Area	Length
1	1000	1000	180	785398	314159
2	500	500	90	196349	785398
3	250	250	45	49087	196349
4	125	125	22.5	12272	49087
5	62.5	62.5	11.25	3068	12272

# LINE TABLE

Line	Station	Angle	Length	Area
1	0+00	90	1000	785398
2	1000	90	500	196349
3	1500	45	250	49087
4	1750	22.5	125	12272
5	1875	11.25	62.5	3068



# LEGEND

- 1. 0.15' (15") Right-of-Way Boundary
- 2. 0.15' (15") Right-of-Way Boundary
- 3. 0.15' (15") Right-of-Way Boundary
- 4. 0.15' (15") Right-of-Way Boundary
- 5. 0.15' (15") Right-of-Way Boundary
- 6. 0.15' (15") Right-of-Way Boundary
- 7. 0.15' (15") Right-of-Way Boundary
- 8. 0.15' (15") Right-of-Way Boundary
- 9. 0.15' (15") Right-of-Way Boundary
- 10. 0.15' (15") Right-of-Way Boundary

# NOTES

1. All dimensions are in feet and inches.
2. All dimensions are in feet and inches.
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4. All dimensions are in feet and inches.
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10. All dimensions are in feet and inches.

# PLAT

# DEVELOPMENT PLAT

# FARMERSVILLE RAILYARD ADDITION

# BEING 85.381 ACRE TRACT

# SITUATED IN THE

# WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 448

# IN

# THE E.T. OF FARMERSVILLE

# COLLIN COUNTY, TEXAS

# JANUARY 2020

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# PLAT

# DEVELOPMENT PLAT

# FARMERSVILLE RAILYARD ADDITION

# BEING 85.381 ACRE TRACT

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Agenda Section	Regular Agenda
Section Number	VIII.D
Subject	Consider, discuss and act upon Resolution #R-2020-0128-001 finding and declaring the current number of inhabitants within the city's corporate limits to exceed 5,000.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	<ol style="list-style-type: none"> <li>1. R-2020-0128-001</li> <li>2. Analysis of inhabitants</li> </ol>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
RESOLUTION # R-2020-0128-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, FINDING AND DECLARING THE CURRENT NUMBER OF INHABITANTS WITHIN THE CITY'S CORPORATE LIMITS TO EXCEED 5,000, THEREBY QUALIFYING THE CITY TO ADOPT A HOME-RULE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Farmersville, located in Collin County, Texas, is a Type-A, general-law city, created in accordance with Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City of Farmersville was incorporated as a general-law city on June 2, 1873, and it adopted the Manager-Council form of government on March 20, 1984; and

**WHEREAS**, the City Council of the City of Farmersville, Texas ("City Council") has instructed the City administrative staff to conduct a study, and to consider relevant documents generated by applicable local, regional, state, and federal governmental entities to determine if the number of inhabitants within the city limits exceeds 5,000; and

**WHEREAS**, the City administrative staff has researched and studied such applicable documents including, among other sources, City records of those water meter/utility accounts currently serving all residential households within the Farmersville city limits, building permits recently issued by the City, past census figures, current population estimates, and projections of inhabitants living within the City, regional household density findings, and other relevant data; and

**WHEREAS**, the City administrative staff has provided the City Council with its findings, and the City Council has reviewed and considered those findings and has made the good-faith determination that the current number of inhabitants within the Farmersville city limits exceeds 5,000, and that, pursuant to Article XI, Section 5 of the Texas Constitution, the City is eligible to hold an election whereby voters can consider the adoption of a new city charter.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**Section 1.** All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

**Section 2.** Following careful review of the studies and findings submitted by the City administrative staff, the City Council of the City of Farmersville, Texas, hereby finds and officially makes the good-faith determination that the current number of inhabitants within the Farmersville city limits exceeds 5,000, and that, pursuant to Article XI, Section 5 of the Texas Constitution, the City is eligible to hold an election whereby voters can consider the adoption of a new city charter.

**Section 3.** This Resolution shall take effective immediately upon its passage.

**DULY PASSED AND APPROVED**, by the City Council of the City of Farmersville, Texas on this \_\_\_\_\_ day of January, 2020.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
Alan D. Lathrom  
City Attorney

**FARMERSVILLE HOME RULE CHARTER  
Calculation of Inhabitants  
Analysis**

**October 15, 2019**

**ASSUMPTIONS**

- 1) Extended care and memory care facilities have a commercial meter, so actual room occupants were counted, without the "family unit" factor.
- 2) A "family unit" factor of 3.2x was used for residences and apartment units. A factor ranging from 2.5 – 3.4x is allowed for calculation purposes.
- 3) Camden Park residential development has three phases totaling approximately 277 residences. Only 120 houses are considered in this analysis.
- 4) Electric meter totals were provided by City of Farmersville staff as of October 15, 2019.

I.	Extended Care Facilities	
	A) Hinton Home residents	90
	B) Lexington Place residents	125
		<hr/>
	Total	215
	(No family unit factor)	
II.	Residential Units – individually metered	1,200
		3.2x
		<hr/>
	Total	3840
III.	Apartments – Commercial Meter	
	A) Cross Road Apartments	40
	B) Shady Oaks Apartments	32
	C) Buffalo Creek Apartments	30
	D) Hilltop Apartments	24
	E) Palladium Apartments	30
		<hr/>
	Total	156
		3.2x
		<hr/>
	Total	499
IV.	Camden Park houses	
		120
		3.2x
		<hr/>
	Total	384
V.	Texoma Housing Authority – commercial meter	
	A) Santa Fe St. – 40 one BR units x 2.0x factor	80
	B) Neathery St. - 8 units x 3.0x factor	24
	C) Candy Street - 6 units x 3.0x factor	18
		<hr/>
	Total	122

**TOTAL INHABITANTS:**

• Extended Care Facilities	215
• Existing Residential Units	3840
• Apartments	499
• Camden Park	384
• Texoma Housing Authority	122
	<hr/>
Total	5060

**VI. COMING ONLINE WITHIN 180 DAYS:**

A) Palladium Apartments – 50 units times 2.0 factor	100
B) Camden Park houses – 25 new times 3.2 factor	80
	<hr/>
Total	180



Agenda Section	Regular Agenda
Section Number	VIII.E
Subject	Consider, discuss and act upon murals on or in city owned buildings.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to a future agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	VIII.F
Subject	Consider, discuss and act upon possible sign ordinance changes regarding murals.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	Excerpt from Sign Ordinance
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to a future agenda. _____</li> <li>• No motion, no action</li> </ul>

Mural means noncommercial pictures or artwork painted, drawn or applied on the exterior walls that do not depict or contain advertising, logos, or images of a product or service offered or sold on premises or off premises.

- (1) Murals shall not be used to advertise products or services of any kind offered or sold off premises or on premises. Any form of wording or logo shall be of secondary nature to a mural.
- (2) A sign permit is required.
- (3) A detailed drawing of the proposed mural shall be submitted to the city with the sign permit application for review to determine conformity with all applicable city, state and federal laws, statutes and ordinances.
- (4) The mural shall be executed in conformity to the detailed drawing of the proposed mural that is submitted to the city with the sign permit application.
- (5) A mural shall be located above grade and below a roof and only within a nonresidential zoning district. Murals shall not be applied to a roof or other similar cover of a building or structure. The maximum area of a mural shall not exceed the length or height of the exterior wall on which it is painted, drawn or applied. A mural shall not face a residential neighborhood unless separated by a major thoroughfare.
- (6) Murals are permitted only in conjunction with a nonresidential use or in a nonresidential zoning district.
- (7) Murals shall not contain any matter that is obscene, or which offends the public morals, or that is inappropriate viewing material for anyone under the age of 18 years including, but not limited to:
  - a. Nudity or a state of nudity, specified anatomical areas and specified sexual activities, as those terms are defined in this section;
  - b. Less than completely and opaquely covered human genitals, buttocks, or that portion of the female breast below the top of the areola; and
  - c. Human male genitals in a discernibly turgid stage whether covered or uncovered.

Agenda Section	Regular Agenda
Section Number	VIII.G
Subject	Consider, discuss and act upon an appointment to the Texoma Housing Board.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to a future agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	VIII.H
Subject	Update and discussion regarding the present status of TxDOT and County Commissioners relating to U.S. Highway 380 and State Highway 78.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 28, 2020
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to a future agenda. _____</li> <li>• No motion, no action</li> </ul>

## **IX. Requests to be Placed on Future Agendas**

## **X. Adjournment**