



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
February 11, 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, Jim Hemby, Dwain Mathers and Donny Mason were all present. City staff members Ben White, Sandra Green, Kim Morris, Rick Ranspot, Mike Sullivan, Daphne Hamlin, Oscar Mejia and City Attorney Alan Lathrom were also present.
- Prayer was led by Craig Overstreet followed by the pledges to the United States and Texas flags.
  - Calendar of upcoming holidays and meetings.
  - The last day to apply for a place on the May 2<sup>nd</sup> Farmersville General Election ballot is Friday, February 14<sup>th</sup> at 5:00 p.m.
  - City Hall will be closed on Monday, February 17<sup>th</sup> in observance of President's Day.
  - Early Voting will begin on Tuesday, February 18<sup>th</sup> and continue through Friday, February 28<sup>th</sup>.
  - On Monday, February 24<sup>th</sup> the Planning & Zoning Commission will meet at 7:30 p.m. due to early voting.
  - On Tuesday, February 25<sup>th</sup> 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
    - A CAFP Board Member, John Klostermann, presented Chief Sullivan with a training weapon for the police department.
    - Ben White introduced Oscar Mejia as the new Building Official that is also going to do Code Enforcement.

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

- No one came forward

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

- No one came forward

**IV. CONSENT AGENDA**

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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

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

**V. INFORMATIONAL ITEMS**

These Informational Items are intended solely to keep the City Council apprised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or Commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not

required or requested. **Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.**

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

- A. City Amenities Board
  - 1. Possible Council Liaison Report
  
- B. Farmersville Community Development Board (Type B)
  - 1. Financials
  - 2. Possible Council Liaison Report
    - Dwain Mathers stated they approved the request regarding billboard signs.
  
- C. Farmersville Economic Development Board (Type A)
  - 1. Financials
  - 2. Possible Council Liaison Report
    - Mike Hurst stated he reviewed the financials and they seemed in order.
  
- D. Main Street Board
  - 1. Possible Council Liaison Report
    - Donny Mason stated they discussed the billboard and the planning for the subcommittee regarding the 20 year celebration.
  
- 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.

- Dwain Mathers recused himself and left the room due to a conflict of interest.
- Mayor Rice opened the public hearing at 6:13 p.m.
- Jim Foy who resides at 211 College Street stated he is one block down from the proposed bed and breakfast and explained the neighborhood is historic. He believes the bed and breakfast would be a great asset to Farmersville. He stated that when he has people in for business he has to send them to McKinney for a place to stay and this would eliminate that. He asked the Council approve the item.
- Billie Goldstein who lives at 1453 Highway 78 North stated she was in favor of the bed and breakfast and requested the Council approve the SUP. She explained it would bring people to the city.
- Mike Goldstein who resides at 1453 Highway 78 North addressed Council and wanted to advocate for the City Council to approve the SUP for the bed and breakfast. He said it would be walking distance from the downtown area.
- Mayor Rice asked if anyone else wanted to speak regarding the item.
- No one came forward so he closed the public hearing at 6:17 p.m.
- Mayor Rice read the caption of the Ordinance.
- **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 109 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.**

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

- Craig Overstreet asked if the SUP followed the owner or the address.
- Alan Lathrom stated that it followed the owner.

- Craig Overstreet indicated that the SUP came with a recommendation from the Planning & Zoning Commission for approval.
  - Motion to approve made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Donny Mason
  - All council members voted in favor
- Dwain Mathers came back in to the room and joined the meeting.

## VII. REGULAR AGENDA

- A. Yearly update and presentation from Community Waste Disposal (CWD).
- Robert Medigovich from CWD addressed the Council and presented a Power Point that showed the statistics of Farmersville recycling. He presented Mayor Rice with a plaque of the statistics.
  - Ben White asked what major items CWD receives that cannot be recycled.
  - Robert Medigovich stated the plastic bags from stores cannot be recycled at CWD.
  - Ben White asked if there was anything the city could do to help with the problem of nonrecyclible items.
  - Robert Medigovich explained that educating people is the best way to get them to understand what can and cannot be recycled.
  - Mayor Rice asked if they take medical sharps at this time.
  - Robert Medigovich stated they do not.
- 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.
- Ben White stated this is an annual fee. He explained the Steering Committee keeps the city aware of what is happening in regards to Atmos. He stated that he recommends approval.
    - Motion to approve made by Jim Hemby
    - 2<sup>nd</sup> to approve was Mike Hurst
    - All council members voted in favor
- C. Consider, discuss and act upon signature authority for the Pipe Bursting Project located on U.S. Highway 380 and Welch Dr.

- Ben White stated he did not request this before when the Council approved the bids. He said he is just asking for the ability to sign the contracts and other documents as they come in to help the process run smooth. He indicated this is something the Council has done in the past with other contracts.
  - Motion to approve made by Donny Mason
  - 2<sup>nd</sup> to approve was Jim Hemby
  - All council members voted in favor

D. Consider, discuss and act upon Resolution R-2020-0211-002 supporting renovations for Shady Oaks Apartments.

- Ben White stated the apartments are located at the corner of U.S. Highway 380 and State Highway 78. He stated Belmont Development Company was making plans to renovate the property. He said he did not believe they were adding or taking away any units, but simply renovating them and bringing them up to code.
- Derrick Hamilton, who is a representative of Belmont Development Company, explained they manage a lot of properties. He said they are currently in the process of buying Shady Oaks. He indicated that at the end of the month they are applying for affordable housing tax credits to conduct a substantial renovation of the property. He said they would use an average of \$40,000 per door to renovate. He explained it is taking the old apartments and making them new again. They would have, just to name a few, new air conditioning units, windows, cabinets, flooring and doors. He stated they would also correct any design flaws and bring the apartments up to ADA compliance. They will be addressing erosion issues with the creek behind the property as well. He said they may expand the offices for community space, but they may not have room. They are submitting the application to the state at the end of the month and one of the requirements is the resolution of support from the city.
- Donny Mason asked what they were going to do with the tenants that live there during the renovations.
- Derrick Hamilton stated they use relocation companies and they usually move people out in phases.
- Mike Hurst asked if the closest property they have to Farmersville was in Plano and stated that was a new facility.
- Derrick Hamilton stated that most of their properties are USDA rural development and they just now have started new developments instead of renovating older ones. He stated they are supposed to take over management of the Shady Oaks Apartments hopefully March 1, 2020.
- Dwain Mathers asked how it would affect the people's rent that live there.

- Derrick Hamilton stated the USDA usually does not allow them to increase the rent much or any at all.
- Donny Mason asked how old the apartments were.
- Derrick Hamilton stated he believed they were built in the 70's or earlier 80's. He indicated they would have to maintain ownership of the apartments for a minimum of 15 years, but they usually stay 35 years. He stated that now the USDA requires a large reserve account to be kept so the buildings will not deteriorate again.
  - Motion to approve the resolution made by Craig Overstreet
  - 2<sup>nd</sup> to approve was Mike Hurst
  - All council members voted in favor
  
  - Motion to approve a letter waiving \$250.00 of the building permit fees made by Donny Mason
  - 2<sup>nd</sup> to approve was Craig Overstreet
  - All council members voted in favor

E. Discussion regarding exploratory COPS grant through the Department of Justice.

- Chief Mike Sullivan stated the COPS program funds police officers for law enforcement agencies throughout the county. He said they fund the officer for three years with a 25% match from the city. He went over a Power Point that showed a little about the program and the amount of money the city would have to come up with in order to obtain the 25% match for the program. He explained the deadline for the grant would be March 11, 2020 and he is wanting to see if Council would support him in applying for the grant. He indicated that it costs the police department \$8,034.35 to outfit a police officer. We started a program years ago where we lease to own our vehicles and spread out the payment over a three year period. He said he would like to include the cost of the vehicle in the upfront costs. He stated the police department has nine police officers, but they had been authorized for ten. He said the upfront cost for the police department to pursue the grant would be \$43,508.03 for the first years obligation. He explained the other year's costs. He commented that if they apply for the grant and they receive it then they would be hiring the officer in the summer. He stated that he obviously does not have the \$43,508.03 in his budget, so that would be a consideration if Council wanted him to move forward.

- Ben White stated he told Chief Sullivan that we had to live within our means, but he suggested they go ahead and pursue the grant. He stated he was working on some things with the TIRZ and how they could possibly help purchase equipment. He said he has received some indications from attorneys working on project plans that there is some things we can do on the police and fire front to fund equipment. He said if we received the grant and did not have the money to go forward we would just have to give up the grant.
- Donny Mason wanted to know how long it would take to see if they received the grant.
- Chief Sullivan stated late June or July.
- Craig Overstreet stated he feels like they are looking at the data in a vacuum. He indicated that he does not have enough data to go with as far as police per capita versus a town of similar size and crime rates. He said it could be warranted, but he does not have enough information.
- Ben White stated that he and Chief Sullivan ran some data in relation to similar size towns and the numbers ranged from low 500's up to 600 people per officer. He said that the police department is down one officer right now and this would help with more officers.
- Mayor Rice stated it costs us nothing to apply for the grant and if we are unable to fund it then we do not move forward.
- Donny Mason stated he agreed with that idea.
- Chief Sullivan stated he wanted to reach out to the Bureau of Justice to see if we received the grant and could not accept it if there would be a penalty.
- Mayor Rice asked if any of the Council objected to Chief Sullivan applying for the grant.
- No one objected so they told him to move forward and apply for the grant.

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

- Craig Overstreet wanted a discussion on the available capacity of the sewer and electrical system, if all equipment was working and how they could handle future growth.

#### **IX. ADJOURNMENT**


Meeting was adjourned at 6:52 p.m.



APPROVE:

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

ATTEST:

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

