

FARMERSVILLE CITY COUNCIL REGULAR SESSION AGENDA February 11, 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.
 - ➤ The last day to apply for a place on the May 2nd Farmersville General Election ballot is Friday, February 14th at 5:00 p.m.
 - City Hall will be closed on Monday, February 17th in observance of President's Day.
 - Early Voting will begin on Tuesday, February 18th and continue through Friday, February 28th.
 - ➤ On Monday, February 24th the Planning & Zoning Commission will meet at 7:30 p.m. due to early voting.
 - ➤ On Tuesday, February 25th the City Council will meet at 7:30 p.m. due to early voting.
 - Presentation from Citizens Assisting Farmersville Police (CAFP) to Farmersville Police Department

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 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 Manager's Report

V. <u>INFORMATIONAL ITEMS</u>

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

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

- A. City Amenities Board
 - 1. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
 - 1. Financials
 - 2. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Financials
 - 2. Possible Council Liaison Report
- D. Main Street Board
 - 1. Possible Council Liaison Report
- E. Planning & Zoning Commission
 - 1. Possible Council Liaison Report

VI. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0211-001 regarding a requested change in zoning from SF-2 — Single Family Dwelling-2 District uses to SF-2 — Single Family Dwelling-2 District uses with a Specific Use Permit ("SUP") for an owner (or operator) occupied bed and breakfast inn located on Block 7, Lot 39 in the Howell Addition, which location is more commonly known as 109 College Street, Farmersville, Texas.

VII. REGULAR AGENDA

- A. Yearly update and presentation from Community Waste Disposal (CWD).
- B. Consider, discuss and act upon Resolution R-2020-0211-001 authorizing the payment to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
- C. Consider, discuss and act upon signature authority for the Pipe Bursting Project located on U.S. Highway 380 and Welch Dr.
- D. Consider, discuss and act upon Resolution R-2020-0211-002 supporting renovations for Shady Oaks Apartments.
- E. Discussion regarding exploratory COPS grant through the Department of Justice.

VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

IX. <u>ADJOURNMENT</u>

Dated this the 6th day of February, 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 February 6, 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	

February 2020

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

March 2020

Saturday	7 Farmers & Fleas 9:00 am	14	21	28	
Friday	Φ	13	20	27	
Thursday	5 City Amenities Board Meeting 4:15 pm	12	19 FEDC (4A) Meeting 6:30 pm	26	
Wednesday	4	7-	18	25	
Tuesday	3 Primary Election 7-7	City Council Meeting 6:00 pm	17	24 City Council Meeting 6:00 pm	3.7
Monday	2	Main Street Meeting 4:30 pm FCDC (4B)	16 P&Z Meeting 6:30 pm	23	30
Sunday	~	©	15	22	29

April 2020

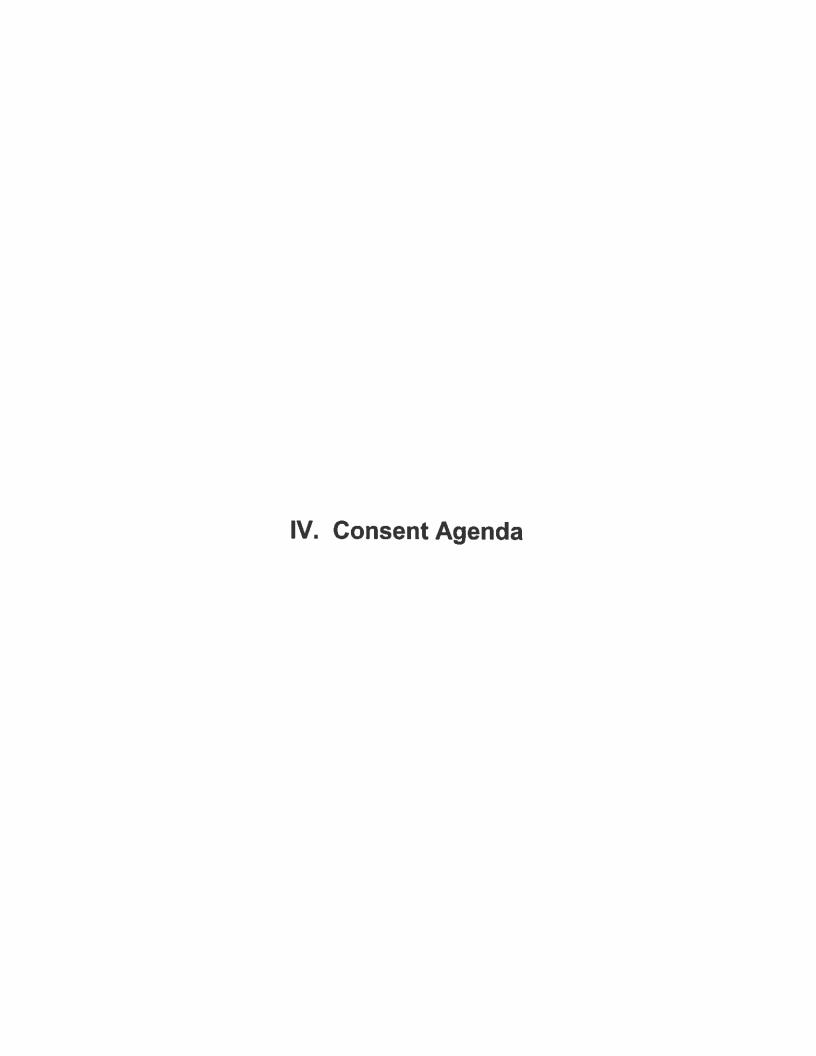
Saturday	Farmers & Fleas 9:00 am	-	18	25	Early Voting 8-5		
Friday	n	10 City Hall Closed – Good Friday	17	24	Early Voting 8-5		
Thursday	2 City Amenities Board Meeting 4:15 pm	O	16 FEDC (4A) Meeting 6:30 pm	23	Early Voting 8-5	30	
Wednesday		Φ	15	22	Early Voting 8-5	29	
Tuesday		7	City Council Meeting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

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	TI .
Subject	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
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
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
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



Agenda Section	Consent Agenda
Section Number	IV.A
Subject	City Council Minutes
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action



FARMERSVILLE CITY COUNCIL REGULAR SESSION MINUTES For

January 28, 2020, 6:00 P.M.

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 6:00 p.m. Council members, Mike Hurst, Craig Overstreet, Dwain Mathers and Donny Mason were all present. Jim Hemby was not in attendance. City staff members Ben White, Sandra Green, Kim Morris, Rick Ranspot, Marsha Phillips, Daphne Hamlin and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Warrant Officer 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, February 17th in observance of President's Day.
 - ➤ Mayor Rice stated that Saturday, February 1st would be Farmers & Fleas and the Heritage Museum would be open from 10 a.m. 2 p.m.
 - Mayor Rice explained that February 8th was Valentine's on the Square and that early voting would begin on the 18th.

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

Randy Smith who lives at 508 CR 610 stated he was not necessarily against the
annexation of the 26.6 acres but he wanted County Road 699 to be completed
soon. He explained he was afraid the road would not get built and he was
concerned about the safety on County Road 699 with concrete trucks driving on
it.

III. <u>CITIZEN COMMENTS ON MATTERS NOT ON AGENDA</u>

No one came forward.

IV. CONSENT AGENDA

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- A. City Council Minutes
- B. Police Department Annual Report
- C. City Financial Report
 - Motion to approve made by Craig Overstreet
 - o 2nd to approve was Donny Mason
 - All council members voted in favor

V. <u>INFORMATIONAL ITEMS</u>

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- A. City Amenities Board
 - 1. Possible Council Liaison Report

- B. Farmersville Community Development Board (Type B)
 - 1. Possible Council Liaison Report
- C. Farmersville Economic Development Board (Type A)
 - 1. Minutes
 - 2. Possible Council Liaison Report
 - Mike Hurst stated they discussed Collin College progress and how it would support the city economically. He stated the concrete facility was continuing with construction and that the waterline to the concrete plant was complete. He commented that Nelson Brothers Ready Mix had completed their annexation paperwork and submitted the paperwork to the city. He indicated there would be a TCEQ public hearing for Martin Marietta on February 25. He asked Ben White if the city would be in a position to handle new businesses coming in to the city.
 - Ben White stated the status of the current wastewater system is good and
 we are in a position to handle new businesses. We are ready to expand
 when it is needed, but typically that would be up to the developers of the
 land. We have the engineering plans complete for the future plant.
 - Mike Hurst asked if the trickling filtering system on the Waste Water Treatment Plant 1 was fixed.
 - · Ben White stated they are still working on it.

D. Main Street Board

- 1. Minutes
- 2. Possible Council Liaison Report
- E. Planning & Zoning Commission
 - 1. Possible Council Liaison Report
 - Craig Overstreet stated they held a public hearing regarding Camden Park
 to modify the front and rear yard setbacks on 18 lots and it was denied.
 They also held another public hearing regarding a bed and breakfast at
 109 College Street that was favorably recommended to City Council. He
 indicated it would come before Council soon.
- F. City Manager's Verbal Report
 - 1. Hamilton Street Update
 - Ben White stated a pre-construction meeting is set for Friday morning and construction should start within a few weeks.
 - 2. Palladium Apartments Update
 - Ben White explained Building 1 is complete and people are moving in. There was a waiting list for Building 1 and Building 2 is half-way rented. He explained that Building 2 has not received a certificate of occupancy yet. He stated the interconnect was completed and Building 2 would not

- have to wait for that. He indicated that he does not have a completion date for Building 3.
- Dwain Mathers asked about the delay for internet services at Palladium.
- Ben White stated last summer Palladium began working on obtaining an
 interconnect for internet service. He explained the interconnect is cable
 and not fiber. He stated that he has worked with Scott Johnson from
 Palladium to get the interconnection in. They could not move people in
 for a month because of no interconnection. The fire alarm system would
 not have been connected to the central site.
- Craig Overstreet wanted to make sure the city was not at fault for any of the issues with the internet.
- Ben White stated the city was just helping and none of the internet issues were the fault of the city.
- Mike Hurst asked if this was an issue for the developer.
- Ben White stated it is not good for the people or businesses trying to
 move in to the city. He stated the city could help with the planning
 process but those utilities are typically up to the developer. He indicated
 water, sewer and a few other things would be the city's responsibility.
- Dwain Mathers asked what the specific problems where with Palladium.
- Ben White stated Palladium was up front and forward from the beginning and were checking on the internet services in September.
- Mayor Rice stated the internet provider dropped the ball.
- 3. Camden Park Update
 - Ben White stated Phase 3 is continuing forward. They are wanting to build the homes before the infrastructure is in place and there will be a meeting to discuss if this would even be possible. He stated there were nine more permits to pull in Phase 1 and Phase 2.

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.
 - Mayor Rice opened the public hearing at 6:37 p.m. and asked if anyone wanted to speak for or against the item.
 - No one came forward
 - Mayor Rice closed the public hearing at 6:37 p.m.

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 cityowned vehicles.
 - Note: At the last meeting this item was listed as Ordinance #O-2020-0114-002 and was changed on this agenda to match the date of the agenda on which it would be approved.
 - 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.

- Craig Overstreet stated the Chief found this exception under the Transportation Code and this would allow our city police vehicles to be unmarked.
- Alan Lathrom stated the Transportation Code already empowers the police department to utilize unmarked vehicles for police duty. This Ordinance just makes sure we are in conformance with that code.
- Marsha Phillips stated there are several vehicles that are ghosted or are unmarked.
- Ben White explained this ordinance would allow them to stay unmarked or ghosted.
 - Motion to approve made by Donny Mason
 - o 2nd to approve was Mike Hurst
 - All council members voted in favor
- 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.
 - Motion to approve made by Mike Hurst
 - o 2nd to approve was Donny Mason
 - 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 was withdrawn.
- B. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the final plat of the Chaparral Trail Estates.
 - Craig Overstreet stated this was one of the items the Planning & Zoning Commission heard at their meeting and it does come with a favorable recommendation from the Planning & Zoning Commission.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- C. Consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding the development plat for the Farmersville Railyard Addition.
 - Alan Lathrom stated that a Development Plat is a recording document under Subchapter B of Chapter 212 of the Local Government Code and is triggered by the construction of facilities. It is different from the normal platting process that is triggered by the subdivision of the property.
 Because it is in the Extraterritorial Jurisdiction it is triggered by their construction or expansion of improvements of the property.
 - Craig Overstreet asked if this was the only time this plat would be seen by the Council.
 - Alan Lathrom explained this would be the only document the Council would see unless they added additional improvements or expanded something on the property.
 - Ben White went over all the buildings and infrastructure that was shown on the plat. He stated that the City Engineer did recommend approval and stated it met all the city requirements for platting.
 - Donny Mason asked if they would enter the site off of U.S. Highway 380.
 - Ben White stated that was his understanding.
 - Dwain Mathers asked if Martin Marietta was invited to the meeting.
 - Sandra Green stated their engineer and a representative from Martin Marietta was aware of the meeting.
 - Dwain Mathers wanted it noted for people that live around the site that no representatives from Martin Marietta attended the City Council meeting.

- Mayor Rice stated the next TCEQ public hearing would be on February 25th at 7:00 p.m.
- Craig Overstreet said it did come with a recommendation of approval from the City Engineer as well as the Planning & Zoning Commission.
 - Motion to approve made by Craig Overstreet
 - 2nd to approve was Donny Mason
 - All council members voted in favor
- 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.
 - Dwain Mathers stated it seemed like we are in a rush to do this. He
 explained that part of the problem in doing this is that if we approve the
 resolution and the census comes out and says the numbers are not to
 5,000 we would look bad.
 - Mayor Rice stated the census numbers would not be available for two to three years.
 - Mike Hurst stated the Charter Commission was formed approximately 1 ½ years ago to get ahead of the curve. He explained they did a study based on the number of inhabitants. This study was based on the number of water meters and inhabitants that live in the apartments and nursing homes. He stated there is a matrix that cities could use to determine the number of inhabitants and they could use a ratio from three to five. They came up with 5,060 inhabitants and they tried to stay realistic with the numbers. He explained they want to politicize the charter in a way that would be good for the city. Every registered voter would get a copy of the charter before it is passed. He explained that it puts more in the hands of the city and not the state. He stated they felt it was a good time to move forward with the charter with all the growth that was starting to come to Farmersville.
 - Craig Overstreet stated the most controversial thing when talking about a
 charter was the power of annexation and with the new legislation that was
 taken away. If you go through the document it does give the city a little
 more power. He said for example, the terms of Council members and the
 rights of citizens to bring items directly to a vote without the Council
 authorizing it. He said it gives a city a little more power over its own
 destiny.
 - Mayor Rice stated a simplistic way of looking at it would be that right now under general law the state tells us what we can do. Under the home rule we get to decide what we can do and the state tells us what we cannot do.
 - Mike Hurst explained that it gives the people in town a little bit more of local control.

- Jim Foy who resides at 211 College Street was recognized by Mayor Rice and addressed the Council. He stated that the assumption rate that was used by the Commission to get the number of inhabitants was not in the statute. He said state law simply stated that the Council is to make a good faith determination as to what the number is. He indicated that Farmersville has an older population than average. He said that means fewer young families and fewer people per number per household. He stated the U.S. Census Bureau says the national average of inhabitants per household is 2.63, which is way below the 3.2. He explained that the North Central Texas Council of Governments says that our 2019 population estimate is 3.240. He stated what ratio a few other cities and counties used in the area to determine their number of inhabitants and how it was lower than what was used. He explained that he could not in good faith right now make a good faith determination that it was 5,000 or more inhabitants. He encouraged them to table the resolution until the census comes out so they could see the actual number of people.
- Mayor Rice wanted to know if the City Council declared 5,000 inhabitants would the Extra Territorial Jurisdiction (ETJ) of the city automatically extend to one mile.
- Alan Lathrom stated they would have to make a good faith determination and record the resolution at the county to have it recognized.
- Mike Hurst stated he called a couple of cities and that is how they came up with the number of 3.2. He indicated that he knows the population is older, but we do not know how many inhabitants live in each residence. The Commission had the city attorney review the forms with this number. He said the charter is a good one and was overseen by the city attorney. He explained that if the city attorney felt like it needed to be delayed then that is what they would do. He said the numbers that were used were true numbers and not exaggerated. He indicated they are not trying to put anything over on anyone. He said they are just trying to get ahead of the curve. He stated he thinks the home rule charter would be good for the city in the long run.
- Mayor Rice said the question before Council is can we reasonably justify the number of inhabitants exceeds 5,000.
- Alan Lathrom stated he did not come up with the 3.2 number. He said the City Council is charged by the state law with making a good faith determination in regards to the number of inhabitants. There is a distinction under home rule charter authority that it is based on inhabitants and not the population. He said population is what is determined by the United States Census every 10 years. If you are basing home rule charter status and the size of the Extra Territorial Jurisdiction (ETJ) status on the census than you could only do that every 10 years. He explained that is why state law says it is based on inhabitants. He said it is up to the governing body of the municipality to determine what that number is and to determine the best way to calculate it. He stated the numbers quoted by Mr. Foy were correct and they were from the 2013-2014 U.S. Census

- Bureau Facts Table. He said every city is different and it is up to the governing body to make a good faith determination and how to come up with the number of inhabitants.
- Mike Hurst stated that is how the Commission came up with the 3.2 where
 it was not absorbent on one end or low on the other. He explained the
 Commission was doing what they thought was in the best interest of the
 city.
- Craig Overstreet stated the Home Rule Committee spent some time with this and he would not want to delay it for very long, but if they want to delay it for six months he would be okay with that. He would like for the Council to consider the resolution again in the fall.
- Craig Overstreet made a motion to delay the election for further consideration in the fall, but he stated that way people could do their own testing for the number of inhabitants. He did state that it is warranted for our community and he believes it meets the standards of 5,000 inhabitants.
- Dwain Mathers asked for a clarification on the motion.
- Craig Overstreet stated it is to not hold the home rule charter election in May.
- Mayor Rice clarified even further to state it was to table the determination of the number of inhabitants in the city.
- Craig Overstreet agreed.
 - o 2nd to approve was Mike Hurst
 - o All council members voted in favor
- Mayor Rice stated the motion was tabled or postponed which ever was proper.
- E. Consider, discuss and act upon murals on or in city owned buildings.
 - Ben White stated there has been a request by the Main Street board for murals being placed on city buildings or the inside walls of city buildings.
 - Dwain Mathers asked how the city would go about doing that. He asked if a committee would be formed to perform the research.
 - Ben White stated that if Council wanted to go forward then staff would research and see what was needed to make changes to the ordinance.
 - Craig Overstreet stated they are city owned buildings and what may be
 pleasing to some might be offensive to others. He would be okay with
 murals on a privately owned building.
 - Mayor Rice stated he feels the same way and they are okay on private buildings.

- Donny Mason stated he thought the city attorney said they could not put anything on city owned buildings.
- Alan Lathrom suggested that once you open it up you would need a process to determine where things could be placed and to what extent or degree.
- Donny Mason asked how we would not be discriminating if we allowed some and not all to place the signs.
- Alan Lathrom stated you would have to create a policy to take the discrimination out of it.
- Dwain Mathers thinks the city should do the research to see what other cities are doing.
- Ben White stated staff would research other cities in the area to see what they have done in regards to murals on city owned buildings.
- Mayor Rice stated he felt like the Main Street Board should research and be involved.
- Ben White stated he did not want them to conduct the research but he did want them involved. He stated that Sandra Green would research the other cities ordinances.
- Craig Overstreet stated the Federal Post Office in Farmersville does have a mural inside the building.
- General consensus of the Council was to go forward with the research.
- F. Consider, discuss and act upon possible sign ordinance changes regarding murals.
 - Ben White stated the request was to look at possible changes in the sign ordinance in regards to murals.
 - Mayor Rice stated he believes we need to take a look at the ordinance.
 - Dwain Mathers asked if they were talking about murals on private buildings.
 - Ben White stated yes. He explained that he wanted to know if the Council
 wanted staff to research other cities to see what their requirements for
 murals are and to see any restrictions they might have.
 - Alan Lathrom stated we need to take a look at the sign ordinance because
 of a ruling in Reed vs. Gilbert. He indicated it restricts a community's ability
 to look at the content of the sign and regulate that content under 1st
 Amendment rights. He said you can restrict items that are obscene.
 - Ben White stated staff would move forward with research.

- G. Consider, discuss and act upon an appointment to the Texoma Housing Board.
 - Mayor Rice asked if anyone had applied for this position. He said we need to start looking for people to fill the vacancy.
 - Ben White stated he would continue to cover the meetings until a replacement was named.
 - Sandra Green stated it was on the agenda as an advertisement to get people to apply for the vacancy.
 - No motion or action taken.
- H. Update and discussion regarding the present status of TxDOT and County Commissioners relating to U.S. Highway 380 and State Highway 78.
 - Ben White stated that in a Commissioner's meeting before Christmas they had released their engineer to obtain right-of-way from our city limits to our west to a line that bisects Princeton in half to the north. They are also acquiring right-of-way west of McKinney to the Denton County line. They have not been released to do all of it acquisitions yet because there is some contention in McKinney and they want to go where there is not as much contention. There is an issue around the airport and the bypass area west of McKinney. They did not want to step on the governing bodies in those areas. State Highway 78 was originally planned as a six lane thoroughfare, but that is delayed because of a north-south freeway they are trying to construct somewhere east of Central Expressway. They are waiting for U.S. Highway 380 to settle down before they consider the north-south route. In regards to U.S. Highway 380 they are continuing with the environmental studies. He said he is setting up meetings with TxDOT to see what they are doing in the 380 corridor.
 - Craig Overstreet said State Highway 78 is governed by the North Central Texas Council of Governments (NCTCOG). He wants all parties to come to the table to discuss the issues. He indicated that it is important to keep talking and come to a reasonable conclusion.
 - Mayor Rice agreed with Craig Overstreet. He explained that Mr.
 Satterwhite, the Economic Director from Wylie, came to a Rotary meeting and gave a presentation and he estimated the Farmersville area would have 350,000 residents eventually.
 - Craig Overstreet stated he just wants the parties to talk because it needs to be a coordinated effort.
 - Dwain Matters asked how he wanted to get the meetings done.

- Craig Overstreet stated that right now the meetings are happening through Ben White.
- Ben White stated he is trying to get consensus from land owners that are affected.
- Dwain Mathers stated we are in a neutral position with TxDOT right now.
 He asked if they are wanting to solidify with us. TxDOT made it very clear when they were here that there is negative impact by the city not doing anything. He stated he believes the inevitable will happen, but he does not want to get the city in trouble by not doing something.
- Ben White explained that he wants to work with the land owners and get a
 consensus so the project can go forward. He explained the land owners
 might present new ideas, but he does not know if TxDOT would be
 receptive to those ideas. He said it was somewhat likely they could have a
 consensus on the proposed path.
- No motion, no action was taken.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

None

X. ADJOURNMENT

Meeting was adjourned at 7:51 p.m.

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

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	Police Department Report (OpenGov)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Consent Agenda
Section Number	IV.C
Subject	Code Enforcement/Animal Control Report (OpenGov
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action

Agenda Section	Consent Agenda
Section Number	IV.D
Subject	Fire Department Report (OpenGov)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Fire Department Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

FARMERSVILLE FIRE DEPARTMENT CITY COUNCIL MONTHLY REPORT JANUARY 2020

- 1. The City was under a severe weather threat and the Emergency Operation Center was set up im the City Managers Office. Chief Sullivan, Chief Morris, Ben White, Randy Smith, Jeremy Jones, Marsha Phillips, and John Williams were assigned there. Assistant Chief Lisman was set up at the fire station for truck assignments with 11 volunteers. Fortunately the storm passed without any damage but Farmersville was prepared.
- 2. The departments Emergency Medical Technicians Course is coming to an end. Plans are currently being made to start another one this coming April.
- 3. The department received a donation for the purchase of a new lock out kit for vehicle doors.

KIM R. MORRIS Farmersville Fire Chief

Asserts Continu	
Agenda Section	Consent Agenda
Section Number	IV.E
Subject	Municipal Court Report (OpenGov)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/cit y_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Consent Agenda
Section Number	IV.F
Subject	Warrant Officer Report (OpenGov)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Consent Agenda
Section Number	IV.G
Subject	Public Works Report
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Public Works Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action



Public Works Monthly Report

Metrics

For metrics associated with this report go online to the City of Farmersville website using the following steps:

- 1. Navigate to: www.farmersvilletx.com
- 2. Select <OPENGOV> button
- 3. Navigate within OpenGOV menu to select the metric of choice

Public Works General

- 1. Lost time accidents for the year.
 - a. Total Number for 2019-2020: 0
 - b. Accidents in Month: 0
- 2. Project progress below uses the following terminology in order of maturity: concept, engineering, preconstruction, construction, completed. Completion percentages shown are tracking overall project progress through all phases.

Street System

- 1. Currently active projects in priority order
 - a. Welch Drive repair around manhole (phase: preconstruction, completion percentage: 100%)
 - b. Farmersville Parkway, 4 lane divided (phase: engineering, completion percentage: 7%)
 - c. Hamilton Street reconstruction (phase: preconstruction, completion percentage: 18%)
 - Held preconstruction meeting on 31 Jan 2020.
 - Starting work on clearing by 21 Feb 2020.
 - Starting work on grade work and utility work by 16 March 2020.
 - d. Collin County 2018 80/20 grant match street project: Farmersville Parkway northeast corner of Collin College to SH 78.
 - Awaiting award decision from Collin County.
 - e. Main Street area/bad and faded signs
 - Upcoming sign updates:
 - Washington Street at Candy Street
 - Washington Street at McKinney Street
 - Main Street at Candy Street
 - Main Street at Farmersville Parkway
- 2. Priority backlog items
 - a. Institute railroad silent crossings

- b. Maintenance resurfacing and panel replacement
 - Farmersville Parkway at South Washington Street intersection
 - North Washington Street by intermediate school
 - Beene Street

Water System

- 1. Currently active projects in priority order
 - a. Install waterline for Pieville/Sugar Hill/Main Street Antiques fire suppression systems (phase: preconstruction, completion percentage: 2%)
 - Construction has started!
- 2. Priority backlog items
 - a. Replace cast iron/galvanized water lines:
 - i. Rolling Hills subdivision
 - ii. Windom Street from 7th Street alley to Sycamore
 - iii. Hill Street between Orange and Bois D' Arc
 - iv. Lee Street
 - b. Chlorine injection system.
 - c. Recoat/rehab north elevated water tank.

Waste Water System

- 1. Currently active projects in priority order
 - a. Reconfiguring of CR 611 lift station and gravity main. Includes sewer line extension in front of Home Grown Plants. (phase: construction, completion percentage: 65%)
 - b. WWTP #3 collector line design (phase: engineering only, completion percentage: 70%)
 - c. East side lift station with gravity main and force main (phase: construction, completion percentage: 85%)
 - d. Wastewater line reconstruction Houston to College. (phase: preconstruction, completion percentage: 7%)
 - e. 10" waste water line pipe bursting project to increase line size east of Collin College manhole on Audie Murphy Parkway (US 380). (phase: construction, completion percentage: 20%)
 - f. Floyd Road lift station reconstruction with force main. (phase: engineering, completion percentage: 5%)
- 2. Priority backlog items
 - a. Infiltration project: North of WWTP #1/#2, Replace crushed clay tile line between MH119 and MH129. Downstream of MH129, between 150 and 200 feet. Recommend replacing 200 feet of line downstream of MH129. This is a 15" line.
 - b. Infiltration project: Point Repair, 1746 Rike Street.
 - c. South side lift station construction
 - d. North side lift station SCADA installation
 - e. Infiltration project: Replace floor and top of MH119. Install bolt-down top. Pipe to south may be bad.

Storm Water System

i. No new news.

Property and Buildings

- 1. Currently active projects in priority order
 - a. Downtown: install example banner mounts, quantity 2 (phase: construction only, completion percentage: 100%)
 - b. JW Spain west parking lot construction (phase: construction, completion percentage: 25%)
 - c. Replace broken ice machine at the Civic Center. This item will be funded by the Centennial Committee. (phase: construction only, completion percentage: 100%)
 - d. Remodel Civic Center kitchen. This item will be funded by the Centennial Committee. (phase: construction only, completion percentage: 1%)
- 2. Priority backlog items
 - a. Downtown: repair/paint gazebo
 - b. Install remaining banner mounts downtown.
 - c. City Hall: sidewalk replacement where old generator was housed
 - d. Riding Arena: greeting sign with rules
 - e. Southlake Park: playground equipment repair
 - f. Rambler Park: gazebo relocation

Electrical System

- 1. Currently active projects in priority order
 - a. Replace broken re-closer at substation.
 Update 2/6/20: Replacement re-closer arrived ahead of schedule on 2/5/20. Estimate 1 to 2 weeks to install, program, coordination with GP&L, and have back online.
 - b. Substation and transmission line improvements (phase: concept only, completion percentage: 35%)
 - c. Collin College line extension (phase: engineering, completion percentage: 50%). Temporary service is now complete.
 - <u>Update 2/6/20</u>: Excavation of permanent 3 phase power lines has been delayed due to modifying electrical easements, re-surveying, and re-staking. Weather has also delayed the project. Underground conduit and conductor installation imminent.
- 2. Priority backlog projects
 - a. Tree Trimming (active intermittently)
 - b. Open wire secondary removal (active intermittently)

Refuse System

1. No new news.

High Speed Internet Service

1. Second presentation of survey results will be delivered to TIRZ Board in February 2020.

Agenda Section	Consent Agenda
Section Number	IV.H
Subject	Library Report (OpenGov)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/cit_y_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Consent Agenda
Section Number	IV.I
Subject	City Manager's Report
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	City Manager's Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action



City Manager Monthly Report

Metrics

For metrics associated with this report go online to the City of Farmersville website using the following steps:

- 1. Navigate to: www.farmersvilletx.com
- 2. Select <OPENGOV> button
- 3. Navigate within OpenGOV menu to select the metric of choice

City Manager General

- 1. Top priority items:
 - a. Make Collin College successful.
 - b. Complete Hamilton Street.
 - c. Be ready for and promote growth.
 - i. Thoroughfare Map planning
 - ii. Land Use Map Planning
 - iii. Comprehensive Plan Update
 - iv. New Waste Water Treatment Plant
 - d. Fiber optic network business case decision.
 - e. Keep the Police and Fire Department running optimally.
 - f. Electrical system substation relocation.

Ordinances and Ordinance Changes

- 1. New
 - a. Create preservation ordinance. Preliminary version complete and first pass P&Z review complete. Due for second pass P&Z review. (in-progress)
 - b. Annexation ordinance for Nelson Brothers. (in-progress)
 - c. New legislation updates.
 - i. Zoning (complete)
- 2. Change
 - a. Zoning ordinance, accessory building requirements. (in-progress)
 - b. Zoning ordinance, zoning map. (backlog)
 - c. Thoroughfare design manual. (backlog)
 - d. Storm water design manual. (backlog)
 - e. Water and Sewer design manual. (backlog)

Contracts/Agreements

- 1. Emergency services agreement with Collin County. (complete)
- 2. Boundary agreements with the Cities of Blue Ridge, Josephine, Caddo Mills. (in-progress)
- 3. Collin College facilities agreement. (in-progress)
- 4. Review and make changes as necessary to the Riding Club ILA. (backlog)

Planning

- 1. Update comprehensive plan. A great deal of emphasis is being placed on reconfiguring the Land Use Map and the Thoroughfare Map. (in-progress)
 - a. Board/Committee review complete: August 2018
 - b. Land Use Map and Thoroughfare Map redevelopment: March 2020
 - c. Interim rewrite: June 2020
 - d. Planning and Zoning review and Public Workshop: August 2020
 - e. City Council review: October 2020
 - f. Planning and Zoning Public Hearing: November 2020
 - g. Public hearing and Council approval: December 2020

Policy/Procedural Changes

- 1. Employee attendance policy. (in-process)
- 2. Employee Records Policy. (in-process)
- 3. Website development and maintenance policy. (backlog)

Customer Service Window

1. No new news.

Personnel Related Matters

1. Oscar Mejia accepted our offer to become our Building Official. His start date will be 18 Feb 2020. He will be responsible for building inspection, code compliance, plan review, health inspection management, and subcontractor public infrastructure quality as part of our Development Services Department.

Budget/Finance

- 1. Working on application for financial transparency award through the State Comptroller's office. Target is second quarter 2020.
- 2. Auditors completed their annual audit and will be generating their report of the next several months.
- 3. Continued work on OpenGov budget book. Scheduled for completion first quarter 2020.

Development Services

- 1. Collin College
 - a. Construction continues.
 - b. DBI continues engineering changes to the 4 lane street supporting the college. Bid is anticipated by the end of the first quarter 2020.
- 2. Reliable Concrete
 - a. Up and operational!!!! They are selling concrete.
- 3. Martin Marietta
 - a. Martin Marietta resubmitted for a TCEQ permit on 1 Nov 2019. TCEQ deemed the application technically complete on 9 Dec 2019. We are now in the public comment phase of the permit process. The public hearing for this application has been set for: Tuesday, 25 Feb 2020, 7:00 PM, RSVP, 101B Candy Street.
- 4. Camden Park
 - a. Phase III infrastructure continues construction.
 - b. Housing construction continues.
 - Camden
 - Permitted: 45

- Models: 2
- Completed: 33
- Sold: 33
- Under Construction: 10
- DR Horton
 - Permitted: 88
 - Models: 2
 - Completed: 68
 - Sold: 64
 - Under Construction: 18
- 5. Palladium Apartment Development
 - a. Building 1 certificate of occupancy issued.
 - b. Building 2 certificate of occupancy issued.
 - c. Building 3 expected to be complete in March.
- 6. Pieville
 - a. 109 South Main Street building is open for business.
 - b. 107 South Main Street is under construction.
 - c. Crew has started on water connection for fire suppression system.

Information Technology

1. Preparing new office systems for changes related to hiring Oscar Mejia.

Special Events/Projects

1. No new news.

V. Informational Items

Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Informational Items
Section Number	V.B
Subject	Farmersville Community Development Board (Type B)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Financials Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action

FARMERSVILLE COMMUNITY DEVELOPMENT CORP 4B JANUARY 2020 FINANCIAL BUDGET REPORT

Farmersville Community Development Corp 4B January 2020

Statement Balance 1-01-2020	\$210,621.75
Deposits:	
Sales Tax:	\$25,530.62
New Checking Int05%	\$9.54
Wire Fee	\$(10.00)
Checks purchased	
Checks 2916	\$(166.5 <u>0)</u>
Balance 02-02-2020	\$235,985.41

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Outstanding checks 2909,2923-2936

\$(29,504.90)

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Balance 2-06-2020			\$206,480.51

Farmersville Community Development Corporation Financial Statement For the Fiscal Year Ended September 30, 2020

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TEXPOOI Balance Interest income-TEXPOOL Total Available Texpool Funds

Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Financials Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

FARMERSVILLE ECONOMIC DEVELOPMENT CORP 4A JANUARY 2020 FINANCIAL BUDGET REPORT

Farmersville Economic Development Corp 4A January 2020

Statement Balance 1-01-2020

\$102,557.96

Deposits:

 Sales Tax:
 \$25,530.62

 Cking Int .05%
 \$5.04

 CD Interest
 \$530.82

 Loan repayment
 \$2,622.04

Loan repayment Cleared Checks

Statement balance 2-2-2020 \$131,246.48

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Oustanding checks 1317 \$(175.00)

Balance 2-6-2020 \$131,071.48

Farmersville Economic Development Corporation Cummulative Incorne Statement For the 12 Months Ended, September 30, 2020

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Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Informational Items
Section Number	V.E
Subject	Planning & Zoning Commission
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action



Agenda Section	Public Hearing
Section Number	VI.A
Subject	Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0211-001 regarding a requested change in zoning from SF-2 — Single Family Dwelling-2 District uses to SF-2 — Single Family Dwelling-2 District uses with a Specific Use Permit ("SUP") for an owner (or operator) occupied bed and breakfast inn located on Block 7, Lot 39 in the Howell Addition, which location is more commonly known as 109 College Street, Farmersville, Texas.
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	 Ordinance O-2020-0211-001 Zoning Ordinance excerpts Application and paperwork
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action

CITY OF FARMERSVILLE ORDINANCE #2020-0211-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE #O-2018-0508-001, AS AMENDED, BY CHANGING THE ZONING FROM SF-2 - SINGLE FAMILY DWELLING - 2 DISTRICT USES TO SF-2 - SINGLE FAMILY DWELLING - 2 DISTRICT USES SUBJECT TO A SPECIFIC USE PERMIT (SUP) FOR THE OPERATION OF AN OWNER (OR OPERATOR) OCCUPIED BED AND BREAKFAST INN LOCATED ON BLOCK 7. LOT 39 IN THE HOWELL ADDITION, WHICH LOT IS MORE COMMONLY KNOWN AS 103 COLLEGE STREET, FARMERSVILLE, TEXAS 75442; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY: PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas, (the "City") is a Type A General – Law Municipality located in Collin County having a population of less than 5,000 persons as determined by the most recent federal census, created 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, after public notice and public hearing as required by law, the Planning and Zoning Commission of the City of Farmersville, Texas, has recommended a change in zoning classification of the property described herein and has recommended amending the official zoning map of the City of Farmersville, Texas, regarding the rezoning of the property hereinafter described; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville; and

WHEREAS, the City Council of the City of Farmersville, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the City of Farmersville and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be changed and that the official zoning map of the City of Farmersville, Texas, should be amended to reflect the rezoning of the property herein described;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS.

SECTION 1: FINDINGS INCORPORATED

All of the above premises 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 as if copied in their entirety.

SECTION 2: PROPERTY REZONED

From and after the effective date of this Ordinance, the property described herein shall be rezoned as set forth in this section, and the Official Zoning Map of the Comprehensive Zoning Ordinance, Ordinance #O-2018-0508-001, as amended, of the City of Farmersville, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of the City's Zoning Ordinance are not amended but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That Block 7, Lot 39 in the Howell Addition, which lot is more commonly known as 103 College Street, Farmersville, Texas 75442, presently zoned SF-2 – Single Family Dwelling - 2 District uses is hereby rezoned to SF-2 – Single Family Dwelling - 2 District uses subject to a Specific Use Permit (SUP) for the operation of an owner (or operator) occupied bed and breakfast inn in accordance with the specific requirements contained in the City's Master Plan and Zoning Ordinance, and as stated herein and in the exhibits attached hereto. In the event of any conflict between any exhibit attached hereto and this Ordinance, the language and contents of this Ordinance shall control.

SECTION 3: Conditions and Requirements Imposed

The grant and extension of the Specific Use Permit granted hereby, as established and described in Section 2 herein, shall be and is hereby made subject to the following conditions and requirements:

- The Specific Use Permit granted hereby is a personal license that is specific to the bed and breakfast identified as The Murchison Honaker House located at 103 College Street, Farmersville, TX 75442, and A&D Hospitality, LLC the owner of said bed and breakfast.
- 2. The Specific Use Permit granted hereby shall not be transferable to any other person or entity or any other named bed and breakfast or any other location without the prior approval of the City Council following a properly noticed meeting and public hearing before the Planning and Zoning Commission and the City Council.

3. At such time as The Murchison Honaker House is closed as a bed and breakfast or A&D Hospitality, LLC sells their ownership in The Murchison Honaker House, the zoning for this property, including the Specific Use Permit described herein, will be automatically placed upon a subsequent Planning and Zoning Commission agenda for consideration as a City-initiated zoning change under normal zoning amendment procedures.

SECTION 4: APPROVED SITE PLAN AND LANDSCAPE PLAN

The change in the zoning classification established and described in Section 2 herein shall be and is hereby made subject to compliance at all times with the following conditions and requirements:

1. The attached Site Plan, labeled Attachment "A," is hereby specifically adopted as a component of the Specific Use Permit (SUP) granted by this Ordinance. As such the property that is the subject to this Specific Use Permit (SUP) shall be required to hereafter continuously maintain the property in conformance with the approved site plan and shall hereafter be a condition of a valid certificate of occupancy. Failure to maintain the property in conformance with the approved Site Plan shall be a violation of this Ordinance and the Comprehensive Zoning Ordinance, Ordinance #O-2018-0508-001, as amended, of the City of Farmersville, Texas.

SECTION 5: OFFICIAL ZONING MAP TO BE MODIFIED

It is directed that the official zoning map of the City of Farmersville be changed to reflect the zoning classification established by this Ordinance.

SECTION 6: 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 7: SEVERABILITY

It is hereby declared to be the intent of the City Council that the several provisions of this Ordinance are severable. In the event that 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 8: PENALTIES FOR VIOLATION

Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 9: INJUNCTIVE RELIEF

Any violation of this Ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

SECTION 10: PUBLICATION

The City Secretary is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty, and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

SECTION 11: 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 12: 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 13: EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

PASSED on first and final reading on the 11th day of February 2020, at a properly scheduled 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 11th DAY OF February, 2020.

APPROVED:

	BY:	
	Jack Randall Rice Mayor	
ATTEST:		
Sandra Green		
City Secretary		

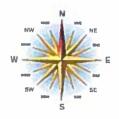
EXHIBIT "A"

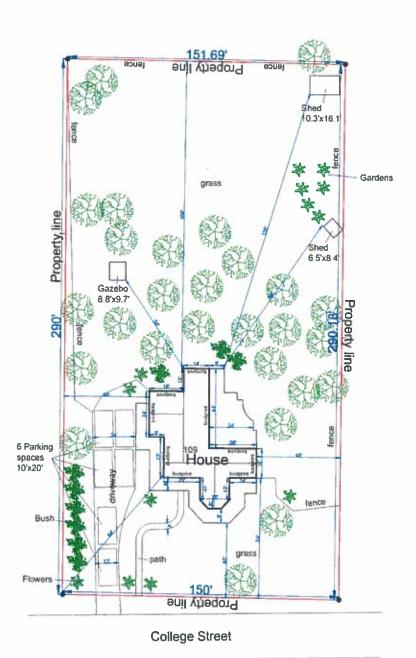
SITE PLAN

Address: 109 College Street

City, State, ZIP: Farmersville Texas 75442

Country: USA Scale 1":30'





Automobile sales/leasing, new means sales, rental, and/or leasing of new automobiles or light load vehicles, and may include, as accessory uses: automobile sales, used; automobile repair, major; and automobile storage.

Automobile sales, used means sales of used automobiles or light load vehicles.

Bakery and confectioners works (retail) means a place for preparing, cooking, baking, and selling of products on the premises.

Bakery and confectioners works (wholesale) means a place for preparing, cooking, baking, and selling of products intended for off-premises distribution.

Banks, savings and loan, or credit union means an establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

Banquet/meeting hall means an establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

Basement means a building story which is partly underground, but having at least one-half of its height below the average level of the adjoining ground. A basement shall be counted as a story in computing building height.

Barber shop/beauty salon and personal service shops means establishments primarily engaged in providing services generally involved in the care of the person or his apparel including, but not limited to, barber and beauty shops, tanning salons, ear piercing shops, cosmetic tattooing shops, and reducing salons.

Bed and breakfast inn means an owner (or operator) occupied residence with up to five bedrooms available for overnight guests. A bed and breakfast inn may provide for guest stays up to 14 consecutive days, however, it shall not offer weekly rental rates. Kitchen and dining facilities may be included to provide meals for guests only; however, no food preparation shall be permitted in guest bedrooms. A bed and breakfast inn shall not include restaurants, banquet facilities, or similar services.

Big box retail development means any retail building for a single, primary tenant that exceeds 70,000 square feet in size. A big box retail development may contain multiple secondary tenants with interior access to the primary tenant space. A big box retail development may be freestanding or may be an in-line tenant in a larger center. The square footage of a big box retail development shall include all primary and ancillary uses with interior access to the primary tenant space including inventory storage, automotive repair, and open storage areas.

Block means an area enclosed by streets and occupied by or intended for buildings and is used as a term of measurement. The term "block" also means the distance along a side of a street between the nearest two streets which intersect the street on the side.

Zoning Districts or Uses	Minimum Required Off-Street Parking or Spaces for Residential Uses		
Bank, savings and loan or similar financial establishment	One space for each 300 square feet of floor area		
Banquet/meeting hall	Ten spaces for each 1,000 square feet of gross floor area not including the kitchen or restrooms. Said gross floor area should be equal to the event floor area.		
Bed and breakfast inn	One space for owner/operator and one for each guest bedroom		
Bowling alley	Six spaces for each lane		
Clinic or doctors offices	One space for each 200 square feet of floor area (minimum of five spaces)		
Churches	One space for each three seats in the main sanctuary		
College or university	One space for each 2 students, plus one space for each classroom, laboratory, or instruction area		
Commercial indoor amusement (other than listed)	One space for each 3 persons accommodated (design capacity)		
Commercial outdoor amusement	30 spaces plus one space for each 100 square feet of floor area over 2,000 square feet		
Convalescent home or assisted living facility	One space for every 2 rooms or beds, whichever is greater		
Day Care, Day Nursery, or Kindergarten School	One space per 5 pupils (design capacity); Parking for this use will not be required when such facilities are located within a single-user structure as an accessory use as a service to its employees		
Fueling Station, automobile	Minimum of six spaces		
Garden center/nursery	One space for each 300 square feet of floor area plus one space for each 5,000 square feet of exterior sales area		
Golf course	5 spaces for each green		
Hardware store	One space per 200 square feet of floor area		
Hospitals:	One space for every two beds		
Hotel or motel	One space for each room, unit, or guest accommodation of a hotel/motel with no restaurant, private club, meeting facilities, and/or recreational facility other than a swimming pool; 1.25 spaces for each room, unit, or guest accommodation of a hotel/motel with restaurant,		



CITY OF FARMERSVILLE SPECIFIC USE PERMIT APPLICATION

APPLICANT'S NAME: A&D HOSPITALITY, LLC
APPLICANT'S ADDRESS: 109 College St Farmersville
APPLICANT'S CONTACT NUMBERS: 214 663 3709
NAME OF OWNER: Dwain & Allisa Mathers
ADDRESS OF OWNER: 109 College St Farmersull
LOCATION OF PROPERTY: 109 College St
LEGAL DESCRIPTION OF PROPERTY:
LOT NO. 39 TRACT BLOCK NO.
PLAT BLOCK NO PLAT ADDITION: Plane Addition
SURVEY: 2015-004 NUMBER OF ACRES: 1.005
For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and a complete legal field note description.
PROPOSED USE: A Bed and Breakfast
ATTACH A LETTER describing all processes and activities involved with the proposed uses.
ATTACH A SITE PLAN drawn to scale with the information listed on the back of this sheet.
THE EIGHT CONDITIONS listed on the back of this sheet MUST be met before City Council can grant a Specific Use Permit.
ATTACH THE APPROPRIATE FEE: \$1,000 Retainer Fee to be used for all expenditures in conjunction with the Specific Use Permit. Any amount remaining will be refunded to the owner as designated above.

SEP 1 0 2019

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site planshall be adhered to as amended and approved by the City Council.

SIGNATURE OF APPLICANT:

Date:

Date:

Date:

INCLUDE THE FOLLOWING INFORMATION ON A SITE PLAN. THE PLAN MUST BE DRAWN TO SCALE.

- Boundaries of the area covered by the site plan.
- The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roof line, gross floor area and location of building entrances and exits.
- The location of existing drainage ways and significant natural features.
- Proposed landscaping and screening buffers.
- The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities.
- The location, height and type of each wall, fence, and all other types of screening.
- The location, height and size of all proposed signs.

THE ZONING ORDINANCE REQUIRES THAT THESE EIGHT CONDITIONS MUST BE MET BEFORE A SPECIFIC USE PERMIT CAN BE ISSUED:

- That the specific use will be compatible with and not injurious to the use and enjoyment of other
 property, nor significantly diminish or impair property values within the immediate vicinity; and
- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.
- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided.
- The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.
- That adequate nuisance prevention measures have been or will be taken to prevent or control
 offensive odor, fumes, dust, noise and vibration.
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property
- That the proposed use is in accordance with the Comprehensive Plan.

A&D HOSPITALITY, LLC

109 COLLEGE ST FARMERSVILLE, TX 75442

01/20/2020

SUBJECT: Filing of Specific Use Permit Application

To Whom It May Concern,

We would like to take the residence of 109 College St, currently zoned SF2 and file for a Specific Use Permit for the property to become a Bed and Breakfast.

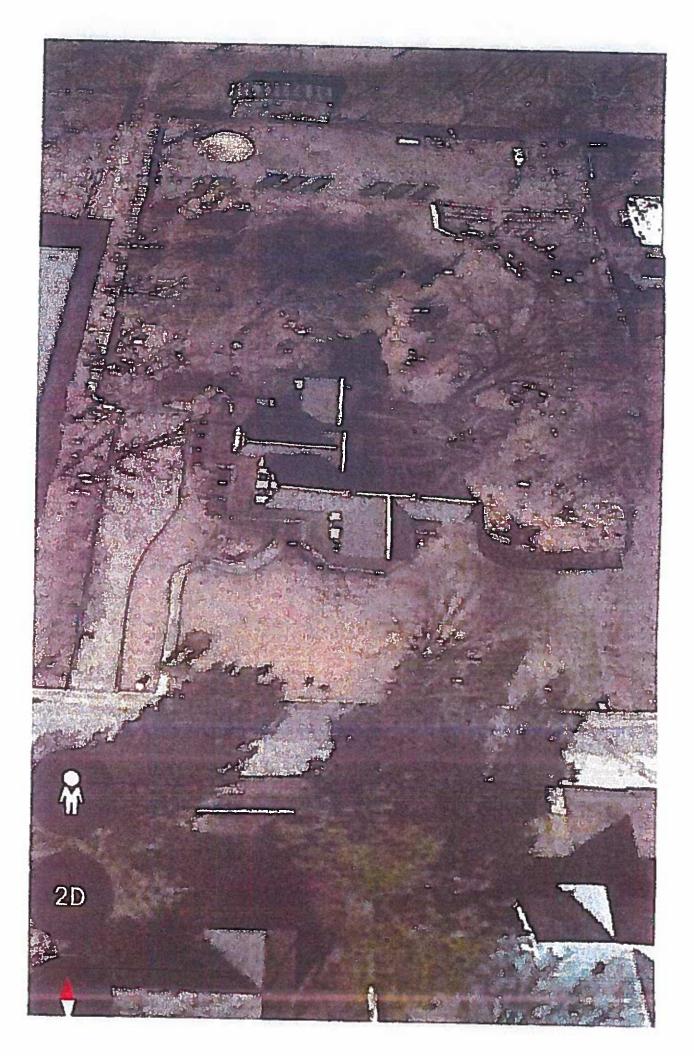
The 4000 sq foot Victorian home with 5 bedrooms and 3 full bathrooms, on an acre of land will make a perfect transition into a Bed and Breakfast. The location of the property being just around the corner from the Historic Downtown Square of Farmersville and in close proximity to the Chaparral Trail makes it convenient for guests to enjoy all that Farmersville has to offer.

The Bed and Breakfast named, *The Murchison Honaker House*, historically matches the original Farmersville families who built the home. First, a four room farmhouse the Murchison family built in 1870 and then the Honaker family purchased it and added the Victorian construction in 1895. The rich history that goes along with the house and many original architectural aspects that have stayed within the home makes it even more of a special place to visit and stay at.

The activities involved with a Bed and Breakfast include:

- *Guests booking overnight stays in individual rooms (one bedroom downstairs and 4 bedrooms upstairs to choose from)
- *Guests enjoying a light breakfast included in room rate
- *Guests enjoying the acre of gardens located on property
- *Guests enjoying ladies parlor, men's parlor and dining areas inside property
- *Guests enjoying wrap around porch and outside seating
- *Guests can book entire home for overnight stays (can accommodate up to 10 guests)



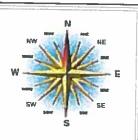


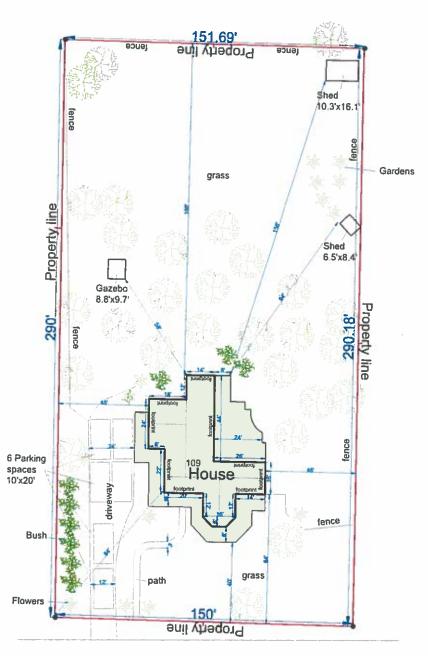
SITE PLAN

Address: 109 College Street

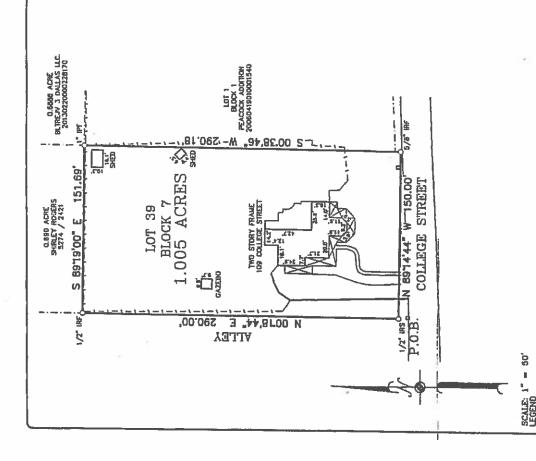
City, State, ZIP: Farmersville Texas 75442

Country: USA Scale 1":30'





College Street



LEGAL DESCRIPTION

being all of the tract of land as described in a Warranty Deed from William D. Howard and wife, Vicki Howard to Rex L. Thain, Jr. and wife, Sherry R. Thain as recorded in Volume 3333 at Page 915 of the Land Records of BENG a tract or parcel of land situated within the City of Farmersville, Collin County, Texas, being all of Lot 39, Block 7 of the HOWELL ADDITION, an addition to the City of Farmersville, Collin County, Texas, and Collin County, Texas and being further described as follows: BEGINNING at a 1/2 inch iron rod set for a comer at the southwest comer of subject tract, said Point of THENCE N 00° 18'44" E along the west line of subject tract and the east line of said alley, a distance of 290.00 feet to a 1/2 inch iron rod found for a corner at the northwest corner of subject tract, said corner being at the existing southwest corner of a 0.690 acre tract as conveyed to Shirley Rogers as recorded in Volume 5274 at Beginning being at the intersection of the north line of College Street and the east line of an alley;

Page 2421 of the Official Records of Collin County, Texas;
THENCE S 89*19'00" E along a fonce, the north line of subject tract and the south line of said 0.690 acre tract, a distance of 151.69 feet to a 1 inch pipe found for a corner at the northeast corner of subject tract;
THENCE S 00*38'46" W along the east line of subject tract, a distance of 290.18 feet to a 5/8 inch into rod

found for a comer at the southeast corner of subject tract on the north line of College Street; a distance of THENCE N 89°14'44" W along the south line of Subject tract and the north line of College Street, a distance of 50,00 feet returning to the Point of Beginning and containing 1.005 acres of land and being known as No. 109

SURVEYOR'S CERTIFICATE

I, Frank R. Owens, Registered Professional Land Surveyor, State of Texas, hereby certify that the plat hereon is a true and correct representation of the property as determined by survey upon the ground, the lines and dimensions of said property being indicated by the plat, the visible improvements are within the boundaries of the property set back from the property lines the distances indicated and there are NO VISIBLE ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, except as shown on the plat.



Date: January 20, 2015 Scale: 1" = 50"



NOTES

Bearings are based on the east line of subject tract.

According to the Flood Insurance Rate Map No. 48085C03401 dated June 2, 2009, published by The shown not to be within a special flood hazard area. This statement does not imply that the property Federal Emergency Management Agency, the subject property lies within Flood Zone "X", areas Survey was performed without benefit of title commitment.

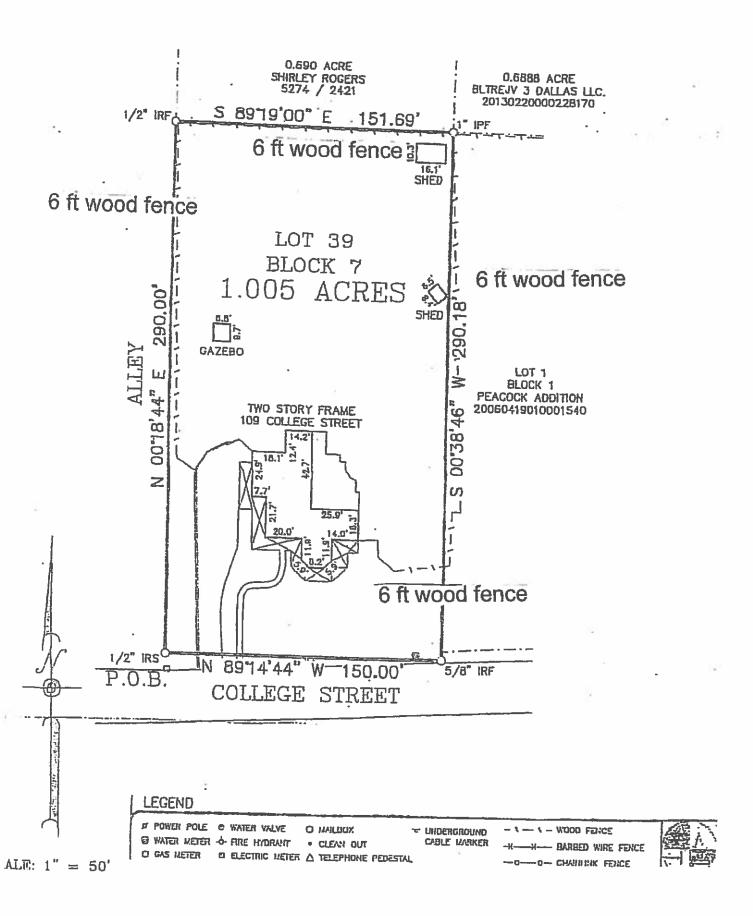
Roods can and will occur and flood beights may be increased by man-made or natural causes. This andfor structures thereon will be free from flooding or flood damage. On rare occasions, greater flood statement shall not create liability on the part of the surveyor. JOB NO.: 2015-006

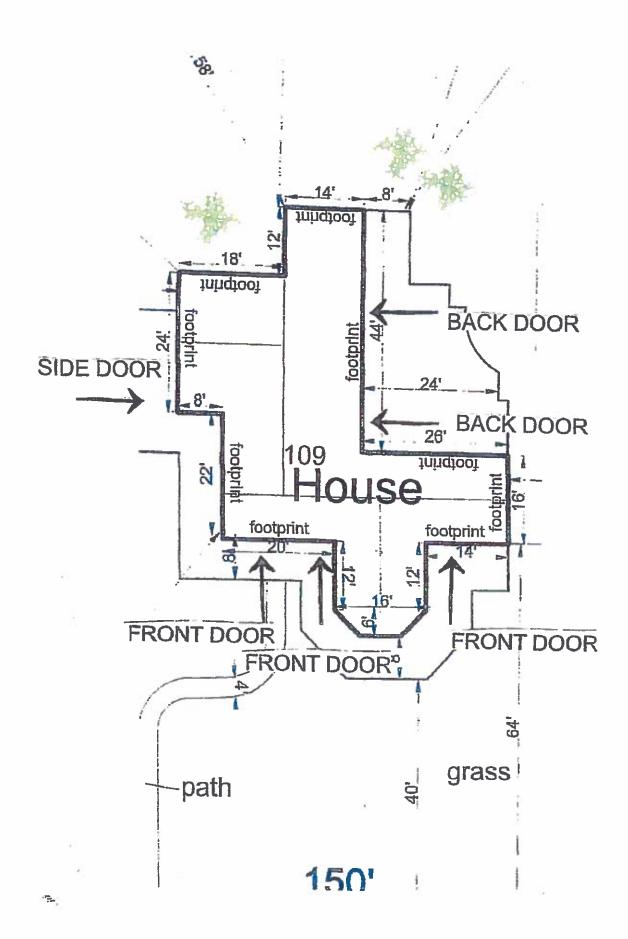
SCALE: 1" = 50'

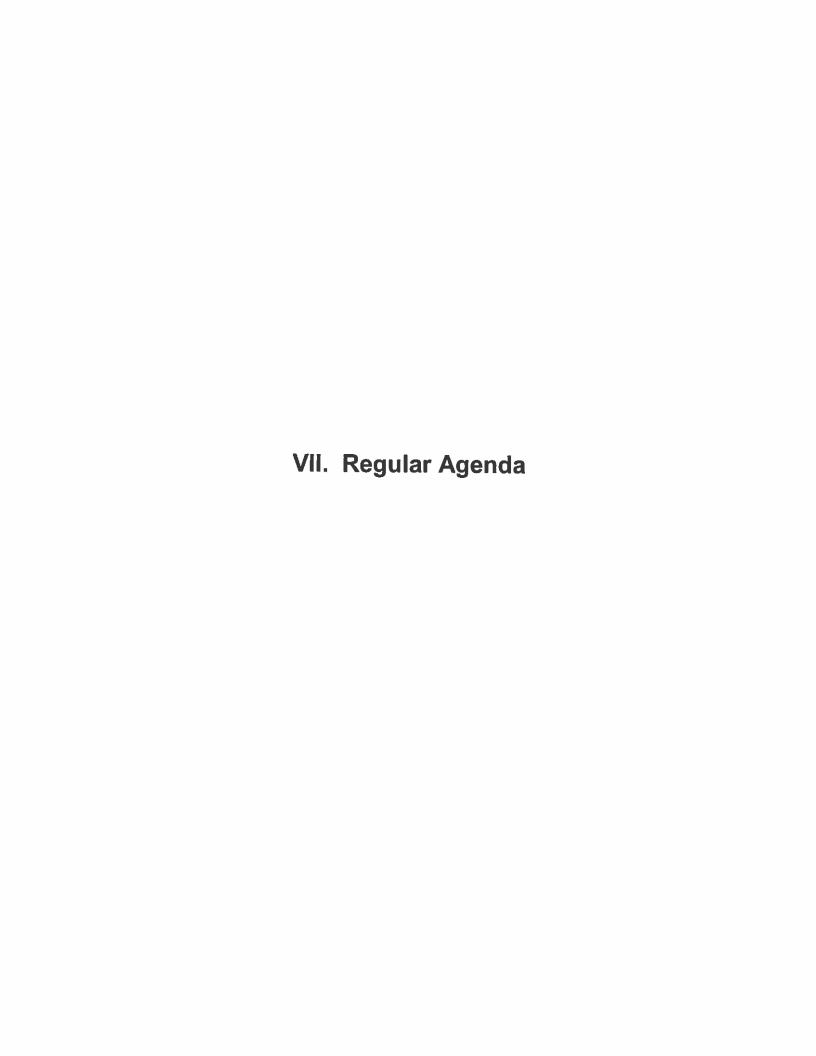
DATE: JAN. 20, 2015 DRAWN BY: B. EBERT

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Owens Land Surveying	P.O. BOX 1023 • CREEVWLE, TX 75403 • FIRM REG. CERT. (10022400	www.ovensiondearweying.com (903) 450~8637 / (803) 450~8675
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Agenda Section	Regular Agenda
Section Number	VII.A
Subject	Yearly update and presentation from Community Waste Disposal (CWD).
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Regular Agenda
Section Number	VII.B
Subject	Consider, discuss and act upon Resolution R-2020-0211-001 authorizing the payment to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	R-2020-0211-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action

CITY OF FARMERSVILLE RESOLUTION #R-2020-0211-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Farmersville is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the City; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interest of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs.

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

- **Section 1.** The City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Farmersville and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.
- **Section 2.** The City is further authorized to pay its 2020 assessment to the ACSC in the amount of five cents (\$0.05) per capita.
- **Section 3.** A copy of this Resolution and approved assessment fee payable to "Atmos Cities Steering Committee" shall be sent to:

Brandi Stigler
Atmos Cities Steering Committee
c/o Arlington City Attorney's Officer, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS ON THE 11th DAY OF FEBRUARY, 2020.

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

Agenda Section	Regular Agenda
Section Number	VII.C
Subject	Consider, discuss and act upon signature authority for the Pipe Bursting Project located on U.S. Highway 380 and Welch Dr.
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action

Agenda Section	Regular Agenda
Section Number	VII.D
Subject	Consider, discuss and act upon Resolution R-2020-0211-002 supporting renovations for Shady Oaks Apartments.
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	1. R-2020-0211-002 2. Information Letter 3. Developer Qualification 4. Letter of Support
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

CITY OF FARMERSVILLE RESOLUTION #R-2020-0211-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, SUPPORTING THE RENOVATION OF THE SHADY OAKS APARTMENTS BY RURAL HOUSING OF FARMERSVILLE, LP

WHEREAS, Rural Housing of Farmersville, LP, has proposed to acquire and substantially rehabilitate an affordable rental housing development located at 409 Hwy 78 South, Farmersville, TX 75442 currently operating as Shady Oaks Apartments, and

WHEREAS, as part of the rehabilitation process, Rural Housing of Farmersville, LP intends to change the name of the development to Garden Walk of Farmersville, and

WHEREAS, Rural Housing of Farmersville, LP has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2020 Competitive 9% Housing Tax Credits to assist in the financing for Garden Walk of Farmersville.

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

Section 1. As provided for in §11.3(c) of the Qualified Allocation Plan, it is expressly acknowledged and confirmed that the City of Farmersville has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.

Section 2. The City of Farmersville hereby confirms that it supports the proposed Garden Walk of Farmersville development, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development in accordance with all applicable provisions of the Farmersville Code and to authorize the allocation of Housing Tax Credits by the Texas Department of Housing and Community Affairs for the Garden Walk of Farmersville Development pursuant to Tex. Gov't Code § 2306.6703(a)(4).

Section 3. For and on behalf of the Governing Body, Sandra Green, the City Secretary for the City of Farmersville, Texas, is hereby authorized, empowered, and directed to certify this Resolution to the Texas Department of Housing and Community Affairs.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS ON THE 11th DAY OF February, 2020.

APPROVED:
Look Dondoll Ding Mayor
Jack Randali Rice, Mayor

ATTEST:		
Sandra Green	City Secretary	



City of Farmersville 205 S. Main Farmersville, TX 75442

To all interested parties:

The purpose of this letter is to provide you with a little more information on the proposed acquisition and substantial rehabilitation of the apartment complex currently known as Shady Oaks Apartments*, a 32-unit apartment style community located at 409 Hwy 78 South, Farmersville, TX 75442. Belmont Development Company will be submitting an application to the Texas Department of Housing and Community Affairs (TDHCA) in an attempt to obtain Affordable Housing Tax Credits to assist in the financing of this rehabilitation. Additionally, this development will be financed with the help of the USDA Rural Development 515 loan program.

*upon completion we intend to rename the property, GardenWalk of Farmersville.

Belmont has extensive experience in the preservation of Affordable Housing developments just like Shady Oaks, both here in Texas and the surrounding region. [A separate document addressing Belmont's industry experience is also being provided.

We are proposing to do a full inside-out rehab of the property to bring it up to a "like-new" standard. We will work with 3rd party architects and engineers to create an all-encompassing scope of work based on the current and future estimated capital needs for the property. The rehab will address general improvements and deferred maintenance issues as well as any structural and/or health and safety concerns. The proposed rehab also includes bringing the property in line with all current ADA accessibility standards. This even goes so far as requiring the retrofitting of existing units if it is needed in order to comply with current regulations. All new energy efficient appliances will be installed in each unit, including but not limited to, new refrigerators, stove/ranges. microwaves, as well as systems upgrades like all new HVAC's & water heaters throughout. All flooring in the units will be replaced with a combination of new carpet and special long-lasting resilient flooring.

We want to take a moment to bring specific attention to the depth of the rehab work being proposed. We understand that oftentimes developers might try to sell a job as a "rehab" when really, they are just looking to put in the lowest investment amount they get away with in order to flip the property in the near future. When really they just make some minor cosmetic improvements and advertise it as "new". This could not be further from what we are proposing. First off, we are a long-term hold investor. In fact, when we apply to TDHCA for these funds, we are also committing to keeping the property affordable and well maintained for a minimum of 30 years. As such we take significant care to ensure the proposed work is of significant quality. We are still waiting for final Architectural Drawings, so a complete budget has not yet been signed off on. However, we have successfully completed many similar rehab developments, and we generally expect to budget anywhere from \$35K-\$45K per unit of strictly Hard Construction Costs. This figure does not include any contractors fees/profit, or overhead. It is purely the amount dedicated to "sticks & bricks". Furthermore, both TDHCA & USDA RD play a significant oversight role in the rehabilitation process. Upon completion of the development, but before the Developer can receive their final compensation, these agencies will require that an independent 3^d party accounting firm prepare a Final Certification of the total cost expenditures in to prove that all funds were spent in accordance with the appropriate guidelines.

Those familiar with the Real Estate Industry will recognize that a high-quality construction job isn't worth much if the property is not also well managed afterward. That is why upon completion of the renovation, Belmont Management Company will step in and take over the day to day operations of the property going forward. Belmont Management specializes solely in Affordable Housing and currently manages more than 120 properties in six states, totaling well over 4,200 individual housing units.

The Shady Oaks development currently operates under certain rent & income restrictions that allow it to operate as an Affordable Housing development and only qualified tenants may reside there. The newly renovated GardenWalk of Farmersville development will be no different. Furthermore, all current residents are strongly encouraged to stay during the renovation and enjoy their newly upgraded units upon completion. Though some temporary inconveniences may be felt, as the level of rehab being performed does require the units to be vacated entirely for a portion of the construction period, Belmont is committed to making the process as smooth as possible for those currently living there. We will provide temporary housing at no cost to the residents and will cover all related moving expenses including offsite storage if necessary.

We are excited about this opportunity and are confident that properly rehabbing this development to like-new standards will serve to not only have a positive impact in the lives of the individuals who reside there, but in the surrounding community as well.

We look forward to working with you in whatever capacity may be needed to make this a success! Thank you for your time and I look forward to receiving any input you have regarding this proposed development.

Sincerely,

Corey Farmer

Vice President, Belmont Development



The Belmont Companies & SDR Investments, LLC

Belmont

Belmont Development Company specializes solely in the development of Affordable Multi-Family Housing. Belmont was formed in 2007 for the primary purpose of redeveloping a large USDA Rural Development portfolio of properties spread throughout Oklahoma, Arkansas, Texas, Kansas, and Missouri.

Belmont is a vertically integrated company, comprised of Belmont Development, Belmont Construction & Belmont Management. In all The Belmont Companies currently own and/or manage over 120 Multifamily properties consisting of well over 4,200 affordable housing units.

The main financial funding source available to the Affordable Housing industry comes by way of the Affordable Housing Tax Program (AHTC). Belmont has extensive experience in all aspects needed to complete a successful AHTC development. This includes, but is not limited to, site selection, predevelopment due diligence, preparation of AHTC funding applications, agency approval for AHTC funds, securing all necessary 3rd private gap financing, post-award due diligence with financial providers, construction oversight, project lease-up oversight, timely credit delivery, and finally continuous stable & sustainable occupancy. Part of what has allowed Belmont to enjoy this level of success is the team's detailed knowledge and experience with a variety of other complimentary funding mechanisms as well. Whether it be securing a HOME loan through HUD's HOME Investment Partnership Program, utilizing grant funds from FHLB's AHP (Affordable Housing Program), or applying for USDA RD's 538 or HUD's 221(d)(4) guaranteed loan programs, Belmont has the knowledge and expertise to not only layer the best possible combination of funds, but to also successfully navigate complicated process of ensuring compliance with the unique set of regulations and guidelines associated with each individual program.

SDR Investments

Belmont is owned by 3 Principal Members, Shawn Smith, Derrick Hamilton and Ryan Hudspeth. SDR Investments, LLC was formed in 2009 those same three individuals. The founding members of Belmont soon realized that there were additional opportunities to utilize their unique expertise in the development of Affordable Housing. They initially created SDR to act as a full-service consulting firm to help other Affordable Housing Developers who may lack the experience necessary to fully navigate this type of development on their own. More recently SDR also began developing properties of its own in certain situations.

Please see the attached list of completed and awarded developments for more information on the successful track records of each of these companies since their founding.

				List of Developments	Develo	pmen	S			
Property Name	City	State	# of Units	Type	LIHTC HOME	HOME	Other	Entity's Role	Status (Active, Sold, Expired)	Final CO's
GardenWalk of Decatur	Decatur	AR	24	Acq/Rehab	×	×	RD	Developer	Active	2011
SavannahPark of Alma	Alma	AR	24	Acq/Rehab	×	×	RD	Developer	Active	2011
Turkey Red Village	Newton	KS	20	Acq/Rehab	×		RD	Developer	Active	2011
GardenWalk of Broken Bow	Broken Bow	ò	96	Acq/Rehab	×		RD	Developer	Active	2012
GardenWalk of Oologah	Oologah	OK	99	Acq/Rehab	×		RD	Developer	Active	2012
GardenWalk of Potcau	Potcau	OK	823	Acq/Rehab	×		RD	Developer	Active	2012
GardenWalk of Stilwell	Stilwell	OK	911	Acq/Rehab	×		RD	Developer	Active	2012
GardenWalk of Barling	Barling	AR	41	Acq/Rehab	×	×	RD	Developer	Active	2013
GardenWalk of Booneville	Booneville	AR	48	Acq/Rehab	×	×	RD	Developer	Active	2013
Wellsville Heights	Wellsville	KS	24	Acq/Rehab	×		RD	Developer	Active	2013
GardenWalk of Bentonville	Bentonville	AR	24	Acq/Rchab	×		RD & PRLF	Developer	Active	2014
GardenWalk of Van Buren	Van Buren	AR	54	Acq/Rehab	×		RD & PRLF	Developer	Active	2014
SavamahPark of Farmington	Farmington	AR	36	Acq/Rehab	×	×	RD	Developer	Active	2014
Garden Walk of Sallisaw	Sallisaw	OK	66	Acq/Rehab	×		RD	Developer	Active	2015
SavannahPark of Atoka	Atoka	OK	24	Acq/Rehab	×		RD	Developer	Active	2015
SavannahPark of Coalgate	Coafgate	OK	24	Acq/Rehab	×		RD	Developer	Active	2015
GardenWalk of LSW	LaGrange, Schulenbur, & Weimar	Ϋ́Ι	40	Acq/Rehab	×		RD	Developer	Active	2016
GardenWalk of Muldrow	Muldrow	OK	72	Acq/Rehab	×		RD	Developer	Active	2016
GardenWalk on 2nd	Ozark	AR	45	Acq/Rehab	×		RD & MSF	Developer	Active	2016
SavannahPark of ALK	Abemathy, Lexington, & Karnes City	Ϋ́	72	Acq/Rehab	×		RD	Developer	Active	2016
GardenWalk of Grove	Grove	OK	100	Acq/Rehab	×	×	RD	Developer	Active	2017
Garden Walk of Idabel	Idabel	OK	52	Acq/Rehab	×	×	RD	Developer	Active	2017
SavannahPark of Grove & Jay	Grove & Jay	OK	80	Acq/Rehab	×	×	RD	Developer	Active	2017
Villages at Plano Senior Housing	Plano	TX	292	New Const	×	×	Bond	Co-Developer	Active	2017
GardenWalk of Coweta	Coweta	OK	126	Acq/Rehab	×		RD	Developer	Active	2018
GardenWalk of South Fork	South Fork	00	34	Acq/Rehab	×		RD & CO DOLA HDL	Developer	Active	2018
SavannahPark of Charleston	Charleston	AR	52	Acq/Rehab	×	×	RD	Developer	Active	2018
GardenWalk of Ft. Gibson	Fort Gibson	OK	16	Acq/Rehab	×		RD & AHP	Developer	Construction Complete	2019
Garden Walk of Jones	Jones	OK	32	Acq/Rehab	×		RD & AliP	Developer	Construction Complete	2019
SavannahPark of Healdton	Healdton	OK	20	Acq/Rehab	×		RD	Developer	Construction Complete	2019
GardenWalk of Checotah	Checotah	OK	48	Acq/Rehab	×		RD	Developer	Under Construction	TBD
Legacy Park Estates	Kansas City	KS	30	New Const	×			Developer	Under Construction	TBD
GardenWalk of Gunnison	Gunnison	8	36	New Const	×			Developer	Under Construction	TBD
GardenWalk of Magnolia Ridge	Warrensburg	МО	09	New Const	×	×		Developer	Under Construction	TBD
The Curve	Moore	OK	240	New Const	×		Bonds & CDBG	Co-Developer	Under Construction	TBD
Lakeridge Villas	Ennis	TX	40	New Const	×			Developer	Pre-Close (7/2019 Award)	TBD
SavannahPark of Stilvell	Salwell	ÖK	24	Aca/Rehah	×		RD	Developer	Pre-Close (11/2019 Award)	444

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Property Name	City	State	State # of Units	Type	LIHTC	HOME	Other	Type LIHTC HOME Other Entity's Role	Status (Active, Sold, Expired)	Final CO's
Rose Rock Estates I & II	Sallisaw	OK	48	Acq/Rehab	×		RD	Consultant	Active	2013
Oakmont Estates 1 & 11	Tishoming & Antlers	OK	09	Acq/Rehab	×		8	Consultant	Active	2015
Wheat Ridge Apartments	(multiple) Kay County	OK	09	Acq/Rehab	×		RD	Consultant	Active	2015
Commons on Classen	Oklahoma City	OK	49	New Const	×		AHP	Consultant	Active	2016
The Villas of Hanover	Davis	OK	36	New Const	×	×	AHP	Consultant	Active	2017
Villas at Benedictine Pointe	Guthrie	OK	52	Acq/Rehab	×		AHP	Consultant	Active	2018
McGregor Senior Apartments	McGregor	ΧŢ	36	Acq/Rehab	×		RD	Developer	Active	2019
Alvarado Senior Apartments	Alvarado	Ϋ́	24	Acq/Rehab	×		5	Developer	Active	2019
Manor on Willow	Enid	0Ķ	09	New Const	×			Consultant	Under Construction	TBD
RiverBrook Apartments	Broken Алтоw	OK	72	New Const	×			Consultant	Under Construction	TBD
Woodland Estates	Sweeny & Hempstead	Ϋ́	82	Acq/Rehab	×		RD	Developer	Pre-Close (7/2019 Award)	TBD
Eastland Village	Tulsa	OK	72	New Const	×			Consultant	Pre-Close (11/2019 Award)	TBD
Skiatook Village	Skiatook	OK	48	Acq/Rehab	×		₽ Q	Consultant	Pre-Close (11/2019 Award)	TBD
Wagoner Village	Wagoner	ŏ	50	Acq/Rehab	×		RD	Consultant	Pre-Close (11/2019 Award)	TBD

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February 11, 2020

TDHCA Sharon Gamble 221 East 11th Street Austin, TX 78701

RE: TDHCA Application #20332 (GardenWalk of Farmersville)

Dear Ms. Gamble:

I am writing this letter to confirm the contribution of development funding by the City of Farmersville for the GardenWalk of Farmersville development. The proposed development consists of the Acquisition & Substantial Rehabilitation of the existing apartment community currently known as Shady Oaks, located at 409 Hwy 78 South, Farmersville, TX 75442.

As a show of support for the proposed development, the City of Farmersville will contribute \$250 in the form of waived building and/or permit fees. This funding is for the benefit of GardenWalk of Farmersville and is intended to further illustrate our support for the development.

Sincerely,

Jack Randall Rice Mayor

Agenda Section	Regular Agenda
Section Number	VII.E
Subject	Discussion regarding exploratory COPS grant through the Department of Justice.
То	Mayor and Council Members
From	Ben White, City Manager
Date	February 11, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

VIII. Requests to be Placed on Future Agendas

IX. Adjournment