



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
August 11, 2020, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Mike Henry, Craig Overstreet, Jim Hemby, Dwain Mathers and Terry Williams were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Daphne Hamlin, Kevin Lisman, Rick Ranspot, and City Attorney Alan Lathrom (via teleconference) were also present.
- Prayer was led by Kevin Lisman, Assistant Fire Chief, followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - Due to the Covid-19 pandemic Old Time Saturday has been cancelled.
 - City Hall will be closed on Monday, September 7th in observance of Labor Day.

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

- No one came forward in person or via teleconference.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- No one came forward in person or via teleconference.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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
 - o Motion to approve made by Mike Henry
 - o 2nd to approve was Terry Williams
 - o 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. Possible Council Liaison Report
 - Terry Williams stated they scheduled another meeting for August 18th.

- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Possible Council Liaison Report

- D. Main Street Board
 - 1. Possible Council Liaison Report

Craig Overstreet said they discussed the transition of Farmers & Fleas to the Chamber of Commerce. They also discussed the new employee that was hired as the Main Street Manager, directional signs and downtown benches and trash cans. He said they will be having another meeting soon to discuss the budget prior to September 1st.

- E. Parks & Recreation Board
 - 1. Possible Council Liaison Report

- F. Planning & Zoning Commission
 - 1. Possible Council Liaison Report

- G. TIRZ Board
 - 1. Possible Council Liaison Report
 - Craig Overstreet stated they discussed Reliable Concrete. They are going to add Welch Dr. to their project plan and the budget will be done by September 1st. He explained they are submitting a deficit budget, primarily because of roadwork they are doing.

VI. REGULAR AGENDA

- A. Consider, discuss and act regarding details and contract with Enterprise Fleet Management for vehicle purchasing.
 - Ben White stated Alan Lathrom needed more time to review the contracts, but Alex Westmoreland with Enterprise Fleet Management would go over the details for the city.
 - Alex Westmoreland went over some of the details for the City of Farmersville's vehicles. He said the vehicles in the city are older. He said the program would save the city approximately \$181,664.00 over a 10 year period. He indicated the goal would be to transition 12 vehicles in the next fiscal year and a lot of the savings would come from maximizing equity,

from the maintenance of the vehicles and because the new vehicles would be more fuel efficient.

- Terry Williams asked how long the Farmersville Independent School District had used Enterprise Fleet Management
- Alex Westmoreland said less than a month.
- Ben White stated that Superintendent French from Fisd had used Enterprise Fleet Management at his previous school district.
- Terry Williams asked how easy it would be to separate from the company if the city decided to end the contract.
- Alex Westmoreland said it would be easy because it is set up as per vehicle and nothing is binding. You could ride out the lease or buy the car outright.
- Mayor Wiebold asked if they were working with two entities in Farmersville that could do maintenance on the vehicles.
- Ben White stated Tedford Chevrolet was already on the list to be used, but they were working on getting Farmersville Collision on the list.
- Dwain Mathers asked if servicing the vehicles would be very beneficial to businesses like Tedford Chevrolet.
- Ben White stated he could not speak for them, but he has heard they make money off of the vehicles that have a warranty. He said he has also heard that dealerships make more money from repairs and maintenance.
- Craig Overstreet stated he was not sold on the idea because the city might have a deficit budget and some boards are suggesting deficit budgets. He thought it might send the wrong message. He said this would be an unbudgeted expense and it will impact the city for several years. He recommended to wait until the second or third quarter of the budget year to go forward if that was the will of the Council. He believes it sends a negative message to businesses because of the Covid-19 crisis.
- Dwain Mathers stated it appeared the city would be saving money on the upfront costs.
- Ben White stated the purpose is to save money and not spend money. He said he believes the city would save money overall. He explained the fleet is currently managed by Daphne Hamlin, Finance Director, and that would be shifted to Enterprise Fleet Management. He said we have public works crews that are sitting on metal and they go to junk yards to replace seats in the vehicles.
- Daphne Hamlin stated it is better for the fleet to be managed by Enterprise. She said she knows a lot of the vehicles the city currently owns are in horrible shape. She indicated she knew that some have duct tape holding up a bumper.

- Dwain Mathers stated he is thought the city should enter into a contract with Enterprise Fleet Management. He said it would be more efficient and more reliable.
- Mayor Wiebold asked what all Enterprise would be responsible for.
- Alex Westmoreland stated the tags, title, registrations, recalls and other things. He said they would be the administrator over all the vehicles.
- Jim Hemby explained they would take care of all the paperwork and administrative aspects of the vehicles, and the city would take care of the maintenance and putting gas in the vehicle.
- Alex Westmoreland agreed with Mr. Hemby.
- Mayor Wiebold asked what shape the police department's vehicles were in.
- Chief Sullivan stated they have a lot of different types of vehicles right now which requires them to go to several different places for maintenance. He believes that Enterprise Fleet Management would be good for the city.
- Craig Overstreet stated the City Council also needed to consider the insurance cost of having newer vehicles.
- Daphne Hamlin stated she had not looked in to the insurance costs of the new vehicles.
- Ben White stated if we go to the next step with contracts he could produce the insurance costs at that time.
- Jim Hemby asked how much the city currently spends on maintenance alone.
- Daphne Hamlin stated it usually \$170.00 a month or more.
 - Motion for Alan Lathrom to continue working on the contracts and more information be brought back to the next council meeting such as insurance costs made by Mike Henry
 - 2nd to approve was Dwain Mathers
 - All council members voted in favor, except Craig Overstreet voted no

- B. Consider, discuss and act upon using the Farmersville CARES Act funding towards business economic assistance.
- Ben White stated that Elise Bobitt and the Innovations & Efficiency Team has worked really well on trying to figure out how to disperse the money to small businesses.
 - Elise Bobitt, President of the Innovations & Efficiency Task Force, presented a few items the board came up with to help businesses. They suggested long term billboards and advertising campaigns, but felt they were not on the CARES Act scope. She said they came up with a short term solution that would fit within the scope. They would take a pool of

CARES Act funds earmarked for Small Business Assistance, less administration and advertising costs, and it would be divided evenly between successful applicants up to a maximum of \$2,5000.00 She said that businesses that cease operations permanently within 90 days of the check date would be required to return the funds in full (380 Agreement). The criteria they set forth would be a that the business had to be a brick and mortar storefront, not a franchise or publically traded company, it had to be a business owner and not the landlord, the business is within the city limits, they are not a non-profit business, they have received no other Covid-19 financial relief from any other source and they have less than 15 employees as of March 13, 2020.

- Craig Overstreet asked if the businesses that received other Covid-19 funds would be eligible and if they would be required to show sales tax information.
- Elise Bobitt stated those people would not receive the funds. She said the team felt that those businesses already received some relief. She also said they have to supply some back up documents to the application.
- Mayor Wiebold asked if they were going to ask for receipts regarding where the businesses spent the money.
- Elise Bobitt stated they were not going to require receipts. She said the approval process would require an application that would be mailed out. The deadline would be 14 days from the date it was postmarked at the city. She indicated they would then hold an approval meeting and the city would have to mail out rejection letters or checks to the businesses.
- Mayor Wiebold asked how hard the application process would be.
- Elise Bobitt stated they had discussed advertising by placing an ad in the paper, on the city website, by using sister organizations such as the Chamber of Commerce and social media. She said they would like a member from the 4A Board, 4B Board, City Council, Police Chief and the City Manager be involved in the approval process.
- Dwain Mathers stated he did not feel that a City Council member should be involved in the approval process.
- Mayor Wiebold asked Alan Lathrom if there are any legal issues with a City Council member being involved.
- Alan Lathrom stated that the Council has to approve how the CARES Act funding is spent. He said a City Council member might have a conflict of interest and anyone that is involved in the process who is rewarding the funds could not apply and neither could a close relative.

- Terry Williams stated they needed to change the brick and mortar storefront to be those businesses having a physical presence in the community.
 - Mayor Wiebold asked how many small businesses the city had.
 - Ben White stated approximately 80.
 - Jim Hemby stated he was concerned about the service industry people and he wanted to make sure they were considered for the funding too. He felt that plumbers and other similar businesses needed to be considered for the funds if they were effected by Covid-19.
 - Elise Bobitt stated there are places on the application for a narrative and they can explain how they were affected.
 - Ben White stated they can look at sales tax data for the businesses to see if they are in bad standing.
 - Elise Bobitt stated they are trying to bring transparency to the process and there are check boxes on the application that make it very easy. She said all decisions are final and there would be no rebuttal process.
 - Ben White stated the application form is short and they just have to get backup documents. He said he would like Alan Lathrom to look at the documents to make sure they are legal. At the next Council meeting they would present a resolution or ordinance to the City Council for approval of the CARES Act funding plan.
 - The City Council members agreed to bring it forward to the next meeting.
- C. Consider, discuss and act upon a consulting agreement with Eddie Peacock, PLLC for financial management support.
- Daphne Hamlin stated the city's auditors wanted us to hire a firm to conduct the end of year adjustments because it is a conflict of interest for them to do it. She said she has worked with Mr. Peacock before.
 - Craig Overstreet asked how much time it would take to complete the end of year adjustments.
 - Daphne Hamlin stated she was not sure how much time it would take. She explained it might take two weeks.
 - Ben White stated the city can go back to Mr. Peacock to see how much time he would need to adjust the accounts.
 - Mike Henry asked if the auditors do the work from their office or onsite.
 - Daphne Hamlin stated that Mr. Peacock might have to come in to the city, but he might be able to do it from his office.
 - Craig Overstreet wanted to see a fixed dollar amount for the contract.

- Ben White stated if Mr. Peacock gave a fixed price it would probably be on the high side because it may take one hour to make the adjustments. He stated it might be hard to come up with a solid number.
 - Craig Overstreet asked how many adjustments there were last year.
 - Daphne Hamlin stated approximately 8 pages.
 - Ben White said he would bring the contract to the next meeting after staff spoke to Mr. Peacock about a fixed price.
- D. Consider, discuss and act regarding setting public hearings for the tax rate.
- Daphne Hamlin stated that she received the preliminary tax estimated values from the county. She said the proposed tax rate would be approximately \$0.67. The first public hearing would be September 1st and the second would be on September 8th at 6:00 p.m.
 - Motion to set the public hearing dates made by Jim Hemby
 - 2nd to approve was Craig Overstreet
 - All council members voted in favor
- E. Update regarding the Development Agreement with Nelson Brothers Ready Mix (Farmersville Plant, LLC).
- Ben White stated the only change was that the Comprehensive Plan was approved to show industrial for that area and the paperwork has been sent out to the owner for the zoning change on the property. We are waiting for the paperwork to be sent back.
- F. Update regarding the Development Agreement with Reliable Concrete.
- Ben White stated they are working to verify the FOB Farmersville for sales taxes and the city is still tracking it to make sure we are receiving the money. We are still asking the state to give us information. The receipt he received up to May was \$20,612.16. He said for their June taxes they showed a receipt for \$11,804.00. He explained if anyone sees the trucks on the road they are now showing Patriot Concrete. In regards to the lighting complaints, they are working on changing the light fixtures to have less pollution. He said their trees are still continuing to die, but the owners are working on the irrigation system. The irrigation system is being designed by Oak Grove Landscaping and once it is complete they will apply for the permit. He said that once it is installed they can then complete their ground cover and replace their trees. He stated they have completed the vast majority of the screening wall. The paperwork was sent to Reliable for the zoning request and the city is just waiting on them

to return it. We have received the plans from the City Engineer regarding the construction of County Road 699. We are coordinating with Hunt County and Collin County regarding the roadway. He explained that he has changed his priorities and the J.W. Spain project will be placed on hold until the public works crew can complete County Road 699.

- Craig Overstreet asked if the city has sent a corrected water bill to Reliable Concrete.
- Ben White stated he met with the owner and they did not seem to have an issue with it. The amount will be paid over the next few months.

G. Consider, discuss and act upon accepting the possible conveyance of approximately 8.1 miles of the Northeast Texas Trail extending in a northern direction from the current end of the City's Chaparral Trail.

- Ben White said the Chaparral Rails to Trails organization met and they have accepted the conveyance as long as the city accepts it. He said they did want the trail to be resurfaced within the next seven years. He explained he has asked the FCDC (4B) to give a match grant for the trail. The estimate for resurfacing the trail would be approximately \$800,000.00 and it would take three grants. He explained the city has received grants like this before, and he believes we could get it resurfaced within the seven years. They would quit claim deed it to the city and then the trail would be brought into the city. We are not sure if we could extend the ETJ area into that, but the attorney is looking in to it.
- Craig Overstreet asked what the annual operating costs of the current trail were.
- Ben White stated he figured it would cost approximately \$40,000.00 a year to take care of it. He stated \$20,000.00 for mowing and the other half for maintenance.
- Mayor Wiebold stated the Chaparral Rails to Trails has a grant writer the city could utilize for the grants. He explained that other entities could apply for grants as well.
- Dwain Mathers stated that having a 13 mile trail would be great for the city. He believes it is a good investment.
- Mike Henry asked who is drawing up the documents for the conveyance.
- Ben White stated the Chaparral Rails to Trails and our attorney. He said right now it would be a quit claim deed and a Development Agreement.
- Mike Henry asked if the city has liability insurance on the trail.
- Daphne Hamlin stated that we do have liability insurance on our current trail.

- Ben White stated we could come up with the numbers for the insurance cost.
- Donna Williams, who lives at 1985 State Highway 78 N, stated she has several people who come in to her store and find out about the trail. She believes it would be a great asset to add more trail to the city.
- Mayor Wiebold stated that we do have the trailhead and there are a lot of people that use the trail all the time. He wants to get a coalition of civil governments together to help improve the trail.
 - Motion to continue forward on the documents and Development Agreement to be brought to Council for approval at a later date made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor

H. Discussion regarding the proposed Future Land Use Map.

- Ben White stated this is an important instrument in the planning of the city. The map takes the Future Land Uses out to the ultimate city limits. He showed the map and discussed some of the aspects of the map. He said they are preserving 4,000 acres on the east side for Industrial and another 2,000 south of town for Industrial. Collin County is doing a transit study right now and he is trying to get the city commuter access points. He said along the highways we have selected a lot of commercial and mixed uses. He explained the maps has a lot of diversity and mixes. We have a railroad that runs through the town and the train traffic will go up in the future. He pointed out the park space is shown as a very large area on the map. He stated his recommendation would be to send the Future Land Use Map to the Planning & Zoning Commission along with the Hike & Bike Trail and the Thoroughfare Plan for approval.
- Dwain Mathers asked when the public would have adequate time to review and comment on the maps.
- Ben White stated the Planning & Zoning Commission and the City Council would hold public hearings. He indicated the Planning & Zoning Commission and the City Council could hold as many public hearings as they wanted before it is approved. He stated that since he heard no push back from City Council he would start the public hearing process with the Planning & Zoning Commission

VII. BUDGET WORKSHOP

- Daphne Hamlin stated she was getting close to balancing the budget. In the enterprise funds and water fund we have any excessive in revenue of \$57,000.00. She said she is still having a little trouble with the wastewater fund. She indicated that when all the homes are built in Camden Park she is hoping

the money we would receive from them will cover the cost of the bond payment for the sewer line. She stated the electric fund has been difficult to balance.

- Craig Overstreet wanted her to give the reason behind large increases. He believes she should show where those increases are coming from.
- Ben White stated he was going to look in to rate increases for water and sewer to see if they need to be raised. He indicated that on the electric side what is hurting us is the huge transfers into the general fund. He said he needs the general fund to do better. He stated the water fund is starting to perform and that has a lot to do with the take or pay. He explained the city has a large TIRZ district that takes a lot of money out of the general fund. He said that he wants the TIRZ funds to help with the offset.
- Daphne Hamlin stated we transfer approximately \$1M from the electric fund into the general fund to help offset.
- Ben White stated he could ask for TIRZ to help participate in bringing funds into the general fund and explained that was legal.
- Craig Overstreet asked for a line item budget.
- Daphne Hamlin stated she will get a line item budget to the Council.

VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted to discuss the TIRZ district and possibly reducing the size of the district.
- Craig Overstreet wanted an update on Reliable Concrete and Nelson Bros. He also wanted the City Attorney to make sure the Development Agreement is still enforceable since they are going by Patriot Concrete now.
- Mike Henry wanted an update on Collin Parkway/Farmerville Parkway construction.

IX. ADJOURNMENT

Meeting was adjourned at 8:29 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:



Sandra Green, City Secretary

