



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION AGENDA
December 8, 2020, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

WATCH THE LIVE BROADCAST

This meeting will be broadcast live through the City's website and by telephone. Members of the public who wish to watch this meeting, and not speak or participate in the discussion, may watch the live broadcast by

1. Going to the City's website;
2. Clicking on "GOVERNMENT";
3. Clicking on "AGENDAS AND MINUTES";
4. Clicking on the "[click here](#)" link that is located to the right of "**LIVE STREAMING.**"

SPEAKING DURING PUBLIC COMMENTS

Members of the public wishing to speak during Public Comments or a public hearing may join the meeting by going online to www.blizz.com, and following the online prompts to input the "Dial-in Phone Number" and the "Meeting ID."

Members of the public wishing to speak during Public Comments or a public hearing may also join the meeting by calling-in to the telephone number listed below, and inserting the Meeting ID listed below: Those members of the public calling in will not be able to participate through video and will only have an audio feed of the meeting on their telephone.

1. **Dial-in Phone Number: [\(646\) 769-9101](tel:6467699101)**
Please note that if you dial a toll number, your carrier rates will apply.
2. You will be prompted to enter the Meeting ID.
The Meeting ID for this meeting is [145-825-63](tel:14582563)
3. Please listen closely to the directions and follow the directions to gain access to the Blizz meeting.

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements
 - Calendar of upcoming holidays and meetings.
 - Due to the holidays, there will only be one City Council meeting the month of December.
 - The Planning & Zoning Commission meeting will be moved to Tuesday, December 15th due to the holidays and it will begin at 7:30 p.m. because of runoff elections.
 - City Hall will be closed on December 24th and 25th in observance of the Christmas holiday.
 - City Hall will be closed on January 1st in observance of the New Year.
 - Mayor Wiebold to read letter to the Fire 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 & FEDC Joint Meeting from 9-17-20
- B. City Council Minutes from 11-10-20
- C. City Council Special Minutes from 11-17-20
- D. Public Works Report

- E. City Financial Report
- F. City Manager's Report

V. INFORMATIONAL ITEMS

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

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

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

VI. READING OF ORDINANCES

- A. Consider, discuss and act upon the first reading of Ordinance #O-2020-0112-001 regarding grading and excavation.

VII. REGULAR AGENDA

- A. Presentation from George Crump regarding North Texas Municipal Water District status and activity.
- B. Consider, discuss and act upon the final plat of Deer Crossing.
- C. Consider, discuss and act upon Resolution #R-2020-1208-001 regarding the designation of the newspaper for City notices.
- D. Consider, discuss and act upon design features and grants regarding the Trail.
- E. Consider, discuss and act upon a recommendation from the Parks & Recreation Board regarding changes to the Athletic Complex Joint Use Chaparral Agreement with the Farmersville Little League.
- F. Consider, discuss and act upon recommendations from the Parks & Recreation Board regarding improvements to the JW Spain Complex.
- G. Consider, discuss and act upon an interlocal agreement with the City of Wylie for jail services.
- H. Update on the construction of County Road 699.
- I. Update regarding accessory structure ordinance changes.

VIII. EXECUTIVE SESSION

Discussion of Matters Permitted by Texas Government Code Section 551.072,
DELIBERATION REGARDING REAL PROPERTY:

- 1. Deliberation regarding a request from Explorer Pipeline to purchase a fifty-foot (50') wide Permanent Easement and Right-of-Way over, through, and under a section of the Chaparral Trail, identified as 0.11 acres of land in the Benjamin F. Barr Survey, Abstract No. 44, for the construction and installation of multiple unknown diameter pipelines for the conveyance of petroleum products and any by-product or derivative thereof, whether liquids, gases, solids, or mixtures of any or all thereof, together with a twenty-five-foot (25') wide strip of land adjacent to the northern boundary of the easement for a recurring temporary work space, containing 0.06 acres of land, that is reactivated each time Explorer decides to install or replace a pipeline and extends for 12 months after the pipeline is placed in service.

IX. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.072 OF THE TEXAS GOVERNMENT CODE

- A. Consider, discuss and act upon selling a fifty-foot (50') wide Permanent Easement and Right-of-Way over, through, and under a section of the Chaparral Trail, identified as 0.11 acres of land in the Benjamin F. Barr Survey, Abstract No. 44, for the construction and installation of multiple unknown diameter pipelines for the conveyance of petroleum products and any by-product or derivative thereof, whether liquids, gases, solids, or mixtures of any or all thereof, together with a twenty-five-foot (25') wide strip of land adjacent to the northern boundary of the easement for a recurring temporary work space, containing 0.06 acres of land, that is reactivated each time Explorer decides to install or replace a pipeline and extends for 12 months after the pipeline is placed in service.

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

XI. ADJOURNMENT

Dated this the 4th day of December, 2020.



Bryon Wiebold, 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 December 4, 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

December 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 City Amenities Board Meeting 4:00 pm Parks & Recs Board Meeting 5:00 pm	4	5 Farmersville Market 9:00 am
6	7	8 City Council Meeting 6:00 pm	9	10	11	12
13	14 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	15 P&Z Meeting 7:30 pm (moved due to Christmas Holiday's)	16	17 FEDC (4A) Meeting 6:30 pm	18	19
20	21	22 City Council Meeting 6:00 pm (Cancelled)	23	24 City Hall Closed - Christmas	25 City Hall Closed - Christmas	26
27	28	29	30	31		

JANUARY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 City Hall Closed – New Year's Day	2 Farmersville Market 9:00 am
3	4	5	6	7 Parks & Recs Board Meeting 5:00 pm	8	9
10	11 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	12 City Council Meeting 6:00 pm	13	14	15	16
17	18 City Hall Closed – MLK Day	19	20	21 FEDC (4A) Meeting 6:30 pm	22	23
24	25 P&Z Meeting 6:00 pm (moved due to holiday)	26 City Council Meeting 6:00 pm	27	28 City Amenities Board Meeting 4:00 pm	29	30
31						

FEBRUARY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 Parks & Recs Board Meeting 5:00 pm	5	6 Farmersville Market 9:00 am
7	8 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	9 City Council Meeting 6:00 pm	10	11	12	13
14	15 City Hall Closed -- President's Day	16	17	18 FEDC (4A) Meeting 6:30 pm	19	20
21	22	23 City Council Meeting 6:00 pm	24	25 City Amenities Board Meeting 4:00 pm	26	27
28						

TO ALL OF FARMERSVILLE FIRE DEPT.

ON SEPTEMBER 3RD. 2020 AT 6:30 AM MY LIFE CHANGED. I WAS THE DRIVER TRAPPED IN THE F-250 THAT WAS SAVED BY YOUR FIRE FIGHTERS! I HAVE NEVER BEEN SO SCARED IN MY LIFE. THE FEAR OF LOOSING MY LEGS, THEN MY LIFE WAS OVERWHELMING AT THE TIME. YOUR FIRE FIGHTERS DID AN AMAZING JOB IN KEEPING ME CALM AND KEEPING THEIR CALM.

I WANTED TO TELL YOU A LITTLE ABOUT MYSELF. I AM A SUPERINTENDENT FOR A CONST. COMPANY. I HAVE BEEN MARRIED FOR 16 YEARS TO A BEAUTIFULL WOMAN AND MY BEST FRIEND NAMED STACEY. WE HAVE TWO GORGEOUS DAUGHTERS ALEXIS 14, AND KAELYN 12. THESE GIRLS ARE MY ENTIRE WORLD.

I SPENT MANY YEARS IN FIRE SERVICE AND KNOW HOW STRESSFULL THE JOB CAN BE. I WANT YOU ALL TO KNOW THE APPRECIATION WE HAVE FOR YOU. I PERSONALLY WILL FOREVER BE GREATFULL TO ALL OF YOU. BECAUSE OF YOU, I WILL GET TO WALK THROUGH LIFE. BECAUSE OF YOU, I WILL GET TO GROW OLD WITH MY WIFE. BECAUSE OF YOU, I WILL BE ABLE TO SEE MY GIRLS TURN INTO WOMEN.

THANK YOU ALL FROM THE BOTTOM OF MY HEART. TYRELL BABB

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

Agenda Section	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
Section Number	II
Subject	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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

IV. Consent Agenda

Agenda Section	Consent Agenda
Section Number	IV.A
Subject	City Council Minutes & FEDC Joint Meeting from 9-17-20
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	City Council Minutes & FEDC Joint Meeting from 9-17-20
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



**FARMERSVILLE CITY COUNCIL
& FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION
JOINT SPECIAL SESSION AGENDA
For
September 17, 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, Daphne Hamlin and Rick Ranspot were also present.
- The FEDC meeting was called to order and roll call taken by Sandra Green. Board members Jason Lane, Randy Rice, Robbie Tedford and Matt Crowder were present. Elise Bobitt was not in attendance.
- Prayer was led by Mike Henry followed by the pledges to the United States and Texas flags.

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. CITY COUNCIL WORKSHOP WITH THE FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION (4A)

- A. Discussion regarding the need to recruit and hire an Economic Development Director as well as the funding, responsibilities, and supervision for an Economic Development Director.
- Mayor Wiebold showed a slide comparing two cities in Collin County that were close to Farmersville. He said one city hired an Economic

Development Director and the other city did not. He explained the city that did hire a director grew more in commercial businesses than the other city.

- Mike Henry asked why Sam Satterwhite was in attendance and wanted an explanation from the Mayor.
- Mayor Wiebold stated he has several years' experience as the former EDC Director for the City of Wylie. He explained he was in attendance to advise the Council and FEDC members concerning hiring a director.
- Sam Satterwhite addressed the Council and FEDC and told them a little about himself and his background. He was in economic development for 28 years and 24 years of that was in Wylie. He said the end result is to reduce the tax burden on the residents. He explained the assets he felt the city possessed to help attract businesses. He said you also have to look at the land use map and plan ahead for the future. He pointed out that he does not feel paying a consultant would be in the best interest of the FEDC. He believes that a dedicated staff person would be more beneficial. He stated that negotiation is a big part of economic development and the city needed someone that would work with developers closely. He explained that ideally you want a person that is young who will grow with the community. He said it would be hard for Farmersville to compete with salaries of other cities that have a higher tax base, because the salary would be approximately \$90,000.00 to \$130,000.00. He explained that communication between the board and Council would be key to being successful. He believes they need someone at the city to answer the phone for FEDC directly and a consultant cannot do that, but a dedicated staff person could.
- Michael French, Superintendent of FISC, stated that it is important to be ahead of the curve. He stated it is hard to keep up in the city if you just have rooftops, and explained you must have diverse uses. He explained the schools are getting crowded and are busting at the seams. He stated the Council and FEDC members need to take risks, but it needs to be controlled risks. He stated that economic development is not about paperwork, but rather about relationships. He believes they should hire someone that has experience and connections.
- Matt Crowder asked if Sam Satterwhite was the first EDC Director in Wylie after their population hit 11,000 and wondered if he came to Wylie late or if they should have hired someone sooner.
- Sam Satterwhite stated that he believed they hired him when they could.
- Mayor Wiebold asked if there was a different skill set required for an EDC Director from that of a City Manager.

- Sam Satterwhite stated that economic development is a sales position. He said both positions require different skill sets.
- Jim Hemby stated the city does need to hire someone to attract businesses. He explained if the city is not making money the schools hurt from that. He said they need to find a way to make this a city where people want to work and live here. He believes the city needs someone to work here that has the required knowledge to bring in businesses.
- Matt Crowder asked Sam Satterwhite who wrote his scope of work for his day to day operations.
- Sam Satterwhite stated he did not have a scope of work, but he worked in alignment with what the Council and city wanted.
- Randy Rice asked who he had reported to at the city.
- Sam Satterwhite said he reported directly to the EDC. He indicated if the City of Farmersville were to hire someone they should work with the board, the City Manager, the Planner and the Building Official.
- Craig Overstreet asked who paid his salary.
- Sam Satterwhite stated the EDC did.
- Mike Henry asked if the board members for Wylie received training.
- Sam Satterwhite stated they did and he encouraged City Council members to attend the training as well.
- Mike Henry stated he would not hire anyone without a job description or scope of work because he would want them to be held accountable.
- Craig Overstreet stated he finds the timing of the joint meeting odd. He indicated the city currently has three boards that have submitted deficit budgets and explained he did not want to hire a director yet. He said he was shocked at how it was being recommended that they hire someone right now, when the last he heard the FEDC was going to talk to a consultant. He said the city has streets that are in bad condition and other things that need repaired first and said we need to get our house in order first.
- Mayor Wiebold asked how we can be proactive in recruiting companies and when do we get ahead of the growth. He said he wants the city to be prepared.
- Randy Rice stated he believed this meeting was just to start the discussions of hiring someone.
- Mike Henry asked if the FEDC board would be interested in training.
- Randy Rice and Matt Crowder stated yes.
- Mike Henry explained they should set up a schedule of events. He said those events should include a job description, supplies and other

expenses and costs associated with the hiring of a director. He explained the city would have to use fiscal common sense.

- Dwain Mathers said there was no question the city needs an EDC Director, but the question is when. He said the FEDC did set aside some money in the budget for a consultant.
- Jason Lane stated the city is on the cusp of significant growth. He explained the city is already planning ahead with the Land Use Plan and Thoroughfare Plan. He feels they are all in agreement that they will need an EDC Director in the future. Most cities he saw hiring an EDC Director had a population of at least 10,000 people. He said the concern is to be fiscally responsible and the board had opted to allocate some money to bringing in a consultant to guide them on when it would be the time to hire a director. He stated he does not feel the city is ready to hire someone yet, but he said they want to have the consultant help answer those questions regarding job description and other details.
- Terry Williams wanted the FEDC to keep Council apprised of the consultant's findings.
- Mike Henry asked if they had a timeline of when they were going to hire the consultant.
- Jason Lane said no, but they were going to start discussion in the new fiscal budget year.
- Dwain Mathers asked what would happen if the consultant said the city was already behind the curve.
- Jason Lane said they would have to figure out how they would pay for an EDC Director at that point.
- Robbie Tedford stated when the city had an EDC Director there was a lack of expertise by the board in trying to administer that person. They realized at some point they had no money and nothing to show for it. He does believe the board needs training. He said that managing and controlling the position would be a key component of the decision.
- Jason Lane stated communication is key and everyone on FEDC and City Council has the best interest of Farmersville in mind.
- Matt Crowder said we need to be organized and have working structures in place. He stated we have to think things through and be deliberate.
- Ben White stated he is here to help move the city forward. He said it has been challenging because he spends a lot of time preparing for board meetings. He is very supportive of moving forward with an EDC Director, but he wants it at the right time. He would prefer to hire someone more quickly than not.
- Mayor Wiebold asked if Ben White felt he was over taxed.

- Ben White stated he does feel that way and he would like to spend more time with his family. He worries about the gaps he leaves when he has not prepared as much as he feels like he should. He said he tries to set the right priorities and some items suffer more than others.
- Mayor Wiebold went over Ben White's job description. He asked if there were times when he does economic development tasks.
- Ben White said he spends about 5% to 10% of his time on economic development.
- Mayor Wiebold stated he appreciated Ben White and he feels that his time is over taken. He feels we are doing the city a disservice to economic development right now.
- Mike Henry asked if the FEDC members have asked Ben White to do anything for them.
- Jason Lane stated Ben White has put together some marketing material and answered some inquiries. He said he does not think it is necessary for Ben White to attend every FEDC meeting.
- Robbie Tedford stated that Ben White likes to have his foot in the door and he feels that the FEDC has funded things that they should not have. He does not feel that Ben White needs to come to every meeting.
- Jason Lane stated the FEDC did help fund the Land Use Plan and Thoroughfare Map and that is great for the city. He reiterated that Ben White does not need to be at every meeting because he can keep oversight by reviewing the meeting minutes.
- Dwain Mathers explained that it would be the responsibility of the FEDC members to stay ahead of the curve and make sure the city does not get behind.

V. REGULAR AGENDA

- A. Consider, discuss and act regarding the commitment necessary for the recruiting, hiring, supervision, and funding required for the City of Farmersville to establish a position for an Economic Development Director.

- No action taken

V. ADJOURNMENT

Farmersville Economic Development Corporation adjourned at 7:44 p.m.

City Council adjourned at 7:44 p.m.



Jason Lane, Chairman



Randy Rice, Secretary

APPROVE:

Bryon Wiebold, Mayor

ATTEST:

Sandra Green, TRMC, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	City Council Minutes from 11-10-20
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	City Council Minutes from 11-10-20
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
November 10, 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, Dwain Mathers, Jim Hemby and Terry Williams were all present. City staff members Ben White, Sandra Green, Michael Sullivan, Paula Jackson and City Attorney Alan Lathrom were also present.
- Prayer was led by Mayor Wiebold followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - City Hall will be closed on Wednesday, November 11th in observance of Veteran's Day.
 - There will be "Come & Go" Workshops at the Tatum Elementary Cafeteria on Saturday, November 14th and November 21st from 9-3 to review and comment on the proposed Future Land Use Map, Thoroughfare Map and Hike & Bike Trail.
 - Due to the holidays, there will only be one City Council Meeting in November.
 - City Hall will be closed on November 26th and 27th in observance of Thanksgiving.

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

- Diane Piwko, who resides at 200 McKinney Street, addressed the Council and stated she wanted to make a comment regarding the Covid money. She is asking that if a business in town received any money from other sources that they not receive any funding from the city. She also spoke regarding signs on buildings and how she is against the painting on the buildings downtown. She

explained they are old buildings and she feels they are not meant to be painted on.

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 from 10-13-20
- B. City Council Minutes from 10-27-20
- C. Fire Department Report
- D. Public Works Report
- E. City Financial Report
- F. City Manager’s Report

- Mike Henry asked to pull the Public Works Report and the City Manager’s Report.
 - Motion to approve A-C and E made by Craig Overstreet
 - 2nd to approve was Mike Henry
 - All council members voted in favor
- Mike Henry asked questions regarding County Road 699 and wanted to know when the other side of the street would be poured.
- Ben White stated Danny Ruff has been pulled away for other jobs, but he would estimate they are two months away from finishing.
- Mike Henry asked about the sewer arm project and he stated the report indicated that it was in the engineering phase.
- Ben White stated engineering is complete and they will be going out for bid soon. The project should go much quicker, but it looks like it will not be completed until June 2021.
- Mike Henry stated that he wants to see a schedule as to why it would take that long and he also asked about the status on the Chaparral Trail project.

- Ben White stated a survey has been ordered and then the city will go forward with annexation. He said they are currently working with the grant writer.
- Mike Henry asked why the city is using DBI Engineering for servicing when another engineer had already completed the work.
- Ben White stated the previous engineer did the work for grading and clearing only. He said DBI will also be working on emergency services plans for the trail. He indicated if there is extra funds then we could engineer more items, such as picnic areas but the signage requirements are strict up and down the trail.
- Mike Henry asked who makes the decisions of what needs to be done on the trail with the bollards, picnic areas and other areas.
- Dwain Mathers stated he thought the other engineering company covered the resurfacing engineering.
- Ben White stated our engineer will review their work and make the determination of what was already engineered.
- Craig Overstreet asked if the Patriot Concrete back billing for water has been completed yet.
- Ben White stated it has been.
- Craig Overstreet asked about the new wastewater treatment plant and when that will start construction.
- Ben White explained that we will see Lakehaven MUD come forward with a change in the agreement and they have to maintain 500,000 gallons a day. He believes they have a plan to give us the wastewater treatment plant up to where we want it in approximately three years. It is a \$15 million proposition that we do not have the money for now.
- Ben White stated we are going out for four possible grants for the Chaparral Trail and hope that we are awarded those. They are trying to finish the grants in December because the deadline for filing is February and then they are awarded in the summer. He said 4B has been presented with the idea of funding one of the grants.
- Dwain Mathers asked about the timeline and wanted to know when the city would have to pay for the city's portions of the grants if received.
- Ben White stated we come forward with the grant money at the end of the project typically.
- Dwain Mathers asked if it would be possible to complete the project on the trail in the fall of next year.
- Ben White stated there is \$100,000 set aside for two of the grants right now but he does not have the funding for the other two. Bidding would take at least a month and he said we would be lucky to start late next year.
- Dwain Mathers stated his concern is when we would need the money for the grant. He explained that he has heard the funds had to be available upon receiving the grant.
- Ben White stated he spoke to the grant writer and that does not seem to be a concern.

- Dwain Mathers stated they have done the grading already and if the city waits too long everything they have done could be compromised.
 - Motion to approve the Public Works Report and City Manager's Report made by Craig Overstreet
 - 2nd to approve was Jim Hemby
 - 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

- Terry Williams stated they are working on the bylaws for the board. They are also wanting to know when they can open the Senior Citizens Center.

B. Farmersville Community Development Board (Type B)

1. Possible Council Liaison Report

- Terry Williams stated they are going to utilize training and they will be making a budget amendment to help pay for the training. They are also in support of the newly acquired trail.

- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Possible Council Liaison Report
- D. Main Street Board
 - 1. Possible Council Liaison Report
- E. Parks & Recreation Board
 - 1. Possible Council Liaison Report
- F. Planning & Zoning Commission
 - 1. Minutes
 - 2. Possible Council Liaison Report
- G. TIRZ Board
 - 1. Possible Council Liaison Report

VI. READING OF ORDINANCES

- A. Consider, discuss and act upon the first reading of Ordinance #O-2020-1208-001 regarding an amendment to the Sign Ordinance pertaining to painted signs on walls.
 - Mayor Wiebold read the caption to the ordinance.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING CHAPTER 56, "SIGNS AND ADVERTISING," THROUGH THE AMENDMENT OF ARTICLE II "DEFINITIONS AND REGULATIONS," OF THE CITY'S CODE OF ORDINANCES BY AMENDING SECTION 56-32, "PROHIBITED SIGNS" BY AMENDING SUBPARAGRAPH (L) TO ALLOW A SIGN TO BE PAINTED DIRECTLY ON TO THE EXTERIOR WALL OR FACADE OF A BUILDING OR STRUCTURE IN THE CENTRAL AREA (CA) ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; ESTABLISHING GOVERNING LAW; PROVIDING FOR A PENALTY FOR THE VIOLATION HEREOF; AND PROVIDING AN EFFECTIVE DATE.
 This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide
 - Craig Overstreet stated the first two whereas clauses in the ordinance pertain to a totally different ordinance. He said he would like it to go down

to the Planning & Zoning Commission for public hearings and comments before Council makes a decision on it.

- Dwain Mathers stated the new ad hoc committee for Historic Preservation should review this with the items they are going to review. He recommends delaying the approval of the item.
- Mike Henry stated he would like to have it sent down to the Planning & Zoning Commission as well.
- Direction was given by Council to send the ordinance down to the Planning & Zoning Commission for review and comment.

VII. REGULAR AGENDA

A. Consider, discuss and act (including the possibility of reconsidering or modifying the City Council's previous motion) regarding the holiday lights gala celebration across Farmersville Parkway and into downtown including, but not limited to: (a) the propriety of one person acting on behalf of the City without prior City Council discussion, input, and approval to request donations for a holiday celebration to be approved by the City Council; (b) asking an individual to acquire and/or install the lights and related displays for a holiday celebration without first having City Council approval, a defined scope of work, and soliciting bids for such work; (c) generally defining the scope of the program and activities proposed for a city celebration; (d) establishing a specific scope of work and budget for the acquisition, construction, installation, set-up, maintenance, clean-up, and removal of the lights and displays before, during and after the completion of the holiday season, as well as the restoration of each area where programming and activities are proposed; (e) obtaining permission from property owners to utilize various areas for the celebration; (f) identifying the persons or groups participating in the celebration that will operate all aspects of each area where programming and activities are planned; (g) establishing the dates and times for such program and activities; (h) determining to whom money will be paid in what amounts and for what purposes in connection with the programming and activities are planned for each area of the celebration; and (i) accounting for all expenditures in accordance with the requirements of Texas law, and the handling of any remaining funds from the donations accepted for the celebration.

- Dwain Mathers stated that no one on Council is opposed to the lights, but it just bothers him how it came about. He was surprised by it at the last Council meeting, even though he voted in favor of it. He believes in the future items like this should be discussed with Council before they are thrown into action. He stated they went about it wrong. He indicated that he was not aware that the Mayor was going out to try and raise funds from businesses.

- Mayor Wiebold stated that as the Mayor he was speaking to the bank President and discussed the lights. No money was received at that time, they just discussed the idea of the lights.
- Dwain Mathers stated he feels the Council was surprised by the way it was handled. He explained that he believes the Mayor should have brought it up at a prior meeting before just springing it on them. He stated that a business owner came to him and asked if the Mayor seeking funding was legal. He feels the city is not being transparent.
- Mayor Wiebold stated the donations were unanimously approved by the City Council at a prior meeting.
- Dwain Mathers asked what the current budget was for the lighting and what the scope of work would be.
- Ben White stated the donors have pledged approximately \$27,500 to date. Checks have come in for \$15,000.00 and there is \$15,000.00 designated by 4B and \$10,000.00 in the city's budget. It goes through our normal accounting processes and Daphne Hamlin has set up a separate account so we can monitor that.
- Dwain Mathers asked if any of the funds we are receiving are going to non-profits and asked where the money been spent so far. He said he is not trying to stop it because he thinks it is a good thing, but he believes it was handled incorrectly.
- Mayor Wiebold stated that he has heard positive feedback about the lights and he explained he has done nothing wrong. He explained that if businesses want to do something special during the holidays that is fine. He explained they are going to have places for food pantry donations available down the Parkway. He said the Fire Department, the Rotary Club and the Boy Scouts are going to be out there trying to receive donations for their organization. He said no money has crossed his hands at all. All donors have been submitting the money directly to the city.
- Mike Henry stated it would have circumvented the issues if the Mayor would have brought the idea up to Council prior to the week they voted on it.
- Mayor Wiebold stated he would have answered any questions that Council would have had regarding the donations or the lights at the time they voted.
- Dwain Mathers explained he was just upset about the process of events and how it all took place.
- Mike Henry called point of order to stop discussion on the items and requested the Council move on to item B.
- Mayor Wiebold asked who was in favor of closing item A and moving to the next item.

- All councilmembers voted in favor, except Dwain Mathers who did not vote.
- B. Consider, discuss and act upon reallocating \$5,000 to \$7,000 from the City's current Christmas lighting budget of \$15,000 to make a donation to one or both food pantry organizations in the City of Farmersville.
- Mike Henry stated that under state law the money that came from 4B has to be used as denoted in the budget. As a city we cannot donate to non-profit or charitable organizations.
 - Alan Lathrom stated public funds cannot be used for private purpose.
 - Mayor Wiebold asked if the food pantries could be involved in the Farmersville Parkway event and receive donations.
 - Alan Lathrom stated they could because individual people would be donating to those organizations, not the city.
 - Dwain Mathers stated he put this item on the agenda because he wanted there to be some way the city could help organizations like the food pantry.
 - Mayor Wiebold stated the food pantry will be at the event and people could donate to their organization.
 - Dwain Mathers asked Alan Lathrom if there was any way to donation some of the money received for the lights to the food pantry.
 - Alan Lathrom stated the Council would have to find that there is a municipal public benefit served by doing so.
- C. Consider, discuss and act upon a replat of the Farmersville Old Donation Lot 82-A & Lot 82-B, Block T.
- Ben White stated DBI has recommended approval with the condition that the applicant correct the signature block on the plat.
 - Motion to approve made by Mike Henry
 - 2nd to approve was Terry Williams
 - All council members voted in favor
- D. Consider, discuss and act upon using the Farmersville CARES Act funding towards business economic assistance.
- Ben White stated we have approximately \$132,000.00 left in our CARES Act funding and it was previously discussed to use the money to help small businesses within the city. Collin County is currently reviewing the applicants that applied for their CARES Act funding. He said that from the

Farmersville businesses 15 applied and out of those 15, two did not qualify. He indicated that one business has been approved so far for \$25,000.00. All the other businesses are in the process of being awarded. He stated that originally we had set aside \$80,000.00 for IT Services. Covid has created instances where we need to work from home. He indicated there would be an ordinance that would have to go along with the funding.

- Mike Henry wanted to clarify that the city has to use the CARES Act funding before December 31, and has to prove the expenditures to the county before January 15.
- Ben White indicated that was correct.
- Elise Bobitt, Chairman of the Innovations & Efficiency Team, stated she was concerned about those dates as well, because they are rapidly approaching. She said they would have to meet and discuss timeframes again.
- Dwain Mathers asked if applications and other material could be mailed out before the ordinance was approved.
- Ben White stated the ordinance has the forms in it and he would not want to invalidate the ordinance if some of the forms changed.
- Alan Lathrom stated they could take the forms out of the ordinance.
- Craig Overstreet asked how receiving county funds would affect our grant process.
- Ben White stated he would just have to work closely with the county to see what amount any of the businesses may have received.
- Jim Hemby stated that we may not know if that money has not been awarded yet.
- Ben White stated the county awards their grants in the Commissioners Court.
- Dwain Mathers stated he would like to set aside \$40,000.00 to \$50,000.00 for businesses.
- Elise Bobitt stated it would be easier to award the same amount to everyone who applies and qualifies.
- Craig Overstreet stated that at a minimum he would feel comfortable setting aside \$40,000.00.
- Council agreed on the amount.
- They discussed the people who would sit on the board for approving the grants. They stated Mike Henry from Council, Matt Crowder or Randy Rice from 4A, Stephen Caspari, Richard Holbrook or Melody Hudson from 4B.

D. Consider, discuss and act upon a contract for IT Services.

- Ben White went over to quotes from Fulcrum. He explained we would be replacing systems with laptops and drive encryption. He is pledging to Council to stay within the budget and to use what is available in the CARES Act funding. He indicated there would be an update to Incode for portable devices in the field. He explained they would also update a lot of hardware that is aging.
- Craig Overstreet asked what the current budget was for IT services.
- Ben White stated that with TLC Netcon it was approximately \$57,000.00 and it will go up to approximately \$107,000.00 a year. He indicated the city has an overall IT budget of \$138,000.00.
- Craig Overstreet asked how much of the CARES Act funding was already spent for the police department or other things.
- Ben White stated that money has been spent for police overtime and masks and materials like that, but the rest was going toward IT and CARES Act Small Business funding.
- Mike Henry stated he does not find anything in the IT services for upgrades to the Council Chambers for teleconferencing.
- Jim Hemby explained that he believes the Microsoft 365 would help with all the teleconferencing issues.
- Ben White stated that with TEAMS and ZOOM it should be better than Blizz. He explained we have a certain bandwidth that available.
- Craig Overstreet stated at the last meeting he called this a money grab and that was because they had no time to review anything prior to the meeting. The documents were given to them right before. He has now reviewed the documents and realize that it is warranted.
- Dwain Mathers asked what the purpose of the laptops would be.
- Ben White stated that it would be the docking station at work and then the employee could take the laptop home to work with.
- Mayor Wiebold stated that upgrading the computers for staff is critical.
- Ben White stated we went through the interlocal agreement with Melissa for their bids for IT services and they have been happy with Fulcrum.
 - Motion to approve made by Jim Hemby
 - 2nd to approve was Terry Williams
 - All Council members voted in favor

- E. Update regarding pop-up vendors conducting business in the city limits.
- Ben White stated that an ordinance was created and will be presented to Council soon.
 - Sandra Green stated that after discussions with Alan Lathrom the city may have to bring forward changes in the Zoning Ordinance to allow mobile food trucks and vendors because they are not currently allowed.
- F. Consider, discuss and act upon accepting donations from the Rotary Club to the Senior Citizens Center.
- Motion to approve made by Craig Overstreet
 - 2nd to approve was Mike Henry
 - All Council members voted in favor

VIII. EXECUTIVE SESSION

- Mayor Wiebold read the below statement and said the City Council would go in to executive session at 7:43 p.m.

Discussion of Matters Permitted by Texas Government Code Section 551.072,
DELIBERATION REGARDING REAL PROPERTY:

1. Deliberation regarding the purchase of certain real property for the expansion of Collin Parkway that is identified as being approximately:
 - a) 0.054 acres out of the W.B. Williams Survey, Abstract No. A-952, City of Farmersville, Collin County, Texas.

IX. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.072 OF THE TEXAS GOVERNMENT CODE

- A. Consider, discuss and act upon purchasing approximately 0.054 acres out of the W.B. Williams Survey, Abstract No. A-952, City of Farmersville, Collin County, Texas, for the expansion of Collin Parkway.
- Mayor Wiebold stated the Council would reconvene from executive session at 7:53 p.m.

- Craig Overstreet stated he moved to approve the purchase of 0.054 acres of land from JMR Farmers for the amount of \$45,000.00 plus \$5,000.00 in compensation for pipe fencing and gates together with all related appurtenances including the current access point identified in Mr. Brown's November 5, 2020 letter subject to receipt of good, marketable, indefeasible and insurable title and giving the City Manager or Mayor authority to sign all necessary documents thereto.
- 2nd to approve was Mike Henry
- All Council members voted in favor

X. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mayor Wiebold wanted to make sure the CARES Act funding would be on a Special Agenda for 11-17-20.
- Craig Overstreet wanted the City Council to possibly direct the Planning & Zoning Commission to consider changing the height requirements of accessory buildings.
- Mike Henry wanted an update on the Chaparral Trail.
- Mike Henry also wanted an update on CR 699 construction.
- Craig Overstreet also wanted the grading and excavation ordinance on the next agenda.

XI. ADJOURNMENT

Meeting was adjourned at 7:58 p.m.

APPROVE:

Bryon Wiebold, Mayor

ATTEST:

Sandra Green, TRMC, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.C
Subject	City Council Special Minutes from 11-17-20
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	City Council Special Minutes from 11-17-20
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



**FARMERSVILLE CITY COUNCIL
SPECIAL SESSION MINUTES
For
November 17, 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 (via teleconference), Dwain Mathers, Jim Hemby and Terry Williams were all present. City staff members Ben White, Sandra Green and City Attorney Alan Lathrom were also present.
- Prayer was led by Mike Henry followed by the pledges to the United States and Texas flags.
 - There will be a "Come & Go" Workshop at the Tatum Elementary Cafeteria on Saturday, November 21st from 9-3 to review and comment on the proposed Future Land Use Map, Thoroughfare Map and Hike & Bike Trail.
 - City Hall will be closed on November 26th and 27th in observance of Thanksgiving.

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. REGULAR AGENDA

- A. Consider, discuss and act upon Resolution #R-2020-1117-001 regarding Farmersville CARES Act funding towards small business grants.
- Ben White stated they changed the documents a little bit to accommodate comments that were received at previous meetings.

- Alan Lathrom explained some of the changes and how they incorporated the Collin Cares Small Business Grant into the wording of the Resolution.
- Elise Bobitt, who is the Chairman of the Innovations and Efficiency Committee, stated they placed in a prescreen process but it only allows them to go through the process more quickly. She said they did make a change in the way the amount is awarded and they added a section for the businesses to document their monetary loss due to Covid.
- Ben White stated the agreement was changed a little as well to reflect the Collin County Small Business component.
- Alan Lathrom stated they defined what is considered an eligible expenditure. It would make sure that if someone has received other money from another source they would not be able to double dip.
- Ben White stated staff recommended approval with the exception that the process form be changed from having the word "Draft" on that sheet.
 - Motion to approve the resolutions and forms and remove the word "Draft" from the process form made by Mike Henry
 - 2nd to approve was Jim Hemby
 - All Council members voted in favor

B. Consider, discuss and act upon an amended plat for Camden Park, Phase 3.

- Mike Henry stated the Planning & Zoning Commission approved the amended plat at their meeting last night. He explained the applicant submitted the plat to reflect the ownership changes.
 - Motion to approve made by Mike Henry
 - 2nd to approve was Terry Williams
 - All Council members voted in favor

V. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- No items were requested.

VI. ADJOURNMENT

Meeting was adjourned at 6:20 p.m.

APPROVE:

Bryon Wiebold, Mayor

ATTEST:

Sandra Green, TRMC, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.D
Subject	Public Works Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ <p>No motion, no action</p>



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 2020-2021: 1
 - 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. Farmersville Parkway, 4 lane divided (phase: engineering, completion percentage: 15%)
 - Condemnation process continues regarding ROW on the northwest corner of Audie Murphy Parkway and Collin Parkway.
 - Cleared vegetation on Collin Parkway.
 - Currently installing water and storm water lines.
 - Upcoming activity
 - Relocate water and sewer utilities
 - Clear vegetation on Farmersville Parkway
 - Relocate fence along Farmersville Parkway
 - b. Hamilton Street reconstruction (phase: preconstruction, completion percentage: 100%)
 - Project is complete!
 - c. County Road 699 (phase: construction, completion percentage: 5%)
 - Middle section is 90% complete.
 - Currently working on installing the east section. This section is 40% complete. Plan on pouring this section second week in December.
 - East side section of project has not been started yet.
 - d. 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
 - North Washington Street by intermediate school
 - Beene Street

Water System

1. Currently active projects in priority order
 - a. No active projects except for maintenance issues.
2. Priority backlog items
 - a. Replace cast iron/galvanized water lines:
 - Rolling Hills galvanized water lines
 - Windom Street from 7th Street alley to Sycamore
 - Hill Street between Orange and Bois D' Arc
 - Lee Street
 - b. Chlorine injection system.
 - c. Recoat/rehab north elevated water tank.

Waste Water System

1. Currently active projects in priority order
 - a. WWTP #1 trickling filter arm redesign. (phase: engineering, completion percentage: 65%)
 - Design complete
 - Currently working on creating bid package
 - b. WWTP #2 rerating. (phase: engineering only, completion percentage: 80%)
 - DBI is currently working on submitting the report to TCEQ for approval.
 - This will increase our overall capacity for the City of Farmersville from an average flow capacity of 0.755 MGD to 0.979 MGD.
 - c. WWTP #3 collector line design (phase: engineering only, completion percentage: 93%)
 - d. Wastewater line reconstruction Houston to College. (phase: preconstruction, completion percentage: 7%)
 - e. 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

- 1. No new news.

Property and Buildings

- 1. Currently active projects in priority order
 - a. Improve council chambers sound system quality. (phase: construction only, completion percentage: 80%)
 - i. Installed new wireless microphones.
 - ii. Adjusted sound levels and mixer settings.
 - iii. Adjusted computer sound settings.
 - iv. Still need to install Microsoft Teams software.
 - b. Remodel Civic Center kitchen. This item is funded by the Centennial Committee. (phase: construction only, completion percentage: 98%)
- 2. Priority backlog items
 - a. Rambler Park: ADA swing set and non-ADA swing set installation
 - b. Downtown: repair/paint gazebo
 - c. Install remaining banner mounts downtown.
 - d. City Hall: sidewalk replacement where old generator was housed
 - e. Riding Arena: greeting sign with rules
 - f. Southlake Park: playground equipment repair
 - g. Rambler Park: gazebo relocation

Electrical System

- 1. Currently active projects in priority order
 - a. Improve distribution system reliability related to shorts brought about by animals and tree limbs.
 - i. Harden all pole mounted transformer deployments to animal shorts by insulating wire connection to distribution line and adding bushing animal guard. Remove open wire secondary associated with these transformers as necessary (60% complete)
 - ii. Improve distribution line fusing coordination. Replace transformers with fast blow fusing at a minimum. (60% complete)
- 2. Substation and transmission line improvements (phase: concept only, completion percentage: 50%)
- 3. Removing temporary distribution lines from Collin College. (50% complete)
- 4. Charlie's Hamburger service connection. (30% complete)
- 5. Priority backlog projects
 - a. Aston States electrical distribution network build.
 - b. Copper primary replacement, North Rike from College to Houston

Refuse System

- 1. No new news.

High Speed Internet Service

1. Continued working on grant opportunities.

Agenda Section	Consent Agenda
Section Number	IV.E
Subject	City Financial Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	City Financial 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ <p>No motion, no action</p>

MEMO

To: Benjamin White, City Manager

From: Daphne Hamlin, City Accountant

Date: December 1, 2020

Subject: October 2020 Budget Report

Financial Reporting is available for review on the City website. www.farmersvilletx.com. Press OpenGov button ;> Press Stories button at the top under City logo; Press City of Farmersville October 2020 Financial Report.

General Fund and Enterprise Fund Budget Summary with (2) year comparison:

	2020-2021 Budget	Revenues vs. Expenses	2020-2021 to Date	2019-2020 Actual	2018-2019 Actual
General Fund Revenue	4,145,770	Revenue to Date	280,531	276,771	268,366
General Fund Expense	4,145,770	Expenses to Date	338,704	284,300	261,451
Water Fund Revenue	1,830,906	Revenue to Date	147,431	143,368	108,146
Water Fund Impact Fee Revenue	84,310	Revenue to Date		1,579	14,166
Water Fund Expense	1,915,216	Expenses to Date	75,263	104,561	60,795
Wastewater Fund Revenue	1,397,304	Revenue to Date	104,246	99,018	80,577
Wastewater Fund Impact Fee Revenue	120,336	Revenue to Date		1,946	
Wastewater Fund Expense	1,517,640	Expenses to Date	139,685	121,671	91,327
Electric Fund Revenue	4,154,363	Revenue to Date	263,783	341,797	272,372
Electric Fund Expense	4,154,363	Expenses to Date	353,707	476,643	263,757
Refuse Fund Revenue	510,058	Revenue to Date	43,077	41,736	39,100
Refuse Fund Expense	510,058	Expenses to Date	9,860	9,958	9,955

Cash Summary

The cash summary and revenue vs. expenses for the General Fund and Enterprise Funds are attached.

SUMMARY OF CASH BALANCES OCTOBER 2020

ACCOUNT: FNB (0815)

	Interest Earned	Restricted	Assigned	Account Balance
Clearing Accounts				
General Fund			\$ (28,078.97)	
Permit Fund			\$ (45,793.40)	
Refuse Fund			\$ 16,092.11	
Water Fund			\$ 323,843.07	
Wastewater Fund			\$ 295,224.39	
Electric Fund			\$ (625,285.99)	
Cares Act Funding	\$ 126,415.68			
CC Child Safety	\$ 19,211.51			
2012 Bond	\$ -			
Waterwaste Bond Fund	\$ -			
Law Enf Training	\$ 1,874.31			
Disbursement Fund	\$ 2,143.33			
Library Donation Fund	\$ 2,589.40			
Court Tech/Sec	\$ 20,937.93			
Civic Ctr/Library Repair	\$ (26,498.35)			
JW Spain Grant	\$ 1,704.32			
Rike St. Grant	\$ (108,411.37)			
Radio Note	\$ 6,082.79			
Chapparral Grant/Safe Route To School/Sewer/Sidewalk	\$ (41,383.58)			
CC Bond Farmersville Parkway	\$ 130,333.11			
2019 Farmersville Parkway	\$ (1,262.50)			
Equipment Replacement	\$ 5,322.29			
Interest Earned	\$ 83.84			
TOTAL:	\$ 83.84	\$ 139,058.87	\$ (63,998.79)	\$ 75,060.08
Debt Service Accounts				
County Tax Deposit (cbtx 0807)(Debt Service)	\$ 20.11	\$ 172,092.76		
Debt Service Reserve (Texpool 0014) (2 months rsv)	\$ 58.59	\$ 517,144.00		
TOTAL:	\$ 78.70	\$ 689,236.76		\$ 689,236.76
Appropriated Surplus Investment Accounts				
Customer meter deposits (Texpool 0008)	\$ 12.93	\$ 113,947.74		
Water Dev. Board (Texstar 1110)	\$ 64.42	\$ 628,047.20		
2019 C/O Street (Texstar 0190)	\$ 162.50	\$ 1,663,645.12		
Listcon Escrow(Texstar 0300)	\$ 12.21	\$ 125,117.64		
Summit Property Sewer Escrow (cbtx 231)	\$ 0.38	\$ 16,708.65		
2012 G/O Bond, streets, water, wastewater (Texstar 01	\$ 52.05	\$ 357,770.72		
TOTAL:	\$ 304.49	\$ 2,905,237.07	\$ -	\$ 2,905,237.07
Unassigned Surplus Investment Accounts				
Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve)	\$ 103.27	\$ 911,080.34		
Water/WW Fund (Texpool 0003)(Operating 90 day)	\$ 8.74	\$ 76,944.27		
Water/WW Fund (Texpool 00017)(Capital)	\$ 37.59	\$ 331,925.68		
Elec. Fund (Texpool 0005) (Operating)	\$ 5.67	\$ 50,000.00		
Elec. Fund (Texpool 0016)(Capital)	\$ 38.47	\$ 339,222.33		
Elec. Surcharge (Texpool 0015)	\$ 14.53	\$ 128,058.31		
Money Market Acct. (cbtx 092)	\$ 18.91		\$ 74,106.65	
TOTAL:	\$ 227.18	\$ 1,837,230.93	\$ 74,106.65	\$ 1,911,337.58
Contractor Managed Accounts Nonspendable				
NTMWD Sewer Plant Maint. Fund	\$ -			
TOTAL APPROPRIATED SURPLUS	\$ -	\$ -	\$ -	\$ -
TOTAL CASH & INVESTMENT ACCOUNTS	\$ 5,570,763.63	\$ 10,107.86	\$ 5,580,871.49	

SUMMARY OF CASH BALANCES OCTOBER 2020

FEDC 4A Board Investment & Checking Account					
FEDC 4A Checking Account(Independent Bank 7909)	\$	68.39	\$	279,537.72	
FEDC 4A Checking Account(Independent Bank 452)	\$	65.60	\$	257,551.52	
FEDC 4A Investment Account (Texpool 0001)	\$	121.50	\$	1,072,099.77	
FEDC 4A Certificate of Deposit (Independent Bank)	\$	-	\$	250,000.00	
TOTAL:	\$	255.49	\$	1,859,189.01	\$ - \$ 1,859,189.01

FCDC 4B Board Investment & Checking Account					
FCDC 4B Checking Account (Independent Bank 3035)	\$	5.48	\$	120,407.40	
FCDC 4B Investment Account (Texpool 0001)	\$	61.95	\$	546,670.88	
TOTAL:	\$	67.43	\$	667,078.28	\$ - \$ 667,078.28

TIRZ Account					
County Tax Deposits (cbtx 01276)	\$	1.71	\$	32,908.12	
TIRZ Texpool Account (xxx019)	\$	47.28	\$	416,927.57	
TOTAL:	\$	48.99	\$	449,835.69	\$ - \$ 449,835.69

Note: Salmon color used to indicate an item dedicated to a specific project or need

Note: Standard & Poor's Rating Service assigned A+/long-term stable rating to Farmersville, Texas, 11-2018

I hereby certify that the City of Farmersville's Investment Portfolio is in compliance with the City's investment strategy as expressed in the City's Investment Policy (Resolution 99-17, and with relevant provisions of the law.

The Public Funds Investment Act (Sec.2256.008) requires the City's Investment Officer to obtain 10 hrs. of continuing education each period from a source approved by the governing body. Listed below are courses Daphne Hamlin completed to satisfy that requirement:

Daphne Hamlin
Daphne Hamlin, City Investment Officer

10-2019 NCTCOG - Public Funds Inv Act.

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

100-GENERAL FUND

% OF YEAR COMPLETED: 08.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-TRANSFER OUT						
=====						
CAPITAL EXPENDITURES						
100.00.6831.000 CAPITAL OUTLAY EQUIP	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS						
100.00.7911.000 DEBT PROCEEDS	0	0.00	0.00	0.00	0.00	0.00
100.00.7921.000 TRANSFER IN G.F.	0	0.00	0.00	0.00	0.00	0.00
100.00.8911.000 TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
100.00.9901.000 GRANT REIMB PD	0	0.00	0.00	0.00	0.00	0.00
100.00.9902.000 GRANT REIMBURSEMENT FIRE	0	0.00	0.00	0.00	0.00	0.00
100.00.9950.000 INSURANCE REIMBURSEMENT	0	0.00	0.00	0.00	0.00	0.00
100.00.9997.000 TRANSFER WITH FUND 120	0	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
11-MAYOR & CITY COUNCIL						
=====						
PERSONNEL SERVICES						
100.11.6115.000 SALARIES, PART TIME	2,040	170.00	170.00	0.00	1,870.00	8.33
TOTAL PERSONNEL SERVICES	2,040	170.00	170.00	0.00	1,870.00	8.33
CONTRACTS & PROF. SVCS						
100.11.6211.000 LEGAL SERVICES	1,000	0.00	0.00	0.00	1,000.00	0.00
TOTAL CONTRACTS & PROF. SVCS	1,000	0.00	0.00	0.00	1,000.00	0.00
MAINTENANCE						
100.11.6392.000 OTHER SUPPLIES	500	0.00	0.00	0.00	500.00	0.00
TOTAL MAINTENANCE	500	0.00	0.00	0.00	500.00	0.00
PERSONNEL RELATED ITEMS						
100.11.6611.000 MARKETING	0	0.00	0.00	0.00	0.00	0.00
100.11.6612.000 TRAVEL/SCHOOL/DUES	5,000	300.00	300.00	0.00	4,700.00	6.00
100.11.6621.000 SPECIAL EVENTS	1,500	0.00	0.00	0.00	1,500.00	0.00
100.11.6631.000 INSURANCE	7,260	7,260.00	7,260.00	0.00	0.00	100.00
TOTAL PERSONNEL RELATED ITEMS	13,760	7,560.00	7,560.00	0.00	6,200.00	54.94
CAPITAL EXPENDITURES						
100.11.6831.000 CAPITAL EQUIPMENT	0	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 11-MAYOR & CITY COUNCIL	17,300	7,730.00	7,730.00	0.00	9,570.00	44.68

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

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100-GENERAL FUND

% OF YEAR COMPLETED: 08.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
100.00.5711.000 AD VALOREM TAX	1,394,591	34,077.06	34,077.06	0.00	1,360,513.94	2.44
100.00.5712.000 CC CONV FEE COURT	0	0.00	0.00	0.00	0.00	0.00
100.00.5713.000 DEL. TAX, PEN. & INT.	39,947	2,565.11	2,565.11	0.00	37,381.89	6.42
100.00.5714.000 CC CONV FEE UTILITY	0	0.00	0.00	0.00	0.00	0.00
100.00.5715.000 TIRZ	0	0.00	0.00	0.00	0.00	0.00
100.00.5721.000 SALES TAX	600,621	46,310.77	46,310.77	0.00	554,310.23	7.71
100.00.5722.000 BEVERAGE TAX	6,100	0.00	0.00	0.00	6,100.00	0.00
100.00.5730.000 FRANCHISE FEES - GARBAGE	35,655	2,896.25	2,896.25	0.00	32,758.75	8.12
100.00.5731.000 FRANCHISE FEES - GAS	33,000	29,789.33	29,789.33	0.00	3,210.67	90.27
100.00.5732.000 SKYBEAM	58,320	4,860.00	4,860.00	0.00	53,460.00	8.33
100.00.5733.000 ELEC. FUND FRANCHISE FEE	7,200	1,626.42	1,626.42	0.00	5,573.58	22.59
100.00.5734.000 FRANCHISE FEES - TELE.	3,000	88.06	88.06	0.00	2,911.94	2.94
100.00.5735.000 FRANCHISE FEES - CABLE	19,000	0.00	0.00	0.00	19,000.00	0.00
100.00.5736.000 FRANCHISE FEES - OTHER	0	0.00	0.00	0.00	0.00	0.00
100.00.5740.000 ANNEXATION FEE	0	0.00	0.00	0.00	0.00	0.00
100.00.5741.000 PERMITS & INSPECTIONS	100,817	10,959.40	10,959.40	0.00	89,857.60	10.87
100.00.5741.001 ALCOHOL BEVERAGE PERMIT	200	0.00	0.00	0.00	200.00	0.00
100.00.5742.000 PLANNING & ZONING FEES	50,000	1,367.00	1,367.00	0.00	48,633.00	2.73
100.00.5743.000 FEES (ANIMAL REG)	200	15.00	15.00	0.00	185.00	7.50
100.00.5744.000 PENALTIES	150,000	7,308.07	7,308.07	0.00	142,691.93	4.87
100.00.5745.000 CNTY FIRE RUNS	1,4132	0.00	0.00	0.00	114,132.00	0.00
100.00.5746.000 ONION SHED RENTAL	500	50.00	50.00	0.00	450.00	10.00
100.00.5747.000 COUNTY LIBRARY FUND	31,100	0.00	0.00	0.00	31,100.00	0.00
100.00.5748.000 MICRO CHIP PROGRAM	0	0.00	0.00	0.00	0.00	0.00
100.00.5752.000 SENIOR CENTER DONATIONS	0	0.00	0.00	0.00	0.00	0.00
100.00.5753.000 DONATIONS	0	0.00	0.00	0.00	0.00	0.00
100.00.5754.000 GRANT PROCEEDS	102,593	0.00	0.00	0.00	102,593.00	0.00
100.00.5758.000 T-MOBILE LEASE	16,747	1,500.74	1,500.74	0.00	15,246.26	8.96
100.00.5759.000 GAMING MACHINE LICENSE	1,200	0.00	0.00	0.00	1,200.00	0.00
100.00.5762.000 INTEREST EARNED	15,000	187.11	187.11	0.00	14,812.89	1.25
100.00.5763.000 FEDC 4A STAFF SUPPORT	1,000	0.00	0.00	0.00	1,000.00	0.00
100.00.5765.000 RENT E. TX. MED CTR.	12,000	1,000.00	1,000.00	0.00	11,000.00	8.33
100.00.5766.000 FEDC IMPROVEMENT FUND	0	0.00	0.00	0.00	0.00	0.00
100.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
100.00.5768.000 S W BELL LEASE	7,200	0.00	0.00	0.00	7,200.00	0.00
100.00.5769.000 OTHER INCOME	27,956	200.00	200.00	0.00	27,756.00	0.72
100.00.5769.001 CARES ACT REFUND	0	0.00	0.00	0.00	0.00	0.00
100.00.5769.002 FARMERSVILLE LIGHTS DONA	0	2,500.00	2,500.00	0.00	2,500.00	0.00
100.00.5771.000 ATHLETIC COMPLEX	0	0.00	0.00	0.00	0.00	0.00
100.00.5772.000 PUBLIC WORKS REVENUE	0	0.00	0.00	0.00	0.00	0.00
100.00.5774.000 ALARM FEE	500	25.00	25.00	0.00	475.00	5.00
100.00.5775.000 TEXAS FOREST SERVICE GRA	0	0.00	0.00	0.00	0.00	0.00
100.00.5777.000 BRICK CAMPAIGN	0	0.00	0.00	0.00	0.00	0.00
100.00.5778.000 PARK DEDICATION FEE	0	0.00	0.00	0.00	0.00	0.00
100.00.5791.000 4B SUPPORT REVENUE	1,000	0.00	0.00	0.00	1,000.00	0.00
100.00.5792.000 ADM.SUPPORT CHARGES	20,710	1,725.82	1,725.82	0.00	18,984.18	8.33
100.00.5793.000 RENT RECEIVED	3,600	300.00	300.00	0.00	3,300.00	8.33

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

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100-GENERAL FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
SUPPLIES	3,650	0.00	0.00	0.00	3,650.00	0.00
PERSONNEL RELATED ITEMS	6,532	3,201.00	3,201.00	0.00	3,331.00	49.00
CAPITAL EXPENDITURES	15,000	552.19	552.19	0.00	14,447.81	3.68
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 15-LIBRARY	167,894	15,342.57	15,342.57	0.00	152,551.43	9.14
16-CIVIC/CENTER						
CONTRACTS & PROF. SVCS	4,641	0.00	0.00	0.00	4,641.00	0.00
UTILITIES	14,900	769.59	769.59	0.00	14,130.41	5.17
TOTAL 16-CIVIC/CENTER	19,541	769.59	769.59	0.00	18,771.41	3.94
21-POLICE DEPT.						
PERSONNEL SERVICES	969,844	72,949.12	72,949.12	0.00	896,894.88	7.52
CONTRACTS & PROF. SVCS	87,734	350.75	350.75	0.00	87,383.25	0.40
CONST. MATL./TOOLS/EQUIP	1,000	0.00	0.00	0.00	1,000.00	0.00
MAINTENANCE	102,865	21,821.56	21,821.56	3,324.70	77,718.74	24.45
UTILITIES	41,500	1,916.69	1,916.69	0.00	39,583.31	4.62
SUPPLIES	62,100	1,644.10	1,644.10	0.00	60,455.90	2.65
PERSONNEL RELATED ITEMS	27,100	11,948.00	11,948.00	0.00	15,152.00	44.09
CAPITAL EXPENDITURES	104,783	0.00	0.00	0.00	104,783.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 21-POLICE DEPT.	1,396,926	110,630.22	110,630.22	3,324.70	1,282,971.08	8.16
22-FIRE DEPT.						
PERSONNEL SERVICES	235,807	20,791.45	20,791.45	0.00	215,015.55	8.82
CONTRACTS & PROF. SVCS	72,560	10,102.50	10,102.50	0.00	62,457.50	13.92
CONST. MATL./TOOLS/EQUIP	500	0.00	0.00	0.00	500.00	0.00
MAINTENANCE	37,650	4,931.99	4,931.99	83.52	32,634.49	13.32
UTILITIES	2,640	144.01	144.01	0.00	2,495.99	5.45
SUPPLIES	32,200	61.19	61.19	0.00	32,138.81	0.19
PERSONNEL RELATED ITEMS	19,600	12,729.38	12,729.38	0.00	6,870.62	64.95
CAPITAL EXPENDITURES	2,500	0.00	0.00	0.00	2,500.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 22-FIRE DEPT.	403,457	48,760.52	48,760.52	83.52	354,612.96	12.11
34-STREET SYSTEM						
PERSONNEL SERVICES	88,904	15,689.02	15,689.02	0.00	73,214.98	17.65
CONTRACTS & PROF. SVCS	8,800	0.00	0.00	0.00	8,800.00	0.00
CONST. MATL./TOOLS/EQUIP	161,811	11,223.65	11,223.65	1,617.06	148,970.29	7.94
MAINTENANCE	3,500	10.00	10.00	0.00	3,490.00	0.29
UTILITIES	12,850	387.34	387.34	0.00	12,462.66	3.01
SUPPLIES	500	345.65	345.65	0.00	154.35	69.13
PERSONNEL RELATED ITEMS	1,500	0.00	0.00	0.00	1,500.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 34-STREET SYSTEM	277,865	27,655.66	27,655.66	1,617.06	248,592.28	10.53
60-PUBLIC WORKS BLDG						
PERSONNEL SERVICES	91,465	10,803.63	10,803.63	0.00	80,661.37	11.81
CONTRACTS & PROF. SVCS	23,500	0.00	0.00	0.00	23,500.00	0.00
CONST. MATL./TOOLS/EQUIP	41,336	11,313.49	11,313.49	26,344.30	3,678.21	91.10

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

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700-WATER FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	1,915,216	147,430.65	147,430.65	0.00	1,767,785.35	7.70
TOTAL REVENUES	1,915,216	147,430.65	147,430.65	0.00	1,767,785.35	7.70
<u>EXPENDITURE SUMMARY</u>						
00-TRANSFER OUT						
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
12-ADMINISTRATION						
PERSONNEL SERVICES	140,572	10,563.35	10,563.35	0.00	130,008.65	7.51
CONTRACTS & PROF. SVCS	500	0.00	0.00	0.00	500.00	0.00
MAINTENANCE	35,333	3,441.57	3,441.57	0.00	31,891.43	9.74
UTILITIES	5,750	0.00	0.00	0.00	5,750.00	0.00
SUPPLIES	3,000	464.33	464.33	0.00	2,535.67	15.48
PERSONNEL RELATED ITEMS	18,000	1,683.03	1,683.03	0.00	16,316.97	9.35
TOTAL 12-ADMINISTRATION	203,155	16,152.28	16,152.28	0.00	187,002.72	7.95
52-STORM WATER SYSTEM						
PERSONNEL SERVICES	0	0.00	0.00	0.00	0.00	0.00
CONTRACTS & PROF. SVCS	0	0.00	0.00	0.00	0.00	0.00
CONST. MATL./TOOLS/EQP	0	0.00	0.00	0.00	0.00	0.00
UTILITIES	0	0.00	0.00	0.00	0.00	0.00
SUPPLIES	0	0.00	0.00	0.00	0.00	0.00
PERSONNEL RELATED ITEMS	0	0.00	0.00	0.00	0.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 52-STORM WATER SYSTEM	0	0.00	0.00	0.00	0.00	0.00
35-WATER DEPT.						
PERSONNEL SERVICES	257,116	23,680.47	23,680.47	0.00	233,435.53	9.21
CONTRACTS & PROF. SVCS	120,405	4,902.66	4,902.66	22,925.00	92,577.34	23.11
CONST. MATL./TOOLS/EQP	282,170	9,440.56	9,440.56	1,027.62	271,701.82	3.71
MAINTENANCE	5,500	590.81	590.81	0.00	4,909.19	10.74
UTILITIES	32,750	3,155.56	3,155.56	0.00	29,594.44	9.64
SUPPLIES	847,596	898.32	898.32	0.00	846,697.68	0.11
PERSONNEL RELATED ITEMS	22,150	6,286.22	6,286.22	0.00	15,863.78	28.38
CAPITAL EXPENDITURES	22,500	0.00	0.00	0.00	22,500.00	0.00
TRANSFERS	121,874	10,156.17	10,156.17	0.00	111,717.83	8.33
TOTAL 35-WATER DEPT.	1,712,061	59,110.77	59,110.77	23,952.62	1,628,997.61	4.85
TOTAL EXPENDITURES	1,915,216	75,263.05	75,263.05	23,952.62	1,816,000.33	5.18
REVENUE OVER/(UNDER) EXPENDITURES	0	72,167.60	72,167.60	23,952.62	48,214.98	0.00

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CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

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705-WASTEWATER
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	1,517,640	104,246.50	104,246.50	0.00	1,413,393.50	6.87
TOTAL REVENUES	1,517,640	104,246.50	104,246.50	0.00	1,413,393.50	6.87
<u>EXPENDITURE SUMMARY</u>						
00-TRANSFER OUT						
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
12-ADMINISTRATION						
PERSONNEL SERVICES	56,143	4,337.98	4,337.98	0.00	51,805.02	7.73
TOTAL 12-ADMINISTRATION	56,143	4,337.98	4,337.98	0.00	51,805.02	7.73
36-WASTEWATER SYSTEM						
PERSONNEL SERVICES	149,337	12,328.79	12,328.79	0.00	137,008.21	8.26
CONTRACTS & PROF. SVCS	38,900	1,175.50	1,175.50	0.00	37,724.50	3.02
CONST. MATL./TOOLS/EQUP	62,933	11,150.59	11,150.59	0.00	51,782.41	17.72
MAINTENANCE	602,185	88,035.00	88,035.00	0.00	514,150.00	14.62
UTILITIES	25,275	1,593.06	1,593.06	0.00	23,681.94	6.30
SUPPLIES	5,500	0.00	0.00	0.00	5,500.00	0.00
PERSONNEL RELATED ITEMS	5,000	0.00	0.00	0.00	5,000.00	0.00
DEBT SERVICE	319,587	0.00	0.00	0.00	319,587.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS	252,780	21,065.00	21,065.00	0.00	231,715.00	8.33
TOTAL 36-WASTEWATER SYSTEM	1,461,497	135,347.94	135,347.94	0.00	1,326,149.06	9.26
TOTAL EXPENDITURES	1,517,640	139,685.92	139,685.92	0.00	1,377,954.08	9.20
REVENUE OVER/(UNDER) EXPENDITURES	0	35,439.42	35,439.42	0.00	35,439.42	0.00

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2020

715-ELECTRIC FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	4,154,363	263,783.57	263,783.57	0.00	3,890,579.43	6.35
TOTAL REVENUES	4,154,363	263,783.57	263,783.57	0.00	3,890,579.43	6.35
<u>EXPENDITURE SUMMARY</u>						
12-ADMINISTRATION						
PERSONNEL SERVICES	77,005	5,112.56	5,112.56	0.00	71,892.44	6.64
TOTAL 12-ADMINISTRATION	77,005	5,112.56	5,112.56	0.00	71,892.44	6.64
37-ELECTRIC DEPT.						
PERSONNEL SERVICES	482,695	39,020.23	39,020.23	0.00	443,674.77	8.08
CONTRACTS & PROF. SVCS	89,000	452.00	452.00	0.00	88,548.00	0.51
CONST. MATL./TOOLS/EQUIP	161,575	10,270.34	10,270.34	53.61	151,251.05	6.39
MAINTENANCE	30,342	987.60	987.60	0.00	29,354.40	3.25
UTILITIES	13,750	539.54	539.54	0.00	13,210.46	3.92
SUPPLIES	2,137,791	176,810.55	176,810.55	0.00	1,960,980.45	8.27
PERSONNEL RELATED ITEMS	24,868	1,615.99	1,615.99	0.00	23,252.01	6.50
DEBT SERVICE	40,631	40,631.39	40,631.39	0.00	0.39	100.00
CAPITAL EXPENDITURES	157,500	0.00	0.00	17,290.24	140,209.76	10.98
TRANSFERS	939,206	78,267.16	78,267.16	0.00	860,938.84	8.33
TOTAL 37-ELECTRIC DEPT.	4,077,358	348,594.80	348,594.80	17,343.85	3,711,419.35	8.97

TOTAL EXPENDITURES	4,154,363	353,707.36	353,707.36	17,343.85	3,783,311.79	8.93
REVENUE OVER/ (UNDER) EXPENDITURES	0 (89,923.79) (89,923.79) (17,343.85)	107,267.64	0.00

Agenda Section	Consent Agenda
Section Number	IV.F
Subject	City Manager's Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> 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 Collin/Farmersville Parkway.
 - c. Create/support "Keep Farmersville Beautiful" Program
 - d. 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
 - e. Fiber optic network business case decision.
 - f. Keep the Police and Fire Department running optimally.
 - g. Electrical system substation relocation.

Ordinances and Resolutions

1. New
 - a. Create preservation ordinance. P&Z has recommended a committee review and make suggestions for changes. (in-progress)
 - b. Sign ordinance change allowing painted signs on façade of building. (in-progress)
 - c. Grading and excavation ordinance (in-progress)
 - d. Pop-up vendors ordinance (in-progress)
 - e. Resolution for designation of the official City of Farmersville newspaper of record. (in-progress)
2. Change
 - a. Zoning change for Reliable Concrete and Nelson Brothers sent to P&Z for public hearing. Zoning change denied by P&Z (in-progress)
 - b. Zoning ordinance, accessory building requirements. (backlog)
 - c. Zoning ordinance, zoning map. (backlog)

Contracts/Agreements

1. Interlocal-agreement with Wylie for jail services. (in-progress)
2. Information Technology services. (complete)

3. Boundary agreements with the Josephine and Caddo Mills. (in-progress)
4. Review and make changes as necessary to the Riding Club ILA. (backlog)

Planning

1. City-wide workshop for thoroughfare map, bike/trail map, and land use map comments. (complete)
2. Planning and Zoning approval of the thoroughfare map, bike/trail map, and land use map. (in-progress)
3. 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: August 2020
 - c. Interim rewrite: April 2021
 - d. Planning and Zoning review and Public Workshop: May 2021
 - e. City Council review: June 2021
 - f. Planning and Zoning Public Hearing: July 2021
 - g. Public hearing and Council approval: August 2021

Policy/Procedural Changes

1. Website development and maintenance policy. (backlog)

Customer Service Window

1. Customer service lobby is closed again due to COVID concerns. Drive-thru window continues to be open.

Personnel Related Matters

1. One police personnel requisition continues to be open.

Budget/Finance

1. Mr. Peacock will close out last year's adjusting entries in December 2020.
2. Audit process has continued for next year's audit.
3. Applied for first step regarding obtaining financial transparency award through the State Comptroller's office. Awaiting response. (complete)

Development Services

1. Collin College
 - a. Construction continues. Construction completion target is now Feb 2021.
 - b. Collin/Farmersville Parkway. Please refer to the Public Works Report under the "Streets" section for a progress report.
2. Patriot Concrete
 - a. Below is list of remaining items that need to be finished regarding the development agreement:
 - Execute paperwork so materials sold are FOB Farmersville (complete)
 - Install lighting with no light pollution
 - Readjust light to improve glare to CR 699
 - Elliott Electric making recommendations to change light fixture to reduce light pollution related to fixtures around wash down area.
 - Complete planting of trees and grass on perimeter.
 - Irrigation system is complete.
 - Trees are planted.
 - Complete minimum eight foot screening wall

- Wall is complete and painted however some designed gaps need to be filled in and tiered ends need to be finished
 - Originally was to complete on 17 Jul 2020
 - Complete platting of property. Establish use as industrial high impact
 - High Impact Industrial ordinance
 - Zoning request has been denied by P&Z
 - Originally scheduled for completion on 11 Aug 2020
 - Issue CO for operations building and maintenance building
 - Construct impervious internal driveways
 - Improvements to CR 699
 - Please refer to the Public Works Report under the “Streets” section for a progress report.
 - Meet all requirements of performance criteria and development agreement
 - Originally scheduled to complete end of August 2020
3. Nelson Brothers
- a. Below is list of remaining items that need to be finished regarding the development agreement:
- Complete platting of property. Establish use as industrial high impact
 - Zoning request has been denied by P&Z.
 - Improvements to CR 699
 - Pay applicable tap fees and impact fees
 - Install minimum eight foot screening wall
 - Complete planting of trees and grass on perimeter
 - Install irrigation system
 - Install ground cover
 - Complete internal driveways with impervious surface
 - Install lighting with no light pollution
 - Execute paperwork so materials sold are FOB Farmersville
4. Camden Park
- a. Phase I/II housing construction continues, 143 total homes
- Camden, 52 homes total
 - Permitted: 52
 - Models: 0
 - Completed: 52
 - Sold: 52
 - Under Construction: 0
 - DR Horton, 91 homes total
 - Permitted: 91
 - Models: 2
 - Completed: 87
 - Sold: 85
 - Under Construction: 0
- b. Phase III infrastructure continues construction, 135 total
- Camden
 - Permitted: 22
 - Models: 0
 - Completed: 9
 - Sold: 12
 - Under Construction: 13

- DR Horton
 - Permitted: 42
 - Models: 0
 - Completed: 0
 - Sold: 10
 - Under Construction: 42
- 5. Pieville
 - a. 107 South Main Street continues under construction.

Information Technology

1. Completed IT services contract change.

Special Events/Projects

1. Completed Christmas decorations for the year downtown and for “Farmersville Lights” along Farmersville Parkway. Thank you volunteers and staff for all your hard work. Special thanks to Jeramy Jones and his electrical crew!! Great job!!

V. Informational Items

Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> 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)
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.E
Subject	Parks & Recreation
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.F
Subject	Planning & Zoning Commission
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	<ol style="list-style-type: none"> 1. Minutes 2. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR SESSION MEETING
September 21, 2020, 7:30 P.M.**

I. PRELIMINARY MATTERS

- Chairman Joe Helmberger presided over the meeting which was called to order at 7:30 p.m. Commissioners Lance Hudson, Adam White Leaca Caspari (via teleconference) and Rachel Crist (arrived at 7:32) were in attendance. John Klostermann and Michael Hesse were not present. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; City Council liaison, Mike Henry; and City Attorney, Alan Lathrom.
- Lance Hudson led the prayer and the pledges to the United States and Texas flags.

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

- No one came forward to speak in person or teleconference.

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon minutes from August 17, 2020.
- Motion to approve made by Leaca Caspari
 - 2nd to approve made by Lance Hudson
 - All members voted in favor, except Rachel Crist who abstained
- B. Consider, discuss and act upon changing the meeting time of the Planning & Zoning Commission.
- Chairman Helmberger stated he would like to move the meeting time to 6:00 p.m. in the future.

- Motion to approve made by Leaca Caspari
- 2nd to approve made by Adam White
- All members voted in favor

C. Consider, discuss and act upon a replat of the Aston Addition, Lot 3B, 4A & 4B, Block 1.

- Ben White stated DBI Engineering reviewed the plat and they recommend approval subject to the items in their letter being addressed.
- Sandra Green explained one of the lots was shy of the 100 feet depth requirement, but the property had previously received a variance for that.
 - Motion to approve the plat subject to the items listed in DBI Engineering's letter being addressed made by Lance Hudson
 - 2nd to approve made by Rachel Crist
 - All members voted in favor

D. Consider, discuss and act upon a preliminary plat for Deer Crossing.

- Ben White explained that DBI Engineering had reviewed the plat and recommend approval subject to one item be addressed.
- Sandra Green stated the plat included a lot of variances that were previously approved.
 - Motion to approve subject to the item listed in DBI Engineering's letter being addressed made by Lance Hudson
 - 2nd to approve made by Rachel Crist
 - All members voted in favor

E. Consider, discuss and act upon a final plat for Deer Crossing.

- Ben White stated that DBI Engineering completed a review of the plat. They recommended denial of the plat until all the comments listed in their letter could be addressed.
 - Motion to deny the plat subject to all comments on DBI Engineer's letter being addressed made by Lance Hudson
 - 2nd to approve made by Adam White
 - All members voted in favor

F. Consider, discuss an act upon a concept plan for Lakehaven MUD.

- Ben White stated DBI Engineering did review the concept plan and they recommended the approval subject to the items listed in their letter being completed. He said the item that needed to be addressed for the concept plan was the Traffic Impact Analysis.

- Motion to approve subject to all comments be addressed per DBI Engineering's letter made by Leaca Caspari
- 2nd to approve made by Lance Hudson
- All members voted in favor

G. Consider, discuss and act upon a preliminary plat for Lakehaven MUD.

- Ben White said the engineer also reviewed the preliminary plat and they recommended approval subject to the comments on their letter be addressed. He explained the one comment that was listed was the rerouting of storm sewer and sewer force main utilities running across lots to streets or across frontage of lots.
- Joe Helmberger stated it was common to reroute those during construction and final platting and he had not problems with that comment.
 - Motion to approve made by Adam White
 - 2nd to approve made by Lance Hudson
 - All members voted in favor

IV. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a requested change in zoning on approximately 5.050 acres of land, more or less, from A – Agricultural District Uses to HII – High Impact Industrial District Uses. The property is generally situated at 91 County Road 699, and located in the W.B. Williams Survey, Abstract A-954, of Farmersville, Collin County, Texas.

- Chairman Helmberger opened the public hearing at 7:50 p.m.
- Mary Berry, who resides at 410 County Road 699, read some of the HII – High Impact Zoning District uses in the code. She stated she was speaking out against the rezoning to HII - High Impact. She stated a concrete batch plant is currently there and they can zone to Heavy Industrial with a Specific Use Permit. She does not believe High Impact zoning would be in the best interest of the city. She is concerned that if they zone the area High Impact no one would want to develop residences nearby.
- Joe Helmberger stated that the High Impact Ordinance was not codified correctly and all the prohibited uses were not included in the online version. He read portions of the approved ordinance.
- Allison Mathers, who resides at 109 College Street, stated that when she is working with developers she looks at the zoning map because that is all they can go by when they are buying property. She said then they go to the Comprehensive Plan. She stated that in Chapter 3 of the Comprehensive Plan it stated the purpose of the land use is to make responsible growth. She explained the Comprehensive Plan describes industrial uses as being

residential friendly. There is a high impact to the land and surrounding areas if this land is zoned as HII – High Impact Industrial. She said when you Google “high impact”, the City of Farmersville comes up first and she believes the city would be opening Pandora’s box and become Collin County’s dumping ground for the east side if the HII – High Impact Industrial zoning is approved.

- Randy Smith, who lives at 508 County Road 610, stated he sees problems with this zoning designation. He said the concrete batch plant came first and everything was rushed to approve after that. He said he thinks the city really wants to do business by rushing things through the system. He stated he feels it should be handled by zoning it to regular Industrial with Specific Use Permits. He said he believes the HII – High Impact Industrial Ordinance was created for the batch plants to get rid of Specific Use Permits. He stated the Comprehensive Plan does not call this area out as industrial. He and his brother owns land around the area and it will impact their property and that of others if it is zoned HII – High Impact industrial. He explained that most cities use Specific Use Permits. He explained that if this zoning request is approved there is no going back and it would be grandfathered in.
- Merry Berry stated that when Mr. Anani proposed bringing Big D Concrete to the property on County Road 699 she placed a complaint into TCEQ and it was denied. They told her they cannot tell a batch plant where they can go. Mr. Anani told her it would be a state of the art facility and now she believes Reliable has held to those standards. There are some things she does not like, but her property is not covered in dust. She is still requesting the Planning & Zoning Commission to zone it Industrial with a Specific Use Permit. She stated the batch plant was asked to leave the other city they were conducting business in.
- Chairman Helmberger asked if there was anyone else that wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 8:22 p.m.
- Lance Hudson stated that he believed all the bad requirements were prohibited in the HII – High Impact Ordinance. He asked why the HII – High Impact Ordinance was created and asked if it was solely for the concrete batch plants.
- Ben White stated it was done so it would put limits on allowing batch plants in the future. He indicated because the ordinance was drafted in such a way it would be hard to get this zoning designation in the future.
- Leaca Caspari asked why the city even has a HII – High Impact Industrial zoning district. She believes we can limit it by placing it in the Heavy Industrial zoning district with a Specific Use Permit.
- Ben White stated the thought behind it was to control it and make it harder to get the zoning for batch plants.
- Leaca Caspari asked if the city is going to limit batch plants from coming in.
- Ben White stated he was not saying that, but it allows the City Council to scope that zoning to that specific industry in the future.

- Leaca Caspari stated we have no safe guards or recourse if this is zoned HII – High Impact Industrial. She has looked for the High Impact designation in other cities and she has not found it. She said she feels the High Impact designation could be a potential problem in future.
- Rachel Crist wanted clarification on when they approved the High Impact Ordinance. She recalled a few years ago it was stated that the batch plants would come into the city if that zoning designation was available, but if it was not approved they would stay in the county and we would not collect sales taxes on them.
- Ben White stated the city was interested in getting their usage of water, collecting of sales taxes, and making sure they follow the rules of ordinances. He said that if we had not created the ordinance they would be out in the county building whatever they wanted.
- Leaca Caspari stated they would not have had water.
- Ben White stated they would have dug a well or received their water from Caddo Basin.
- Leaca Caspari stated she does not see how the HII – High Impact Industrial zoning district would benefit the city.
- Lance Hudson asked if a Specific Use Permit would have kept them from coming in to the city.
- Ben White stated that a Specific Use Permit would have kept them from coming in to the city because it would have put a duration of time on them to operate.
- Leaca Caspari asked if they operated in any other city in Texas and were they under a Specific Use Permit.
- Ben White stated they operated in Dallas and they were told their Specific Use Permit was going to be taken away. Here we tried to form a way for them to operate for a long period of time, otherwise they would have stayed in the county and not annexed into the city.
- Rachel Crist asked how they could be operating if they are not zoned.
- Ben White stated they started building in the county and then were annexed into the city.
 - Motion to deny for the HII – High Impact Industrial designation made by Rachel Crist
 - 2nd to approve made by Leaca Caspari
 - Votes went as follows: Rachel Crist, yes; Leaca Caspari, yes; Adam White, yes; Lance Hudson, no; Joe Helmberger, no

B. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a requested change in zoning on approximately 26.60 acres of land, more or less, from A – Agricultural District Uses to HII – High Impact Industrial District Uses. The property is generally situated at 123 County Road 699, and located in the W.B. Williams Survey, Abstract A-954, of Farmersville, Collin County, Texas.

- Chairman Helmberger opened the public hearing at 8:52 p.m.
- Allison Mathers, who resides at 109 College Street, read the information that was on the Code of Ordinance's online, but was handed a copy of the ordinance that was sent to MuniCode that had not been codified correctly. She stated the HII – High Impact Industrial zoning goes against the Texas Treasure that is Farmersville.
- Merry Berry, who resides at 410 County Road 699, stated if you rezone to High Impact it will stay High Impact. She said time brings other people to leadership roles and other industries that we may not know exist. We do not know what other business out there may be classified as High Impact. She said that Heavy Industrial would allow the use they are wanting instead of zoning it HII – High Impact Industrial.
- Randy Smith, who lives at 508 County Road 610, stated part of the new Comprehensive Plan reflects hike and bike trails. He is not sure how it will fit in with a major trail system if concrete batch plants are there. He said the Comprehensive Plan seems to be incompatible with the HII – High Impact Industrial zoning district. He explained the City of McKinney is not in favor of approving Specific Use Permits for batch plants anymore because of issues they have had. He feels the city should require a Specific Use Permit.
- Allison Mathers, who lives at 109 College Street, asked how the company can be operating with Agricultural zoning.
- Alan Lathrom stated the batch plant started building while it was in the county and before it was annexed into the city. Under Chapter 43 of the Local Government Code it states that if they have started operating before they are annexed they have the right to continue operating after they are annexed.
- Lance Hudson stated if they are not rezoned to HII – High Impact Industrial then they could still operate in the city limits.
- Ben White said they could also choose disannexation from the city.
- Chairman Helmberger asked if anyone else wanted to speak for or against the rezoning request.
- No one came forward so he closed the public hearing at 9:13 p.m.
- Leaca Caspari explained how she understands they have a right to operate there since they came into the city after they started operating. She pointed out that the city has a Comprehensive Plan in place and the citizen want to expand our growth, but they also want a quality of life. She said she is not against cement plants, but she believes safe guards need to be in place for the protection of the citizens.
- Lance Hudson stated the batch plant is here and it is not going anywhere. He is concerned they will consider disannexation. He said if they did leave the city limits they would not have restrictions placed on them and sales tax money would not come to the city from their operations.
- Rachel Crist explained that her concern is that if it is zoned HII – High Impact Industrial they could do whatever they wanted to do. She indicated the zoning would stay with the land for any future businesses that might come in on that property.

- Motion to approve the zoning request made by Lance Hudson
- 2nd to approve made by Joe Helmberger
- Votes went as follows: Rachel Crist, no; Leaca Caspari, no; Adam White, no; Lance Hudson, yes; Joe Helmberger, yes

C. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a proposed textual amendment to the Code of Ordinances, City of Farmersville, Texas, as heretofore amended, through the amendment of Chapter 77, "Zoning," by adopting a new article that will create a Historic Preservation Overlay Zoning District to provide for the protection and preservation of individual historic structures and properties as well as the protection and preservation of both potential and designated historic districts together with individual historic structures and properties and contributing structures and properties within such potential and designated historic districts by and through the adoption of ordinances containing by way of illustration, and not limitation: definitions; design guidelines; the establishment of a historic preservation body; a process through which structures and districts are designated as being historic; minimum maintenance requirements; a certificate of appropriateness process for modifications to and renovations of historic structures and contributing structures; prohibitions against demolition of historic structures and contributing structures whether by neglect or otherwise; and, a permitting process for demolition of dangerous and substandard historic structures and contributing structures.

- Chairman Helmberger stated we are not creating a new zoning district with the Historic Preservation Ordinance, but he feels the document needs some work.
- Chairman Helmberger opened the public hearing at 9:33 p.m.
- Allison Mathers, who lives at 109 College Street, stated she wants to extend the ordinance to include more areas than what it currently would cover in just the downtown area. She stated that the proposed Land Use Map needed to be approved first before they decide which areas to include in the historic overlay area. She said that groups of people and organizations should be involved in drafting the ordinance. She indicated it has to be well planned and suggested a committee be formed to look at the ordinance.
- Chairman Helmberger stated we needed a committee to be put together that could tailor the ordinance to Farmersville. He asked if anyone else wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 9:41 p.m.
- Chairman Helmberger stated he would leave his notes regarding the ordinance with Ben White.
- Chairman Helmberger stated that since he works for the same company that created and is presenting the Land Use, Thoroughfare, and Hike & Bike Trail

Maps he is recusing himself from the discussions. He left the meeting at 9:45 p.m. A quorum was still present.

V. WORKSHOP & PUBLIC HEARING

A. Workshop to accept public input from citizens and to consider and discuss proposed amendments to the City of Farmersville's Comprehensive Plan, dated

January 2013, including proposed amendments to:

1. Chapter 3, titled "Land Use," including proposed amendments to the Future Land Use Plan and the Land Use Type Descriptions for land uses identified on the Future Land Use Plan;
 2. Chapter 4, titled "Transportation," and particularly Paragraph B, titled "Master Thoroughfare Plan," including proposed amendments to the Master Thoroughfare Plan now identified as the "2020 Major Thoroughfare Plan" together with amendments in the text of Paragraph B of Chapter 4 making the appropriate name changes throughout; and,
 3. Chapter 4, titled "Transportation," and particularly Paragraph F, titled "Trail System," including proposed amendments to the "Trail Master Plan" and such other amendments as maybe necessary to Chapter 6, titled "Parks and Open Space," as it relates particularly to Paragraph A, "Summary of Existing Parks" and the "Chaparral Trail Audie Murphy Trailhead."
- Daniel Acevedo from Kimley-Horn stated the Land Use Plan does not designate the zoning of areas. He showed the land use map and explained some of the uses that were shown on the map. He said the map is used to make decisions about future zoning.
 - Ben White stated he had Kimley-Horn draw in a bypass for State Highway 78 because the North Central Texas Council of Governments (NCTCOG) is working on a north/south roadway route. He stated that getting ahead of the routes and planning them might get the NCTCOG to go with those routes. We cannot get input from them until they start the process.
 - Randy Smith stated these maps had not included the people in the extraterritorial jurisdiction (ETJ) in the past so he wanted to make sure that people know they are now included in the planning of the city.
 - Daniel Acevedo stated there is a lot of time and analysis that goes into placing roads. It does not mean that a road has to go directly as it is shown on the map, it just shows connections and not a perfect alignment. They look for distances between connectivity. He said the thoroughfare plan classifies the roads and the size of them. He indicated these maps tend to be updated every 5 – 10 years, and it

would take many years before any of the roads on the map would be completed.

- Kelly Decker, who lives at 2611 County Road 648, stated she saw the Future Land Use Map on Facebook. She said when they moved here they wanted acreage and more of a country feel. She was concerned because the word has not gotten out about the maps.
- Ben White stated that people need to send comments to the city about their concerns regarding the maps so those concerns can be looked in to.
- Allison Mathers, who lives at 109 College Street, stated the 2013 Comprehensive Plan explained the Farmersville Vision was to reach out to the residents and stake holders. She suggested several public meetings be held to review and comment on the maps.
- Ben White stated we could have separate meetings from the Planning & Zoning Commission meetings where citizens could come and give comments on the maps.
- Direction to staff from the Planning & Zoning Commission to hold more public forums so people can comment and give input on the maps.

B. Public hearing to consider, discuss and act upon a recommendation to City Council regarding proposed amendments to the City of Farmersville's Comprehensive Plan, dated January 2013, including proposed amendments to:

1. Chapter 3, titled "Land Use," including proposed amendments to the Future Land Use Plan and the Land Use Type Descriptions for land uses identified on the Future Land Use Plan;
 2. Chapter 4, titled "Transportation," and particularly Paragraph B, titled "Master Thoroughfare Plan," including proposed amendments to the Master Thoroughfare Plan now identified as the "2020 Major Thoroughfare Plan" together with amendments in the text of Paragraph B of Chapter 4 making the appropriate name changes throughout; and,
 3. Chapter 4, titled "Transportation," and particularly Paragraph F, titled "Trail System," including proposed amendments to the "Trail Master Plan" and such other amendments as maybe necessary to Chapter 6, titled "Parks and Open Space," as it relates particularly to Paragraph A, "Summary of Existing Parks" and the "Chaparral Trail Audie Murphy Trailhead."
- Lance Hudson stated the Commission would pass on the public hearing at this time.

VI. ADJOURNMENT

Meeting was adjourned at 10:49 p.m.

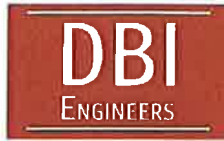
ATTEST:


Sandra Green, TRMC, City Secretary

APPROVE:


Joe Helmberger, Chairman





September 15, 2020

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

RE: Aston Addition, Block 1 Lots 3B, 4A & 4B Replat Review
Dated July 22


The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Please use correct Title Block for Replats as shown in Sec 65-32.(e).(3)
- Please use correct Approval Certificate as shown in Sec. 65-30.(f).(4)
- Need to include notes about:
 - Utility providers
 - Flood plain
 - "Selling a portion of this addition by metes and bounds..."
- Show all SF-2 setbacks
- Include 15' utility easement
- Subdivision is 'Aston Addition' not 'Astons Addition'

The Aston Addition Replat is recommending for approval pending the above mentioned items being addressed.

Please contact me if you should have any questions or need additional information.

Sincerely,


Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONCONSULTANTS.COM
FIRM REGISTRATION NO: F-002225



September 16, 2020

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

RE: Deer Crossing Preliminary Plat
Dated September 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Please use correct Approval Certificate as shown in Sec. 65-30.(f).(4)

The Preliminary Plat is recommended for approval pending the above mentioned items being addressed.

Please contact me if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONCONSULTANTS.COM
FIRM REGISTRATION NO: F-002225



September 16, 2020

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

RE: Deer Crossing Final Plat
Dated September 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Please use correct Approval Certificate as shown in Sec. 65-30.(f).(4)
- All public infrastructure will need to be completed.
- All public infrastructure will need to be verified and approved by appropriate entities.
- As-Built drawings will need to be provided to the City for review and approval.

Due to the above mentioned items, it is recommended that the Final Plat be denied until all comments can be addressed.

Please contact me if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONCONSULTANTS.COM
FIRM REGISTRATION NO: F-002225



September 17, 2020

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

RE: Lake Haven MUD
Dated September 17, 2020

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following comments have been provided to the developer but not resolved. The developer responses are shown below.

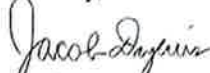
- Concept Plan
 - Traffic Impact Analysis required for development of this size.
 - We are addressing the TIA requirement via a separate formal letter pertaining to the delivery of such report within the timeframe of 60 days.
- Preliminary Engineering
 - Storm sewer and sewer force main utilities running across lots should be rerouted to streets or across frontage of lots.
 - Storm sewer will be looked at in more detail during construction document phase and possibly re-routed as well.

All other comments and issues have been fixed by the developer. The Concept Plan and Preliminary Plat for Lake Haven MUD are both recommended for approval pending:

- Obtaining the TIA and implementing any requirements necessary
- Re-routing of force main utilities out of lot backyards

I am available for any questions you may have.

Sincerely,


Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO BOX 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONCONSULTANTS.COM
FIRM REGISTRATION NO: F-002225



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR SESSION MEETING
October 19, 2020, 7:30 P.M.**

I. PRELIMINARY MATTERS

- Chairman Joe Helmberger presided over the meeting which was called to order at 7:30 p.m. Commissioners Lance Hudson, Adam White Leaca Caspari (via teleconference) and Rachel Crist (via teleconference), Michael Hesse (via teleconference), and John Klostermann were in attendance. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; City Council liaison, Mike Henry; and City Attorney, Alan Lathrom.
- Joe Helmberger led the prayer and the pledges to the United States and Texas flags.

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

- Allison Mathers, who resides at 109 College Street, addressed the Commission via teleconference and stated it was refreshing to experience the democratic process from the last Planning & Zoning Commission. She said it is her wish that the processes of the city get in order and things no longer get done out of order. She indicated it was important to have complete transparency and she feels that the Planning & Zoning Commission has been left out of some decisions being made at the city.

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon minutes from September 21, 2020.
- Leaca Caspari stated she had some questions that she would get with Sandra Green about, but wanted to wait to approve the minutes until the next meeting.

B. Consider, discuss and act upon a replat of the Farmersville Old Donation Lot 82-A & Lot 82-B, Block T.

- Lance Hudson recused himself and left the room due to a conflict of interest.
- Ben White stated DBI Engineer's reviewed the plat and asked for one correction and staff recommends approval based on that one condition.
 - Motion to approve subject to using the correct signature block indicated in Jacob Dupuis letter made by Leaca Caspari
 - 2nd to approve made by John Klostermann
 - All members voted in favor
- Lance Hudson returned to the room and continued with the meeting.

C. Consider, discuss and act upon appointing members to the Historic Preservation Ad Hoc Committee.

- Joe Helmberger stated that he and Ben White got together to make sure they had a representative sample for the committee members. He explained the following people were asked to sit on the committee: Paul Kelly, Michael Hesse, Bruce Woody, Tony Gray, Jim Foy, and Allison Mathers.
- Ben White stated Kevin Casey, Main Street Manager, would also be a voting member on the committee.
- Leaca Caspari said she thought they had already been appointed to the committee. She asked if someone could be added to the committee at a later date if they feel like they would be a good fit. She explained she believes that someone from the Historical Committee should be on there. She also suggested someone from the Parks & Recreation Board or City Amenities Board should sit on the committee.
- Joe Helmberger stated we could start the committee and then add more members. The committee will have to choose a Chair, but he thinks Allison Mathers has a good handle on creating the ordinance.
 - Motion to form the ad hoc committee with the seven named members and the ability to add more members made by John Klostermann
 - 2nd to approve made by Adam White
 - All members voted in favor

IV. WORKSHOP

- A. Discussion regarding possible changes to the land uses allowed by right or specific use permit together with the appropriate development standards applicable to those land uses within the Light Industrial, Heavy Industrial, and High Impact Industrial Zoning Districts set out in Sections 77-53(e) – (g) of the

Farmersville Code together with any related amendments to the use chart set out in Section 77-46, "Schedule of Permitted Uses," and any necessary additions, changes or deletions to Section 77-29, "Definitions," of the Farmersville Code applicable to one or more of the land uses identified in Sections 77-53(e) - (g).

- Joe Helmberger stated the goal is to provide direction to staff on how the commission wants to revise the ordinance.
- The commissioners on the teleconference explained their concerns of how they would like to wait on the discussion until all the members could be at the meeting in person because of the difficulty with hearing.
- Joe Helmberger stated that it is obvious, after the last meeting, that the definition of HII – High Impact is not highly looked upon and not wanted as a zoning classification in the city. He explained they have meet with the two business owners that requested that zoning and had a discussion about how the last Planning & Zoning Commission meeting went.
- Ben White stated that he told the City Council he recommended that they send the HII – High Impact Ordinance back down to the Planning & Zoning Commission for changes. He said he recommended aligning the high impact uses in the ordinance with the high impact definition, except for asphalt batch plants, concrete batch plants and rock, stone, gravel, sand yards. He also recommended changing the title/category name from High Impact to something like Heavy Industrial – 2. He said the last recommendation was to consider removing the requirement of a Specific Use Permit from asphalt batch plants, concrete batch plants, and rock, sand and gravel yard from the Heavy Industrial Zoning.
- Leaca Caspari wanted some clarification on why the commission would want to take away the Specific Use Permit under Heavy Industrial.
- Ben White stated that is being considered so the businesses would not have to be limited to certain time frames and would not have to come in and reapply.
- Adam White asked what the time limit would be on Specific Use Permits if those businesses applied for them.
- Ben White stated when a Specific Use Permit comes up the governmental body can add several restrictions on the permit, including limited years.
- Adam White stated it seems like it would make sense for them to operate under a Specific Use Permit because that would still give the city some leverage.
- Ben White stated when the Specific Use Permit comes due at that point it could be negotiated in to one year terms. He stated there is no guarantee that they would be given an indefinite Specific Use Permit.
- Leaca Caspari asked about specifics regarding the Specific Use Permit and timeframes.
- Alan Lathrom explained that many cities do not impose a time limit or restrictions on Specific Use Permits. He said the permit runs with the land. Most cities issue them until the use changes on the property. Then the new occupant would have to come in and apply for a new Specific Use Permit.

- The Commissioners on teleconference were having a difficult time hearing the conversations.
- Joe Helmberger stated the Commission would cease discussion and plan something at a later date. He said they would postpone this item until then.

V. ADJOURNMENT

Meeting was adjourned at 8:04 p.m.

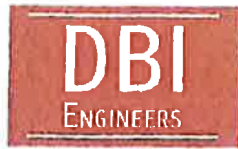
ATTEST:


Sandra Green, TRMC, City Secretary

APPROVE:


Joe Helmberger, Chairman





October 14, 2020

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

RE: Farmersville Old Donation Replat Review
Dated July 22


The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following items will need to be addressed prior to approval.

- Please use the correct signature block as described in Sec. 65-30. – Final Plat.

The Farmersville Old Donation Replat is recommended for approval pending the above mentioned items being corrected.

Please contact me if you should have any questions or need additional information.

Sincerely,


Jacob Dupuis, P.E.

DANIEL & BROWN INC.
118 MCKINNEY STREET | PO Box 606 | FARMERSVILLE, TEXAS 75442
OFFICE 972-784-7777 | WWW.DBICONCONSULTANTS.COM
FIRM REGISTRATION NO: F-002225

Agenda Section	Informational Items
Section Number	V.G
Subject	TIRZ Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	1. 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

VI. Reading of Ordinances

Agenda Section	Reading of Ordinances
Section Number	VI.A
Subject	Consider, discuss and act upon the first reading of Ordinance #O-2020-0112-001 regarding grading and excavation.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	O-2020-0112-001 will be emailed to Council before meeting
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

VII. Regular Agenda

Agenda Section	Regular Agenda
Section Number	VII.A
Subject	Presentation from George Crump regarding North Texas Municipal Water District status and activity.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<ul style="list-style-type: none"> • City Council discussion as required
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VII.B
Subject	Consider, discuss and act upon the final plat of Deer Crossing.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	<ol style="list-style-type: none"> 1. Application 2. Letter of Intent 3. DBI Review Letter 4. Final Plat
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

20201555



DEVELOPMENT APPLICATION

- ☒ Preliminary Plat
☐ Amended Plat
☐ Concept Plan
☐ Annexation

- ☒ Final Plat
☐ Minor Plat
☐ Specific Use Permit

- ☐ Replat
☐ Development Plat
☐ Site Plan
☐ Rezoning

Fees:

A retainer fee of \$1,000.00 is required for submittal. Once the plans have been reviewed the money will be refunded back to the applicant if all the \$1,000.00 is not used and will be billed if the amount exceeds the initial \$1,000.00. (Note: All engineering inspection fees will be billed at the time of service.)

The application fee of \$ _____, to be paid to the City of Farmersville, is enclosed with this application.

A. Description of Property

1. Addition Name DEER CROSSING
2. Total Acreage 11.60
3. Current Zoning Classification(s) N/A - ETS
4. Proposed Zoning Classification(s) N/A - ETS
5. Total Number of Lots, by Type 10 single family residential
6. Proposed Use of Property Single Family Residential
7. Location of Property Approximately 4.5 miles South of downtown off TX-78, CR 553
8. Geographic (Tax) ID Number R- 6739-002-1610-1 R- _____

B. Applicants: (List those persons you wish to be contacted about this request.) **PLEASE PRINT**

- | | |
|---|---|
| 1. Owner <u>Bruce Cryer</u>
Address <u>2560 Lonesome Dove</u>
City, State, Zip <u>Farmersville, TX 75442</u>
Phone <u>(972)-979-2597</u>
Email <u>cryercustombuilders@gmail.com</u> | 2. Applicant/Representative <u>Dakota Cryer</u>
Address <u>2560 Lonesome Dove</u>
City, State, Zip <u>Farmersville, TX 75442</u>
Phone <u>214-478-0426</u>
Email <u>cryercustombuilders@gmail.com</u> |
|---|---|

- C. Variance Request: ☒ Yes ☐ No If yes, describe: ROW width, roadway width, storm water detention, single point entry improvements to CR 553, Standard Road construction detail: No lane sub-grade stabilization.

"I hereby certify that I am the owner, or duly authorized agent of the owner for the purposes of this application, of the property herein described, that all information submitted herein is true and correct."

Applicant/Owner: Bruce Cryer

Date: 8/14/20





2560 Lonesome Dove Phone: 214-478-0428
Farmersville, TX 75442 Phone: 972-824-6443

August 20, 2020

Ms. Sandra Green
City Secretary
205 SW Main
Farmersville, TX 75442

RE: Deer Crossing Letter of Intent

Dear Ms. Green:

We respectfully submit this letter of intent to request approval of the Deer Crossing subdivision in the City of Farmersville ETJ. Deer Crossing shall be situated on 11.8 acres in the E.B. Reed Survey, sheet 2, tract 161, ABS A0739 and will consist of 10 one acre lots for single family residential custom homes. The intent is to build country style home sites with a rural feel.

When previously presented to P&Z and City Council as a public street in March 2018, Deer Crossing subdivision was previously granted the following variances and respectfully request them to be granted as a private street as there have been no changes to the overall design of the street.

- **Right of Way (ROW):** We understand that the City standard ROW is sixty feet. We would like to request that it be reduced to fifty feet to be consistent with Collin County Standards. The project location is on the edge of the ETJ limits for Farmersville and the standards required by Farmersville are not consistent with similar developments in the County. We propose to provide utility easements beyond the fifty foot ROW to compensate for the placement of utilities beyond the ditches which will essentially provide the same effect as the sixty feet of ROW.
- **Roadway Width:** The roadway pavement width standard for the City is thirty feet. We were granted 26 feet with 3 feet of unpaved shoulder on road grade on each side of the street.
- **Parkland/Open Space:** It was determined by the city attorney that this was a zoning requirement which was not applicable to property in the ETJ of Farmersville.
- **Storm Water Detention:** This variance was granted due to the existing drainage for the ten lot subdivision is divided in three different discharge points. Also, on the basis that the increase in drainage flow is minimal and it would be difficult to provide three detention facilities on the ten lots.
- **One Point of Entry:** This variance was granted based on city standards allowing for cul-de-sacs of similar length and more homes within a subdivision to be constructed. It was determined that the multiple point of entry requirement was not practical on this development.
- **Improvements to CR 553:** It was determined by the city attorney that CR 553 is owned and maintained by Collin County and it is not a requirement of the County to improve this road.

- **Landscaping Plan:** It was determined by the city attorney that this was a use requirement instead of standards which is not regulated in the ETJ of Farmersville.

The previously mentioned variances that were granted in March of 2018 for Deer Crossing as a public street were also granted at the P&Z and City Council as a private street in June 2020. The following variances were also requested and granted at that time as a private street as well for the overall design of the street.

- **City Design Manual and Standard Construction Detail:** The City Design Manual and Standard Construction Detail for roadway design requires lime stabilization of the top soil prior to the concrete being poured for the street. The concrete roadway of Deer Run Trail as a private street was constructed on undisturbed soil without first performing lime stabilization of the subgrade under the road as required. This variance was granted on the condition that the Deer Crossing CC&Rs include the method of road construction and that the plat reflect that Deer Run Trail not be allowed to have a gated entry.
- **One Point of Entry:** A single point of entry into the residential subdivision rather than two points of ingress and egress if, and only if, a cul-de-sac or hammerhead is provided of sufficient size to allow emergency vehicles to turn around in accordance with the 2015 Editions of the International Fire Code, International Building Code and/or International Residential Code.
- **Roadway Width:** Then entrance design onto Deer Run Trail as a private street to have a minimum uninterrupted pavement width of 26 feet with three feet of unpaved shoulder on each side of the road at the location of the gate or access control device, if any, on both the ingress and the egress point to the subdivision.
- **Entrance Design:** The entrance design onto Deer Run Trail as a private street to have less than 100 foot vehicle stacking distance from the northern right-of-way line of County Road 553 to the first vehicle stopping point at which access may be obtained to the private subdivision.
- **Turnaround Space:** The omission of a paved turnaround space located in front of any restricted access entrance barrier to Deer Run Trail that would allow vehicles which are denied access to safely exit onto public streets through a smooth single-motion U-turn movement without having to back up.

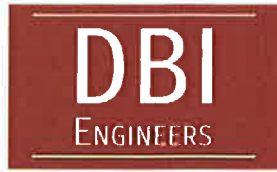
We have taken these necessary steps to comply with the City of Farmersville requirements to be classified as a private street. The Deer Crossing HOA has been established, whereas each lot owner shall be a member and be responsible for maintenance of the street. We have provided the required economic analysis for the viability of the private maintenance based on the number of lots being served by the street. We have had the subdivision plat revised to show the street as a lot per the requirements for a private street and included all verbiage requirements per the City of Farmersville and Collin County.

If you have any questions or additional comments, please do not hesitate to contact me at 214-478-0428 or by email at cryercustombuilders@gmail.com

Thank you,



Dakota Cryer
Cryer Custom Builders, Inc.



November 11, 2020

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

RE: Deer Crossing Final Plat
Dated October 2020

Mr. White,

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

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

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, P.E.

Agenda Section	Regular Agenda
Section Number	VII.C
Subject	Consider, discuss and act upon Resolution #R-2020-1208-001 regarding the designation of the newspaper for City notices.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	R-2020-1208-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

**CITY OF FARMERSVILLE
RESOLUTION # R-2020-1208-001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, DESIGNATING THE *FARMERSVILLE TIMES* AS THE CITY'S OFFICIAL NEWSPAPER and THE *DALLAS MORNING NEWS* AS THE CITY'S ALTERNATE OFFICIAL NEWSPAPER FOR THE FISCAL YEAR 2020-2021

WHEREAS, Section 52.004(a) of the Texas Local Government Code provides that the governing body of a municipality shall designate an official newspaper for the City as soon as practicable after the beginning of each municipal year and that such newspaper shall be a City's official newspaper until another newspaper is selected; and

WHEREAS, the governing body is also required to publish each ordinance, notice, or other matter required by law or ordinance to be published in the city's designated official newspaper; and

WHEREAS, the City Council of the City of Farmersville, Texas ("City Council") finds that the *Farmersville Times* and the *Dallas Morning News* satisfy the requirements of Chapter 2051 of the Texas Government Code for an official newspaper; and

WHEREAS, the City Council finds that the *Farmersville Times* and the *Dallas Morning News* are each public newspapers of general circulation in Collin County and the City of Farmersville, Texas ("City").

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

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

Section 2. The City Council of the City of Farmersville, Texas, hereby designates the *Farmersville Times* as the official newspaper for the City for the Fiscal Year 2020-2021. The *Farmersville Times* shall be the City's official newspaper until such time as another newspaper is selected.

Section 3. The City Council of the City of Farmersville, Texas, hereby designates the *Dallas Morning News* to be the City's alternate official newspaper and advertising source in the event publication or advertisement in the *Farmersville Times* will fail to meet and satisfy the statutory notice requirements for some action sought to be taken by the City. The *Dallas Morning News* shall be the City's official alternate newspaper until such time as another alternate newspaper is selected.

Section 4. The City Secretary is hereby directed to publish all required notices and advertisements in the *Farmersville Times* in accordance with the laws of the State of Texas save and except in such circumstances when due to time constraints, publication or advertisement in the *Farmersville Times* is otherwise rendered ineffective.

Section 5. When due to time constraints, publication or advertisement in the *Farmersville Times* is otherwise rendered ineffective, the City Secretary is hereby directed to publish such required notices and advertisements in the City's alternate official newspaper, the *Dallas Morning News*, in accordance with the laws of the State of Texas.

Section 6. This Resolution shall take effective immediately upon its passage.

DULY PASSED AND APPROVED, by the City Council of the City of Farmersville, Texas on this 8th day of December, 2020

APPROVED:

Bryon Wiebold, Mayor

ATTEST:

Sandra Green, City Secretary

Agenda Section	Regular Agenda
Section Number	VII.D
Subject	Consider, discuss and act upon design features and grants regarding the Trail.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VII.E
Subject	Consider, discuss and act upon a recommendation from the Parks & Recreation Board regarding changes to the Athletic Complex Joint Use Chaparral Agreement with the Farmersville Little League.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	<ol style="list-style-type: none"> 1. Recommendations from Parks & Rec. Board 2. Signed Contract between the City & Little League
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

ATHLETIC COMPLEX JOINT USE AGREEMENT BETWEEN
THE CITY OF FARMERSVILLE
AND THE FARMERSVILLE LITTLE LEAGUE BASEBALL ASSOCIATION

CHANGES RECOMMENDED TO THE CITY COUNCIL

SECTION 1. DESIGNATION OF FIELDS AND FIELD USE

PARAGRAH 2: The Little League Baseball regular season begins in February and ends November.

SECTION 8. ANCILLARY FINANCIAL MATTERS

PARAGRAH 1: The Little League shall provide to the City copies of Little League's year-end financial statement, ending December 31st, for each year during the term of and prior to the renewal of, this Agreement and any extension of the agreement. This must be provided by January 31. All financial obligations contracted for by the Little League in relation to its use of the Complex must be paid in return for the satisfactory delivery of goods and services,(\$100 per team) and failure to do so without just cause will be considered reason for the City to cancel the agreement with the Little League.

MOTION MADE BY KIEL CATHEY

SECONDED BY BEVERLY MONDY

MOTION CARRIED ALL IN FAVOR

**ATHLETIC COMPLEX JOINT USE AGREEMENT BETWEEN
THE CITY OF FARMERSVILLE
AND
THE FARMERSVILLE LITTLE LEAGUE BASEBALL ASSOCIATION**

This Athletic Complex Joint Use Agreement ("Agreement"), is entered into by and between the **CITY OF FARMERSVILLE, TEXAS** ("City") and **FARMERSVILLE LITTLE LEAGUE BASEBALL ASSOCIATION**, an unincorporated entity (the "Little League") (each a "Party" and collectively the "Parties"), acting by and through their authorized representatives.

WHEREAS the City of Farmersville owns the athletic facility located at the intersection of Murchison Street and Merit Street that is known as the J. W. Spain Athletic Complex ("Complex"); and,

WHEREAS the City of Farmersville wishes to maximize the use of the Complex for the benefit of Farmersville and area citizens by entering into this Agreement with the Farmersville Little League Baseball Association by defining and enumerating the duties and responsibilities of each entity regarding the maintenance and use of the Complex;

NOW THEREFORE, the City of Farmersville and the Farmersville Little League Baseball Association agree to the following user regulations concerning the J. W. Spain Athletic Complex:

Section 1. Designation of Fields and Field Use

For purposes of clarity in this agreement, the south field in the Complex will be designated Field 1. The middle field of the Complex will be designated as Field 2. The north field will be designated as Field 3. The baseball fields on the eastern most side of the Complex will be known as Field 4 and Field 5 respectively. Fields constructed after the date of this Agreement will be numerically designated at the time of construction. Fields 1 through 5, and any additional fields that may hereafter be constructed will hereafter be referred to singly and collectively as the "Playing Fields."

The Little League Baseball regular season begins in February and runs through June and the fall season begins in September and runs through November. The Little League will have priority access to Fields 1 thru 5 during all scheduled league games and team practices. The Little League must provide the Little League's game schedule to the City Manager, or his designee, as soon as the Little League's schedule becomes available in each year (or season) of this Agreement. The Little League must also provide the Little League's practice schedule to the City Manager, or his designee, prior to practices beginning before and during each year (or season) of this Agreement. At all other times the Complex is open for the public's use on a first-come first-use basis. Any scheduling should be brought to the attention of the City Manager as soon as practicable after any such conflict is discovered.

The Little League may begin preparation of the Playing Fields for the playing season at any time before the beginning of the playing season after notifying the City Manager, or his designee, of the Little League's intent to begin such work. The City Manager, or his designee, has the final authority for scheduling all Complex events.

Section 2. Grounds Maintenance

The Little League shall prepare and maintain all Playing Fields for Little League events. All Playing Fields must meet high-quality and presentable playing condition from the beginning to the end of the playing season.

Trash and litter will be picked up and removed from the Playing Fields and bleacher areas at the end of each day on which the Little League hosts or holds one or more scheduled league games and/or team practices (each such day being a "Playing Day"). In addition, periodic cleaning shall be performed by the Little League at intervals between Playing Days, if necessary, to prevent a buildup of trash and litter. If Little League does not comply and allows trash and litter to be left on the Playing Fields after any use, the City will impose a charge not to exceed \$200 per incident. Little League will be responsible to pay said trash and litter removal fees. If the City charges the Little League a third time for the same incident or a similar type of incident, the City may at its discretion, terminate the Agreement and not allow the Little League to use all or part of the facilities at the Complex.

The City will provide adequate trash receptacles and trash removal for the purpose of keeping the Complex clean. Little League shall be responsible to have a designated area for trash pickup. Little League will be billed for labor and material for any needed follow-up cleaning provided by the City.

The City is responsible to provide for mowing, weed control, edging, and watering of the entire Complex including Playing Fields and common areas.

The Little League shall provide the City Manager a list of organization members with contact information that will be granted keyed lock and combination lock access to the Complex and its facilities. This access list will be posted on the City's website to facilitate access to and the use of the Complex. Little League activities shall not be conducted without the presence of a member that is identified on the access list.

Section 3. Concession Stand Operation and Proceeds

The Little League is responsible to provide concession services during all scheduled Little League events at the Complex. All expenses associated with the Concession Stand for scheduled Little League events will be the responsibility of the Little League. The Little League shall retain all proceeds, after expenses, from concession stand sales for all scheduled Little League events. The concession stand must be cleaned by Little League after each use specifically including, but not limited to, the grill/stove. The grease must be removed by the Little League and disposed of in a proper manner. The grease drip tray must be totally cleaned and free from any remnants of grease after each use of the concession stand by Little League. The Little League must remove all trash and garbage from the concession stand and placed it in the appropriate trash receptacles provided by the City. The floors must be mopped and cleaned by the Little League.

Section 4. Restroom and Concession Maintenance

Restrooms are also under the control and maintenance of the Little League during their respective playing seasons. The Little League will open the restrooms on Playing Days

for games and practice times, but must keep the restrooms locked at all other times. The Little League is responsible to the City for safeguarding, supplying, and thoroughly cleaning the restroom facilities.

Winterizing of restrooms and the concession stand will be the responsibility of the City as well as normal maintenance, repairs, and replacements.

The concession stand will be kept clean and sanitary **at all times** by the Little League when it is under its use and control and all equipment used will meet applicable regulatory standards of the City. If conditions exist in the restroom or concession stand that require work by the City or if the City is required to hire a third-party to repair, maintain or replace any equipment or facilities the associated cost of such repair, maintenance, or replacement will be the responsibility of the City.

Section 5. Equipment, Supplies, and Storage Facilities

In recognition of the Little League's need to protect and maintain its equipment and supplies, the City grants use of the detached storage facility located next to the south gate and one storage room inside the Concession Building to the Little League. The City will share the use of the storage room located on the south side of the Concession Building with the Little League. The City will have exclusive use of one storage room inside the Concession Building.

Section 6. Modifications or Improvements to Complex

Any suggested modification or improvements to the Complex must be presented to the City Manager, or his designee, for consideration with the City Amenities Board. Following the Board's review, recommendations will be forwarded to the City Council for final approval. Little League will share the costs of such modifications or improvements as agreed upon, and approved by the City Council, prior to construction. The City will prepare invoices for Little League's portion of the costs of such modifications or improvements. Payment is due within 15 days. Non-payment will result in a 10% surcharge and possible termination of this Contract.

Section 7. City Utilities

Until further notice, the City will continue its practice of providing water, sewer, electricity, and information technology service to the Complex at no charge to Little League. The City retains the right to assess future charges for these services after giving notice at the end of the playing season and prior to the next playing season for which such charges will begin to be assessed to and collected from Little League. If the City finds that utilities are being wasted, the City may, at its discretion, terminate the Agreement and not allow the Little League to use all or part of the facilities at the Complex.

Section 8. Ancillary Financial Matters

The Little League shall provide to City copies of Little League's year-end financial statement, ending December 31st, for each year during the term of, and prior to the renewal of, this Agreement and any extension of this Agreement. All financial obligations contracted for by the Little League in relation to its use of the Complex must

be paid in return for the satisfactory delivery of goods and services, and failure to do so without just cause will be considered reason for the City to cancel the agreement with the Little League. In no case will the City be responsible for expenses or obligations contracted by the Little League for any reason unless by prior and specific agreement.

The City will not provide the Little League with any insurance coverage including, but not limited to, contents insurance coverage for the concession building. The Little League will be obligated to determine and provide the types and levels of insurance coverage that it believes to be necessary for Little League's use of the Complex beyond the insurance coverage required hereunder to protect the City.

Section 9. Insurance Required

- A. Without limiting any of the other obligations or liabilities of the Little League, the Little League shall, at its own expense, procure, pay for and maintain during the term of this agreement the hereinafter stipulated minimum insurance with companies duly licensed to write business in the State of Texas and approved by the City.
1. Commercial General Liability insurance, including, but not limited to Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability, with minimum combined single limits of \$1,000,000 per-occurrence, \$1,000,000 Products/Completed Operations Aggregate and \$1,000,000 general aggregate. Such insurance shall cover, but not be limited to, the liability assumed under the indemnification provisions of this agreement, fully insuring the Little League's liability for injury to or death of owners, employees and third parties, extended to include personal injury liability coverage, and for damage to property of third parties including damage to the Complex. Coverage must be written on an occurrence form.
 2. When applicable by law, Workers' Compensation insurance with statutory limits; and Employers' Liability coverage with minimum limits for bodily injury: a) by accident, \$100,000 each accident, b) by disease, \$100,000 per employee with a per policy aggregate of \$500,000.
 3. Umbrella or Excess Liability insurance with minimum limits of \$1 million each occurrence and annual aggregate for bodily injury and property damage, that follows form and applies in excess of the above indicated primary coverage (1, 2 and 3). The total limits required may be satisfied by any combination of primary, excess or umbrella liability insurance provided all policies comply with all requirements. The Little League may maintain reasonable deductibles, subject to approval by the City of Farmersville.

The Little League shall furnish to the City Manager certificates of insurance on an "ACCORD" form executed by the insurer or its authorized agent stating the coverages, limits, expiration dates and compliance with all applicable required provisions prior to any use of the Complex by the Little League. Certificates shall reference this agreement and be addressed as follows:

City of Farmersville,
Texas c/o City
Manager
205 S. Main Street
Farmersville, TX
75442

- B. With reference to the foregoing required insurance, the Little League shall endorse applicable insurance policies as follows:
1. In the event the Little League is required by law to obtain, or has otherwise obtained, Workers' Compensation insurance and Employers' Liability coverage the Little League and its insurers) shall provide a waiver of subrogation regarding such coverage in favor of the City of Farmersville and its officials, employees, and officers for losses arising from the activities under this contract.
 2. The City of Farmersville and its officials, employees and officers shall be named as additional insureds on the Commercial General Liability policy and all other required insurance policies, by using endorsement CG2026 or broader.
 3. All insurance policies shall be endorsed to the effect that City of Farmersville will receive at least a thirty (30) day notice prior to cancellation, non-renewal, termination, or material change of the policies.
- C. All insurance shall be purchased from an insurance company that meets a financial rating of B+VI or better as assigned by the A.M. BEST Company or equivalent.
- D. Payment of any and all deductibles on each insurance policy shall be the responsibility of the Little League.

Section 10. Non-League Events

City approval is required for all Non-Little League events. Deposits and user fees generated from all non-Little League events will be assessed and collected in accordance with the Fee Schedule as set out in Appendix A and shall be made payable to the City of Farmersville.

Deposits will be returned to the users, provided the Complex has been cleaned to the satisfaction of the City Manager. If the condition of the Complex requires work by City personnel, a charge of \$200 per hour will be deducted from the deposit until the deposit is exhausted. The non-league entity (team or private party) renting the Complex, will be billed for any additional costs that City may incur due to misuse of the Complex and termination of all or partial use of the Complex may be enforced by City.

Section 11. Personal Conduct at Athletic Events

The City recognizes that crowd noise is a part of any athletic activity and accepts a certain level of noise. However, the City requests that the Little League make a good

faith effort to discourage any undue harassment of neighbors by participants or spectators at any activity for which Little League is responsible.

The Little League will be responsible for the proper conduct of team members, coaches, fans, and other spectators during any activity sponsored or sanctioned by the Little League at the Complex and, if necessary, will ask the City for assistance in maintaining order.

The sale or consumption of alcohol, illegal drugs, or illegal chemical substances at the Complex is a violation of city ordinances, **will not be permitted**, and will be punishable according to applicable law. The Complex is a non-smoking facility and **smoking shall not be allowed in, on and about the Complex**. Violators will be punished in accordance with the City's ordinances prohibiting smoking at the Complex.

The City retains the right to restrict the times of use and conduct of all activities in and about the Complex. Such right may be exercised without notice in the case of substantial violation of the City's regulations but must be authorized by official City Council action after thorough investigation and verification of said violation. A list of Little League Board Members must be made available to the City Amenities Board along with the Little League Board Members' respective contact numbers and email addresses prior to the beginning of this Agreement and at least one time prior to the beginning of each calendar year during the term of this Agreement and any renewal terms. The Little League will be provided with the City Manager's contact information should any issue arise with the Complex that needs immediate attention.

Section 12. Hold Harmless and Indemnification

The Little League does hereby agree to waive any and all claims, release, indemnify, defend and hold harmless City and all of its officials, officers, agents and employees, in both their public and private capacities, from any and all liability, claims, suits, demands or causes of action which may arise by reason of injury to property or persons occasioned by willful misconduct, error, omission, or negligent act of the Little League, its officers, agents, employees, invitees or other persons, arising out of or in connection with this agreement or any and all activity or use pursuant to this agreement, or on or about the Complex and the Little League will, at its own cost and expense, defend and protect City from any and all such claims and demands. Also, the Little League agrees to and shall indemnify, defend and hold harmless City and all of its officials, officers, agents and employees, in both their public and private capacities, from and against any and all claims, losses, damages, causes of action, suits and liability of every kind, including all expenses of litigation, court costs and attorney fees for injury to or death of any person or for damage to any property arising out of or in connection with this agreement or any and all activity or use pursuant to this agreement, or on or about the Complex. Such indemnity shall apply whether the claims, losses, damages, causes of action, suits or liability arise from the negligence of the City, its officers, officials, agents or employees and whether said negligence is contractual, comparative negligence, concurrent negligence, gross negligence or any other form of negligence. City is responsible only for City's sole negligence.

Section 13. Term

This agreement will be in force for a term of two years from October 1, 2017 through September 30, 2019. Either party may cancel participation in this contract with a thirty day written notice. However, a bona fide effort must be made to resolve any misunderstandings or disagreements leading to the cancellation.

Two (2) months prior to the expiration of this Agreement, and provided no proposal has been offered by the Little League, it shall be the responsibility of the administrative staff of the City of Farmersville to initiate action to review the Agreement, taking into consideration any proposals from the Little League, and forward proposals to alter, amend, extend or cancel the Agreement to the City Amenities Board for consideration. Following consideration, the City Amenities Board shall make recommendation to the City Council regarding any proposed modification or cancellation of the Agreement. Cancellation or modification to the Agreement must be in writing and approved by the City Council.

Section 14. Notices

For the purposes of Notice, the addresses of the Parties will, until changed as provided below, be as follows:

Developer:

Farmersville Little League
Baseball Association

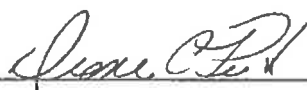
City of Farmersville:

Ben White
City Manager
205 S. Main Street
Farmersville, Texas 75442

The Parties will have the right from time to time to change their respective addresses upon written notice to the other Party. If any date or notice period described in this Agreement ends on a Saturday, Sunday or legal holiday, the applicable period for calculating the Notice will be extended to the first business day following such Saturday, Sunday or legal holiday.

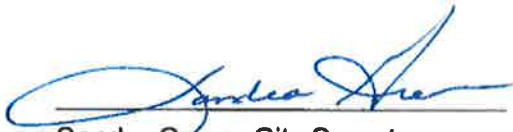
This Athletic Joint Use Agreement has been approved by the governing bodies of each Party, as follows.

City of Farmersville



Diane C. Piwko, Mayor
Dated: 03 April 2018

Attest:



Sandra Green, City Secretary

Date: April 3, 2018



Farmersville Little League



Marvin Smith, Director

Date: 4-9-2018

APPENDIX A

SCHEDULE OF USER FEES

Applicable to all Non-Little League events

Activity Description	Resident	Non Resident
Deposit, any Combination of Fields	\$250	\$350
Use of Field 1,2, or 3	\$100	\$250
Use of Field 4 or 5	\$50	\$200
Use of Field 6 (football field)	\$150	\$200
Lights, Hourly Rate (per field)	\$20	\$40

All fees must be paid at the time the reservation is made or at least two weeks prior to the reserved date.

Deposit is refundable if the fields, restrooms and concession area is clean and in working order.

Agenda Section	Regular Agenda
Section Number	VII.F
Subject	Consider, discuss and act upon recommendations from the Parks & Recreation Board regarding improvements to the JW Spain Complex.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	Recommendations from Parks & Recs. Board
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

REQUEST FOR IMPROVEMENTS TO THE JW SPAIN COMPLEX

RECOMMENDED TO THE CITY COUNCIL

AREAS THAT NEED ATTENTION:

- The sand on all fields need to be worked and sand added
- Concrete Borders around the back stop for home plate (cinder block)
- Enclosure for the trash cans
- Level the ground around the batting cages
- Landscape to enhance the Park
- Paint the concession stand
 - Will need paint
 - Will need paint rollers and brushes
 - Some hedges for landscape
- Have the City Logo and Parks and Recreation under the Logo on the building.

TO GET THIS DONE THE BOARD WOULD ASK FOR VOLUNTEERS:

- LDS CHURCH
- BOY SCOUTS
- COMMUNITY

It will take funds to make these changes and improvements happen, if the Parks and Recreation Board have Councils permission to proceed with gathering the cost which will be associated with this project the board will then bring it back to Council for approval.

MOTION MADE BY SUSIE GRUSENDORF

SECONDED BY BEVERLY MONDY

MOTION CARRIED ALL IN FAVOR

Agenda Section	Regular Agenda
Section Number	VII.G
Subject	Consider, discuss and act upon an interlocal agreement with the City of Wylie for jail services.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 2020
Attachment(s)	Interlocal agreement
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Interlocal Cooperation Agreement for Jail Services

This Interlocal Cooperation Agreement ("Agreement") is entered into by and between the City of Farmersville, Texas ("Agency") and the City of Wylie, Texas, a home-rule municipality ("Wylie"). Wylie and Agency are at times each referred to herein as a "party" or collectively as the "parties."

RECITALS:

1. Wylie has established a detainee lockup or holding facility known as the Wylie Jail, located at 2000 North Highway 78, Wylie, TX 75098 ("Wylie Jail"), for the handling, processing, housing and detention of persons (detainees) arrested by authorized law enforcement agencies.
2. Agency desires to obtain jail services from Wylie at the Wylie Jail for the handling, processing, housing and detention of persons arrested by the Farmersville Police Department, and Wylie has agreed to provide such services under the terms and conditions of this Agreement and pursuant to the provisions of Chapter 791 of the Texas Government Code (known as the Interlocal Cooperation Act), as amended.
3. The provision of jail services is a governmental function that serves the public health, safety and welfare and is of mutual concern to the parties.
4. The parties deem it to be in the best interest of both parties to enter into this Agreement.
5. Each party paying for the performance of governmental functions or services pursuant to this Agreement is making those payments from current revenues available to the paying party and all payments are in an amount that fairly compensates the performing party for the services or functions performed under this Agreement.

NOW, THEREFORE, in consideration of the foregoing and on the terms and conditions hereinafter set forth, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Section 1: Definitions

As used in this Agreement, the following terms have the meanings set forth in this section:

The term "Jail Services" means all services legally necessary to provide for the confinement in the Wylie Jail of persons (detainees) accused or convicted of an offense.

Section 2: Term

2.01 Term

The term of this Agreement shall begin on the Effective Date of this Agreement and end on September 30, 2021, unless terminated earlier by a party in accordance with the terms of this Agreement. The parties shall have the option to extend this Agreement for one (1) additional term

of one (1) year on the same terms and conditions of this Agreement. Either party may exercise this option to extend this Agreement by giving the other party written notice thirty (30) days prior to the expiration of the then-current term.

2.02 Termination

Either party may terminate this Agreement at any time and for any reason by giving the other party at least thirty (30) days prior written notice thereof. Any fees due and owing under this Agreement as of the effective date of termination shall be paid by Agency to Wylie within thirty (30) calendar days after receipt of a final invoice for services rendered.

Section 3: Jail Fees

3.01

Agency shall pay to Wylie a fee for each detainee processed into the Wylie Jail and delivered by Agency regardless of the detainee's length of stay ("Detainee Fee"). The amount of the Detainee Fee shall be established by administrative order of the Wylie City Manager on an annual basis for each ensuing fiscal year based upon the projected costs of services; provided, however, the initial Detainee Fee shall be one hundred twenty-five dollars (\$125.00) per detainee per day or portion thereof until changed by administrative order of the Wylie City Manager as provided herein. Any increase or change in the amount of the Detainee Fee or other costs of services shall be effective on the forty-fifth (45th) day after Wylie provides written notice thereof to Agency ("Notice of Fee Increase"), unless Wylie receives written notice to terminate this Agreement from Agency prior to expiration of such forty-five (45) day period.

3.02

Wylie shall, not later than the tenth (10th) day of each calendar quarter, provide Agency with a written report containing the number and length of stay of each Agency detainee processed into the Wylie Jail during the immediately preceding calendar quarter and an invoice for the Detainee Fees and other cost of services assessed for such reporting period.

3.03

Agency shall not pay a Detainee Fee for any Agency detainee processed into the Wylie Jail who has outstanding warrants of arrest from only Wylie or the Collin County Sheriff's Office.

Section 4: Jail Services

4.01

Wylie agrees to the Jail Services, subject to the availability of space at the Wylie jail at the time the Agency requests Jail Services. Space will be unavailable when the Wylie Jail is filled to 100% of its capacity and unable to accept additional detainees. The Jail Manager is authorized to determine when the Wylie Jail is filled to 100% capacity and unable to accept additional detainees.

4.02

The Wylie Jail shall provide the following Jail Services in accordance with the Wylie Jail policies and procedures, as they exist as of the Effective Date of this Agreement and as they are amended or modified from time to time in Wylie's sole discretion:

- (a) Intake of detainees brought to the Wylie Jail for Class C arrests if the detainee is presented by a Peace Officer with a valid and original warrant, a certified or facsimile copy of a valid arrest warrant, a teletype confirmation or an email confirmation of the warrant.
- (b) Intake of detainees brought to the Wylie Jail for Class B and above arrests if the detainee is presented by a Peace Officer with a valid CCSO Custody Sheet, Probable Cause Affidavit or warrant or TTY confirmation, Transfer of Custody Sheet, Bail Request Form, respective city custody sheet and any additional required documentation as per then-current Wylie Jail policy.
- (c) Intake of detainees brought to the Wylie Jail with a completed inventory and storage of Agency detainee property and/or monies. Acceptance of bulk property will be limited.
- (d) Intake of detainees brought to the Wylie Jail with a completed medical questionnaire and a Screening Form for Suicide and Medical/Mental/Developmental Impairments (EIMI Form).
- (e) Photograph and fingerprint each Agency detainee.
- (f) Feed and clothe each detainee according to the Wylie Jail's then-current policy.
- (g) Handle, process and detain each Agency detainee in the Wylie Jail until such detainee is transferred to another jail facility or released on bond or by other lawful means.
- (h) Operate and maintain the Wylie Jail in accordance with applicable federal, state and local laws.
- (i) Provide magistrate services according to the Wylie Jail's then-current policy.
- (j) Follow the Wylie Jail's release policy upon acceptance of the appropriate fines and/or bonds posted.
- (k) Facilitating the transport of Agency detainees to the appropriate, longer-term detention facility.

4.03

If an Agency's detainee arrives at the Wylie Jail with a medical or other emergency that requires the detainee to be transferred to the emergency room or other facility prior to booking in Wylie's sole discretion, Agency agrees that the arresting agency's officer will be responsible for accompanying the detainee to the emergency room or other facility.

4.04

Wylie reserves the right to refuse the intake or booking of Agency's detainee when, in the Wylie Detention Officer's sole discretion, such detainee possesses a safety threat to himself/herself or others.

Section 5: Medical and Transport Services

5.01

Wylie may in its sole discretion refuse to accept for intake into the Wylie Jail any Agency detainee that appears in need of medical treatment or medical services.

5.02

Wylie shall provide medical, emergency and ambulance transport service for Agency detainees held in the Wylie Jail; provided, however, all costs incurred by Wylie for providing such services shall be charged to the Agency detainee, in accordance with the then-current Wylie policy and procedures. Agency detainees held in the Wylie Jail shall be responsible for their own medical bills and such medical, emergency and ambulance transport service charges.

5.03

Neither Wylie nor Agency may consent to medical treatment of a detainee nor admit or sign an Agency detainee into a hospital or medical facility or otherwise assume financial responsibility therefore.

5.04

Agency detainees detained for class C misdemeanor offenses may be released from the Wylie Jail if the Agency cannot provide transport services for an Agency detainee under the following conditions:

- (a) Reactivation of the warrant(s) for which the detained is being held;
- (b) Charges are filed at large; or
- (c) Charges are not filed.

5.05

Should the need arise for an in-custody transport for emergency medical treatment or other emergency services of an Agency detainee housed at the Wylie Jail, Wylie and Agency's agency field supervisors or Detention Manager will determine if releasing the detainee is the best possible alternative. If the Agency does not agree that the detainee should be released, Agency shall respond to the medical facility where the detainee is transported and take custody of the detainee. In the event in-custody transport is deemed necessary, the following shall apply:

- (a) Wylie will arrange for transport of all detainees to the appropriate facility.

- (b) Wylie will provide officers as needed for escort/transport to the facility for a maximum time of one (1) hour beginning at the initial dispatched time.
- (c) Agency will be notified within five (5) minutes of dispatching a detainee escort and will have the responsibility to provide a relief officer within one (1) hour of initial dispatched time, or will arrange to release the inmate prior to that time.
- (d) Agency will make every effort to relieve Wylie Officers in the timeliest manner, regardless of the one (1) hour maximum time allowed for response.
- (e) If Wylie Police/Jail and the Agency agree that the detainee would be a public safety risk if released from custody and the Agency cannot take custody of the detainee in a reasonable time as provided in (c) above at the appropriate facility, the Agency will be responsible for the Wylie Police Department Officer's hourly rate or overtime rate, if applicable, until a transfer of custody from Wylie to Agency.

Section 6: Civil Liability

The Agency, as the governmental unit requesting and obtaining services under this Agreement, is responsible for one hundred percent (100%) of any civil liability that arises from Wylie's furnishing of the services under this Agreement, including the Jail Services, as provided by Section 791.006 of the Texas Government Code.

TO THE EXTENT PERMITTED BY LAW, AGENCY SHALL DEFEND, RELEASE, INDEMNIFY AND HOLD HARMLESS WYLIE AND ITS CITY COUNCIL, OFFICERS, AGENTS, SERVANTS, REPRESENTATIVES AND EMPLOYEES OF AND FROM ANY AND ALL CLAIMS, SUITS, ACTIONS, LEGAL PROCEEDINGS, DEMANDS, DAMAGES OR JUDGMENTS, INCLUDING ALL EXPENSES, ATTORNEY FEES, WITNESS FEES, COSTS, AND COSTS AND EXPENSES OF APPEALS THEREFROM, ARISING OUT OF WYLIE'S PERFORMANCE UNDER THIS AGREEMENT, INCLUDING, BUT NOT LIMITED TO, THE ~~INTENTIONAL~~ ~~OR~~ NEGLIGENT ACT AND/OR OMISSION OF WYLIE OR ITS CITY COUNCIL, OFFICERS, AGENTS, SERVANTS, REPRESENTATIVES OR EMPLOYEES, AND REGARDLESS OF THE JOINT OR CONCURRENT NEGLIGENCE OF WYLIE OR ITS CITY COUNCIL, OFFICERS, AGENTS, SERVANTS, REPRESENTATIVES OR EMPLOYEES. THIS PARAGRAPH SHALL SURVIVE TERMINATION OF THIS AGREEMENT.

This Agreement does not create any form of personal liability on the part of any official, officer, employee, or agent who is an individual of the Agency or the Wylie. Neither party will sue or try to hold an official, officer, employee, or individual agent of the other party personally liable for any personal injuries or property damage.

It is expressly understood and agreed that, in the execution and performance of this Agreement, the parties have not waived, nor shall be deemed hereby to have waived, any immunity, governmental, sovereign and/or official, or defense that would otherwise be available to them against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein.

The parties do not intend to create or right for, or in favor of, a person who is not a party to this Agreement.

Section 7: Amendment

This agreement will not be amended or modified other than in a written agreement signed by the parties. No party will try to enforce a purported amendment that is not written and properly approved by each party's governing body under Section 791.011(d) of the Government Code.

Section 8: Controlling Law; Venue

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas, and both parties agree that venue shall be in Collin County, Texas.

Section 9: Contingency Plan

In the event that the Wylie Jail is damaged due to a natural disaster or man-made disaster that renders it unusable, as determined by Wylie in its sole discretion, Wylie will notify Agency that Wylie can no longer receive detainees under this Agreement. If Agency has detainees in custody at the time of any natural or man-made disaster, Wylie will continue custody until authorization for release is received or such detainees are transferred to the Collin County Jail.

Section 10: Notices

10.01: Notice

- (a) Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing same in the United States mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested, or be delivered the same in person to such party via a hand-delivery service, Federal Express or any courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance herewith shall be effective upon receipt at the address of the addressee. For purposes of notification, the addresses of the parties shall be as follows: if the Wylie, to:

~~(b)~~ with a copy to:

Chris Holsted, City Manager

Chief Anthony Henderson

Wylie Municipal Complex

Wylie Police Department

300 Country Club Rd., Building 100, 1st floor

2000 N. Hwy 78

Wylie, TX 75098

Wylie, TX 75098

~~(a)~~ if the Agency, to:

Benjamin L. White, P.E., CMC
City Manager
City of Farmersville
205 S. Main Street
Farmersville, Texas 75442

with a copy to:

Chief Michael P. Sullivan
Farmersville Police Department
205 S. Main Street
Farmersville, Texas 75442

Section 11: Captions

The headings to the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the express provision of this Agreement. This Agreement shall be deemed to have been drafted equally by all parties hereto. The language of all parts of this Agreement shall be constructed as a whole according to its fair and common meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply.

Section 12: Counterparts

This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail and/or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

Section 13: Obligations of Condition

All obligations of each party under this Agreement are conditions to further performance of the other party's continued performance of its obligation under this Agreement.

Section 14: Exclusive Right to Enforce this Agreement

Wylie and the Agency have the exclusive right to bring suit to enforce this Agreement, and no other party may bring suit, as a third-party beneficiary or otherwise, to enforce this Agreement. Waiver by either party of any breach of this Agreement, or the failure of either party to enforce any of the provisions of this Agreement, at any time, shall not in any way affect, limit or waive such party's right thereafter to enforce and compel strict compliance.

Section 15: Prior Agreements Superseded

This Agreement represents the entire and integrated agreement between the parties hereto and supersedes all prior negotiations, representations and/or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both parties. This Agreement is not assignable.

Section 16: No Partnership or Agency

The parties hereto have not created a partnership and nothing contained in this Agreement shall in any manner whatsoever constitute any party the partner, agent or legal representative of the other party, nor create any fiduciary relationship between them for any purpose whatsoever. No party shall have any authority to act for, or to assume any obligations or responsibility on behalf of, the other party except as may be, from time to time, agreed upon in writing between the parties or as otherwise expressly provided in this Agreement.

Section 17: Severability

The provisions of this Agreement are severable. In the event that any paragraph, section, subdivision, sentence, clause or phrase of this Agreement shall be found to be contrary to the law, or contrary to any rule or regulation having the force and effect of the law, such decisions shall not affect the remaining portions of this Agreement. However, upon the occurrence of such event, either party may terminate this Agreement by giving the other party fifteen (15) days written notice of its intent to terminate.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective when all the parties have signed it. The date this Agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this Agreement ("Effective Date").

City of Wylie, Texas

By: Chris Holsted
Chris Holsted, City Manager

Date: 11-18-20

Agency:

By: _____
Print Name: _____
Title: _____

Date: _____

Agenda Section	Regular Agenda
Section Number	VII.H
Subject	Update on the construction of County Road 699.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VII.I
Subject	Update regarding accessory structure ordinance changes.
To	Mayor and Council Members
From	Ben White, City Manager
Date	December 8, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

VIII. EXECUTIVE SESSION

IX. RECONVENE FROM EXECUTIVE SESSION

X. Requests to be Placed on Future Agendas

XI. Adjournment