

FARMERSVILLE CITY COUNCIL REGULAR SESSION AGENDA January 26, 2021, 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.

- Dial-in Phone Number: (646) 769-9101
 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 158-247-58

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.

City Hall will be closed on Monday, February 15th in observance of Presidents' Day.

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

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

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

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

IV. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
- B. City Financial Report

V. INFORMATIONAL ITEMS

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

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

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

VI. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a Texas Community Development Block Grant (TxCDBG) Program application.

VII. READING OF ORDINANCES

- A. Consider, discuss and act upon the second reading of Ordinance #O-2021-0126-001 regarding grading and excavation.
- B. Consider, discuss and act upon the first reading of Ordinance #O-2021-0209-001 regarding an amendment to the Sign Ordinance pertaining to painted signs on walls.

VIII. REGULAR AGENDA

A. Consider, discuss and act upon Resolution #R-2021-0126-001 finding and declaring the current number of inhabitants within the city's corporate limits to exceed 5,000.

- B. Consider, discuss and act upon Resolution #R-2021-0126-002 reinstituting the Rifle Purchase Program and Policy.
- C. Consider, discuss and act upon the resignation and replacement of Amber Bynum from the Main Street Board.
- D. Consider, discuss and act upon the recommended changes from the Parks and Recreation Board regarding the Little League Contract.
- E. Consider, discuss and act upon an interlocal agreement with Collin County regarding ambulance services.
- F. Consider, discuss and act upon an interlocal agreement with Collin County regarding fire inspections and fire plan review services.
- G. Consider, discuss and act upon possibly changing the name of College Avenue in Camden Park Phase 3.
- H. Update regarding acquiring of right-of-way and construction of Collin/Farmersville Parkway.
- I. Update regarding the installation of smart meters throughout the city.
- J. Update regarding the Comprehensive Plan maps and changes.
- K. Update regarding the CARES Act fund distribution.
- L. Overview of the Farmersville Lights program and cost.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

X. <u>ADJOURNMENT</u>

Dated this the 22th day of January, 2021.

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 January 22, 2021 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

		JA	JANUARY 2021	121		
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						2
					City Hall Closed – New Year's Day	Farmersville Market 9:00 am
m	4	5	9	7	00	6
				Parks & Recs Board Meeting 5:00 pm		
10	1	12	13	14	15	16
	Main Street Meeting 4:30 pm	City Council				
	FCDC (4B) Meeting 6:00 pm	5000 B				
17	18	19	20	21	22	23
	City Hall Closed – MLK Day			FEDC (4A) Meeting 6:30 pm		
24	25	26	27	28	29	30
	P&Z Meeting 6:00 pm	City Council Meeting 6:00 pm		City Amenities Board Meeting 4:00 pm		
31						

		FEB	FEBRUARY 2021)21		
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		2	m	Parks & Recs Board Meeting 5:00 pm	N	Farmersville Market 9:00 am
7	Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	City Council Meeting 6:00 pm	10	1	12	<u>13</u>
4	City Hall Closed – President's Day	16	17	FEDC (4A) Meeting 6:30 pm	19	20
21	P&Z Meeting 6:00 pm	23 City Council Meeting 6:00 pm	24	25 City Amenities Board Meeting 4:00 pm	26	27
28						

	Saturday	Farmersville Market 9:00 am	13	20	27	
	Friday	r.	12	19	26	
1.	Thursday	Parks & Recs Board Meeting 5:00 pm	=	18 FEDC (4A) Meeting 6:30 pm	25 City Amenities Board Meeting 4:00 pm	
MARCH 2021	Wednesday	က	10	17	24	31
¥	Tuesday	2	City Council Meeting 6:00 pm	16	23 City Council Meeting 6:00 pm	30
	Monday		Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	75 P&Z Meeting 6:00 pm	22	29
	Sunday		7	4	21	28

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	H .
Subject	Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y 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 COMME	NTS ON MATTER	RS NOT ON AGENDA

	
Agenda Section	CITIZEN COMMENTS ON MATTERS NOT ON AGENDA
Section Number	III
Subject	CITIZEN COMMENTS ON MATTERS NOT ON AGENDA
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
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
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action



FARMERSVILLE CITY COUNCIL REGULAR SESSION MINUTES For January 12, 2021, 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 (via teleconference), Jim Hemby and Terry Williams were all present. City staff members Ben White, Sandra Green, Rick Ranspot, Daphne Hamlin, Kim Morris, Michael Sullivan 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.
 - Calendar of upcoming holidays and meetings.
 - ➤ City Hall will be closed on Monday, January 18th in observance of Martin Luther King, Jr. Day.
 - Rike Lifetime Service Award Mr. Robbie Tedford
 - Mayor Wiebold stated he wanted to honor Mr. Robbie Tedford with the Rike Lifetime Service Award for his 4 0 plus years of service to the city.
 - Robbie Tedford said a few words of thanks.

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

No one came forward in person or via teleconference.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

 Miranda Martin, who resides at 2973 CR 645 and is the Chairman of the Parks & Recreation Board, addressed the City Council. She stated she is asking that the

- funds coming from the Little League be allocated to the same fund as the parkland dedication.
- Estes Garner, who lives at 215 Wilcoxson, stated he is concerned because of the safety of the children in his neighborhood. He is now concerned because the hole that his neighbor dug has water in it. He is asking Council to follow the law and have the neighbor fill it in.

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- A. City Council Minutes for 12-8-20
- B. Board of Adjustment Minutes for 12-8-20
- C. City Council Special Minutes for 12-21-20
- D. Police Department Annual Report
- E. Public Works Report
- F. City Financial Report
- G. City Manager's Report
- Mike Henry pulled the Public Works Report.
 - Motion to approve A D, F & G made by Craig Overstreet
 - o 2nd to approve was Jim Hemby
 - All council members voted in favor
- Mike Henry asked about the traffic signals at U.S. Highway 380 and Collin Parkway.
- Ben White stated we originally thought we could get by without removing the signal cabinet and the arm. He explained they had to decrease the scope on the Collin/Farmersville Parkway project to handle it. He also pointed out that the Chaparral Trail improvements and the grant paperwork are moving forward. We are still on track to get the grant applications submitted by February. Also, 4B approved a budget amendment for another \$50,000.00 for the trail.

- Motion to approve Public Works Report made by Mike Henry
- o 2nd to approve was Terry Williams
- All council members voted in favor

V. INFORMATIONAL ITEMS

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

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- A. City Amenities Board
 - 1. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
 - 1. Financials
 - 2. Possible Council Liaison Report
 - Terry Williams sated they approved an amendment to the budget for the Chaparral Trail grant. They also approved their November and December payments along with an amendment for a \$5,000.00 training budget.
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Financials
 - 2. Possible Council Liaison Report
- D. Main Street Board
 - 1. Possible Council Liaison Report

- E. Parks & Recreation Board
 - 1. Possible Council Liaison Report
- F. Planning & Zoning Commission
 - 1. Possible Council Liaison Report
 - Mike Henry stated they met and held a public hearing regarding Camden Park rezoning from Commercial to PD SF-3 and was unanimously approved. He said they held a public hearing for the sign ordinance changes as well. He stated the Collin College final plat was approved unanimously and recommended to Council.
- G. TIRZ Board
 - 1. Financials
 - 2. Possible Council Liaison Report

VI. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon Ordinance #O-2021-0112-001 regarding a request to amend Ordinance #2015-1027-001 that established the zoning on approximately 100.81 acres of land in the W. B. Williams Survey, Abstract No. 952, which land is now known as the Camden Park Subdivision ("the "Property") to rezone approximately 18.003± acres situated between County Road 611 (South Collin Parkway) on its eastern boundary and Harvard Boulevard on its western boundary in an area north of U.S. Highway 380 (W. Audie Murphy Parkway) from PD Planned Development for Commercial uses to PD Planned Development for SF-3 Single Family Dwelling 3 district uses for detached single-family dwellings, adopt certain development standards therefor, and modify the requirements of the base zoning district set out in subparagraph (3), "Area, Yard and Bulk Requirements," of Section 77-52(e), "SF-3 Single Family Dwelling-3," and amend any conflicting provisions of Sections 77-61(a) and (c), 77-62(a) and (b)(8), 77-63(a), 77-64(a) and (b)(1), and 77-65(a) of the Farmersville Code as follows:
 - (a) reducing the minimum lot area from 5,000 square feet to 4,000 square feet;
 - (b) reducing the minimum lot width from 50 feet to 40 feet;
 - (c) reducing the minimum front yard from 25 feet to 10 feet and including a 10' wide public utility easement in each front yard;
 - (d) reducing the minimum side yard on corner lots from 15 feet to 10 feet;

- (e) increasing the minimum lot depth from 90 feet to 100 feet;
- (f) increasing the minimum rear yard from 10 feet to 20 feet;
- (g) increasing the maximum lot coverage from 50 percent to 60 percent (including the main dwelling unit, garage, and all accessory buildings);
- (h) increasing the minimum floor area from 750 square feet to 1,200 square feet; and
- (i) modifying the maximum height from 2 stories and 40 feet to 2.5 stories and 35 feet.
- Mayor Wiebold read the caption of the Ordinance.
 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 0-2018-0508-001, AS AMENDED, OF THE CITY OF FARMERSVILLE, TEXAS, BY AMENDING PLANNED DEVELOPMENT ORDINANCE "PD-2015-0922-002- SF-3/MF-2/C" TO CHANGE THE **ZONING ON APPROXIMATELY 18.003 ACRES OF LAND SITUATED** BETWEEN COUNTY ROAD 611 (SOUTH COLLIN PARKWAY) ON ITS EASTERN BOUNDARY AND HARVARD BOULEVARD ON ITS WESTERN BOUNDARY IN AN AREA NORTH OF U.S. HIGHWAY 380 (W. AUDIE MURPHY PARKWAY) IN THE W. B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, WHICH LAND IS PART OF AN APPROXIMATELY 100.81 ACRES OF LAND IN THE W. B. WILLIAMS SURVEY. ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, KNOWN AS THE CAMDEN PARK SUBDIVISION FROM PLANNED DEVELOPMENT (PD) DISTRICT WITH COMMERCIAL (C) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT WITH SF-3 - SINGLE FAMILY DWELLING - 3 DISTRICT USES FOR SINGLE-FAMILY DETACHED DWELLINGS, ADOPT CERTAIN DEVELOPMENT STANDARDS THEREFOR, AND MODIFY REQUIREMENTS OF THE BASE ZONING DISTRICT SET OUT IN SUBPARAGRAPH (3), "AREA, YARD AND BULK REQUIREMENTS," OF SECTION 77-52(E), "SF-3 — SINGLE FAMILY DWELLING - 3," AND AMEND ANY CONFLICTING PROVISIONS OF SECTIONS 77-61(A) AND (C), 77-62(A) AND (B)(8), 77-63(A), 77-64(A) AND (B)(1), AND 77-65(A) OF THE FARMERSVILLE CODE REGARDING CERTAIN DIMENSIONAL STANDARDS APPLICABLE TO THE "SF-3 — SINGLE

FAMILY DWELLING - 3" USES IN ACCORDANCE WITH THE SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

- Mayor Wiebold opened the public hearing at 6:21 p.m.
- Jim Foy, who resides at 211 College Street, stated he was concerned because the ordinance does not state anything about requiring alleys and they are asking for reduced front yard setbacks. He said he is afraid if the zoning is granted they could change their plan and not have alley's and could causing parking issues on the streets. He wanted them to add something to the PD Ordinance that requires alley's in the planned development.
- Mike Henry asked if the development was going to be rental houses owned and managed by the developer. He said that is not stated in the ordinance and he is concerned because there is nothing indicating how the properties would be maintained or cared for.
- Jeff Crannell from CCM Engineering and the representative for the developer, stated the homes would be rental units. He explained the maintenance and care of the properties would be taken care of in the deed restrictions and covenants on the properties.
- Mike Henry asked about the width of the streets and showed concern if people parked on the street whether there would be enough room for fire trucks.
- Jeff Crannell stated that is why they like the rear entry. He said they would have a rear entry, two car garage and space behind the garage in the driveway to park. He explained that since they do have alley's it typically reduces people parking on the streets.
- Dwain Mathers asked about the ten foot front yard setback and asked if that was standard for this type of development.
- Jeff Crannell stated that it was. The houses have front porches and the front setback would get them closer to the street. He said it also gives a little bit more room for the house.
- Dwain Mathers asked if this is the same product that is in Forney because those are rentals houses.

- Jeff Crannell stated it is identical to the development in Forney.
- Dwain Mathers asked what the maximum and minimum square footage of the houses would be.
- Jeff Crannell stated he is not sure what the size of the houses would be.
 But, he thought they were in the 1,400 1,800 square foot range
- Mike Henry stated the brochure he read showed the houses to have four bedrooms. He said a house that big would have to be at lease 1,200 square foot.
- Mayor Wiebold asked if anyone else wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 6:34 p.m.
- Craig Overstreet stated he met with the developer in Forney last year. He explained the houses and property were two and a half stories and well maintained but his concern is not with the product, but with the property itself. He is concerned about density and the egress and ingress. He explained the city already has three residential housing phases with traffic trying to get out and adding more traffic could be a problem. He is also concerned with parking on the streets.
- Jeff Crannell stated the design would allow them to have the additional entrances on Collin Parkway and Harvard.
 - Motion to approve made by Mike Henry
 - o 2nd to approve was Jim Hemby
 - Council members voted as follows: Dwain Mather, yes; Terry
 Williams, yes; Jim Hemby, yes; Mike Henry, no; Craig Overstreet, no
- Mayor Wiebold stated the zoning request was approved 3 to 2.

VII. READING OF ORDINANCES

- A. Consider, discuss and act upon the first reading of Ordinance #O-2021-0126-001 regarding grading and excavation.
 - Mayor Wiebold read the caption to the ordinance.
 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 26, "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND

OTHER SOIL DISTURBING ACTIVITY" TOGETHER WITH NEW SECTIONS 26-101 THROUGH 26-114 AS PROVIDED HEREIN-BELOW, AND AMENDING APPENDIX A, "MASTER FEE SCHEDULE" TO INCLUDE PERMITTING FEES FOR FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY PERMITS ON PRIVATE PROPERTY; REPEALING ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; 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.

- Ben White stated that at the last meeting the Council was given a chance to review the ordinance and come back with comments. He read a few of the definitions outlined in the ordinance. He said the purpose of this ordinance was to require a permit for grading and excavations.
- Mike Henry asked Alan Lathrom if the ordinance covered erosion control for new construction.
- Alan Lathrom stated it did not. He explained the city does not have a SWPPP program because of its size. He stated we could add silt fencing and storm drain inlet protection to keep it off the streets and out of the storm drains. The Subdivision Ordinance would be a good place for it to appear.
- Ben White stated if we put it in the Subdivision Ordinance it would be in one place.
- Alan Lathrom stated he would add some wording for it in this ordinance and reference the Subdivision Ordinance. He said we will have to change the Subdivision Ordinance to get it to match up.
- Councilmembers all recommended five acres for the size of the property in order to allow a pond.
- Dwain Mathers stated the critical thing is that the pond fits in on the property. He explained the issue he has is he would require a fence.
- Jim Hemby stated he does not want to tell someone they have to put a fence around their pond. He stated he felt like that is the homeowner's responsibility.

- Dwain Mathers stated that most of the people with large acreage would have some type of fence to keep in their cattle on their property all ready.
- Mayor and Council agreed on the five acres being fine.
- Ben White asked if they wanted the provision of the pond or stock tank being 100 feet away from the fence.
- Mayor and Council was okay with that provision in the ordinance.
- Mayor Wiebold asked about the signage that was discussed in the ordinance.
- Alan Lathrom stated the sign would have contractor information on it so someone could get in contact with them if needed.
- Dwain Mathers asked if someone had ten acres and they want to build a pond would they have to have a fence. He said he is not sure that would be practical and he feels that it would be cost prohibited.
- Jim Hemby stated that most people with that much land would already have some type of fencing.
- Alan Lathrom stated a Koi pond is not required to have a fence unless it is more than three feet deep.
- Mike Henry stated we require fencing around swimming pools and the thought process is that the property be fenced or the pond area.
 - Motion to approve the first reading with the requested changes made by Craig Overstreet
 - o 2nd to approve was Jim Hemby
 - All council members voted in favor

VIII. REGULAR AGENDA

- A. Consider, discuss and act upon the Final Plat of Collin College Lot 1, Block A.
 - Ben White stated the City Engineer has reviewed the plat and is recommending approval.
 - Motion to approve made by Mike Henry
 - o 2nd to approve was Terry Williams
 - All council members voted in favor
- B. Consider, discuss and act upon Resolution #R-2021-0112-001 updating the city's investment policy.

- Ben White stated we are required to re-adopt the policy every so often and we place a requirement that all our investments are low risk.
 - Motion to approve made by Mike Henry
 - o 2nd to approve was Jim Hemby
 - o All council members voted in favor
- C. Consider, discuss and act upon an interlocal agreement with Collin County regarding animal control.
 - Ben White stated this is the yearly renewal for the interlocal agreement and staff recommends approval.
 - Sandra Green clarified that it was for the use of the animal shelter.
 - Motion to approve made by Craig Overstreet
 - o 2nd to approve was Mike Henry
 - o All council members voted in favor
- D. Consider, discuss and act upon an interlocal agreement with Collin County regarding the Rike Library.
 - Ben White stated this is an interlocal agreement we renew every year because of county patrons that use our library.
 - o Motion to approve made by Terry Williams
 - o 2nd to approve was Mike Henry
 - All council members voted in favor
- E. Consider, discuss and act upon a contract extension for Eddie Peacock, PLLC for financial support services.
 - Ben White stated it is taking more time than what was expected for him to complete the work. The contract would extend to February 28, 2021.
 - Craig Overstreet asked if he is doing our end of the year adjusted entries.
 - Daphne Hamlin stated that is what it is for and she assumes he is half way done.
 - Motion to approve made by Craig Overstreet
 - o 2nd to approve was Mike Henry
 - All Council members voted in favor

- F. Update on the Development Agreements with Patriot Concrete and Nelson Bros. Concrete.
 - Ben White stated County Road 699 construction is continuing. He indicated the turn lane, except for the interconnect, was complete. The south bound lane is being formed up but is 50% complete. The north entrance is being formed now to connect to the south bound lane and they have two entrances left. We will have signage to put up and grading to finish the project. He stated that the Planning & Zoning Commission also continues to work on zoning for the property.
 - Craig Overstreet asked about the lighting and the concerns others have brought up about that.
 - Ben White stated he has not followed up on that, but he does not think it has been fixed yet.
 - Craig Overstreet asked about the sales tax reports and water sales. He wants trend analysis presented to the Council.
 - Dwain Mathers asked where the Planning & Zoning Commission was in the process of the zoning ordinance.
 - Ben White stated they are going to make a recommendation to City Council soon. They denied the high impact zoning, but they are reviewing the ordinance to make changes to it.
 - Mike Henry stated they are talking about changing the name of High Impact to a Heavy Industrial -2 zoning classification.
- G. Update on the Council Chambers audio visual equipment.
 - Ben White stated we have the new microphones that are working well. He
 explained we are looking into using a new software program to help with
 our web-based broadcasting. He is working with Fulcrum right now to get
 Teams up and running.
- H. Discussion regarding the possibility, time frames and steps of becoming a Home Rule City.
 - Ben White stated there are several events that would have to take place to
 order a charter election. He said there are several reasons why a city
 would want to become a home rule city. It does allow for recall elections
 and recalling & petitioning of legislation that we have on the books, except
 zoning. He said it would also allow for utilities to be included in our
 infrastructure such as fiber. He explained we could legislate where sex
 offenders could live. We had tried that at one point and were told we were

not allowed because the city is a general law city. It would extend our ETJ from ½ mile to one mile and it would allow us to plat more area and enforce the nuisance ordinance in the ETJ. The next step would be to have a resolution for review at the next meeting for Council to determine if the city has at least 5,001 inhabitants.

- Dwain Mathers asked the status of the charter that was written.
- Ben White stated there was one written and there may be some minor corrections that would have to be made. We may have to get the Charter Commission back together to review the document.
- Alan Lathrom stated the Charter Commission completed the charter and recommended it for approval. He explained the City Council does not have the ability to review the charter, make comments on it, or change it. The role of the Council would be to approve a resolution stating the city has at least 5,001 inhabitants and then call the election.
- Dwain Mathers asked since they have already written a charter could they start the writing process over if they wanted to write a different one.
- Alan Lathrom stated the Council has the ability to create another Charter Commission and start from scratch if that is what they desired.
- Craig Overstreet stated that as co-chairman of that committee he would not start the process all over again. He stated that he feels the document is ready and urged Council to not start over.
- Alan Lathrom said the commission utilized different charters from McKinney, Prosper and Wylie to pull the document together.
- Ben White stated the charter is ready to move forward.
- Dwain Mathers asked if Craig Overstreet was in favor of going home rule.
- Craig Overstreet stated he was a strong proponent of the charter and becoming home rule. He explained the document has to be mailed out the every registered voter before the election so it can be reviewed. It is a very generic document that would be good for the city because it would give the citizen more power.
- Dwain Mathers asked what the downside would be to becoming home rule.
- Ben White stated that in his opinion there were only good reasons.
- Craig Overstreet stated that one change they added in the charter was the terms of office was moved from two years to three years for councilmembers and some may feel that is negative.
- Alan Lathrom stated he does not see a negative to becoming home rule because adopting the charter is like having the city's own constitution. All the home rule cities adopted ordinances to where sex offenders could not live next to schools or where kids would generally congregate. Small, general law cities tried to adopt the same ordinance and the Attorney General stated they could not adopt those rules.
- Dwain Mathers asked if the Council could change the term limits if they wanted to once the charter was approved.
- Alan Lathrom stated the City Council does not have the ability to change anything in the charter at this time. He indicated that in three years they

- could because a city can only review their charter every three years. After three years the Council could have a Charter Review Committee come together and make any changes.
- Craig Overstreet stated the three year term limit was set up to allow the expertise of the councilmembers more time. The commission felt that councilmembers are just starting to understand things more around the two year mark.
- Alan Lathrom explained that he believes it stated that a councilmember could serve two consecutive terms.
- Mike Henry asked how the 5,000 population was being determined.
- Ben White stated it is based on inhabitants and not population. They took
 in to account the nursing and rehabilitation homes and counted all of the
 apartments and new developments that were predicted and used a
 multiplier.
- Mayor Wiebold stated that home rule was established to help citizens make better decisions to help the city.
- Alan Lathrom stated the Texas Constitution sets out the home rule authority.
- Mayor Wiebold asked why 5,000 was a magic number.
- Alan Lathrom stated because that is what is spelled out in the Texas
 Constitution and 5,001 inhabitants or more are required to be living in the
 city in order to hold the election.
- Ben White stated he needed direction from Council as to whether they want to move forward.
- Councilmembers agreed they wanted to move forward.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted several items on the next agenda:
 - Sales taxes and utilities for Patriot Concrete
 - Sign ordinance changes for painting of walls
 - Smart meter installs
 - Collin-Farmersville Parkway Construction update
 - Summary report of TxDOT conducting work from Hunt County Line to CR 560
- Dwain Mathers wanted an update on the Comprehensive Plan Maps and changes.
- Mike Henry wanted the following items on the next agenda:
 - Update on the CARES Act fund distribution
 - Overview of the Farmerville Lights program
 - Update on streamlining building processes
 - Update on the ROW for Collin Parkway

Χ.	ADJOURNMENT	
	Meeting was adjourned at 8:00 p.m.	
		APPROVE:
		Bryon Wiebold, Mayor
ATTE	ST:	

Sandra Green, TRMC, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	City Financial Report
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	City Financial Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

MEMO

To:

Benjamin White, City Manager

From:

Daphne Hamlin, City Accountant

Date:

January 21, 2021

Subject: December 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 December 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	1,639,011	1,194,326	1,204,380
General Fund Expense	4,145,770	Expenses to Date	1,064,228	797,173	903,390
Water Fund Revenue	1,830,906	Revenue to Date	434,206	370,518	320,551
Water Fund Impact Fee Revenue	84,310	Revenue to Date	48,153	11,169	83,426
Water Fund Expense	1,915,216	Expenses to Date	361,377	571,665	353,964
Wastewater Fund Revenue	1,397,304	Revenue to Date	319,872	286,984	246,662
Wastewater Fund Impact Fee Revenue	120,336	Revenue to Date	150,420	22,002	215,582
Wastewater Fund Expense	1,517,640	Expenses to Date	322,046	462,421	256,868
Electric Fund Revenue	4,154,363	Revenue to Date	816,543	891,332	810,817
Electric Fund Expense	4,154,363	Expenses to Date	1,037,334	1,155,588	814,997
Refuse Fund Revenue	510,058	Revenue to Date	129,088	125,594	117,289
Refuse Fund Expense	510,058	Expenses to Date	94,927	92,606	88,438

Cash Summary

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

SUMMARY OF CASH BALANCES DECEMBER 2020

Clearing Accounts

Restricted

Assigned

Account Balance

Interest Earned

ACCOUNT: FNB (0815)

General Fund	-0100	iring Accou	nt				D	SECRETARIAN SECRET
					\$	29,010.07		
Permit Fund					\$	(45,793.40)		
Refuse Fund					\$	17,502.53		
Water Fund					\$	371,429.87		
Wastewater Fund					\$	481,603.34		
Electric Fund					\$	(772,954.67)		
Cares Act Funding			\$					
CC Child Safety			\$	19,452.73				
2012 Bond								
Waterwaste Bond Fund			\$ \$ \$ \$	-				
Law Enf Training			\$	1,874.31				
Disbursement Fund			Ś	2,143.33				
Library Donation Fund			\$	2,589.40				
Court Tech/Sec			\$	22,178.02				
Civic Ctr/Library Repair			\$	(26,498.35)				
JW Spain Grant			\$	1,704.32				
Rike St. Grant			\$	(108,411.37)				
Radio Note								
Chapparal Grant/Safe Route To School/Sewer/Sidewall	L		\$	6,082.79				
CC Bond Farmersville Parkway	K		\$	(41,383.58)				
2019 Farmersville Parkway			\$	130,333.11				
Equipment Replacement			\$	F 222 20				
			\$	5,322.29				
Interest Earned	\$	84.93						
TOTAL:	\$	84.93	\$	15,387.00	\$	80,797.74	\$	96,184.74
County Tax Deposit (cbtx 0807)(Debt Service)	Debt S	Service Accou 36.16	ınt \$	295,024.24		BUILDING	ř.	ye i langue ti
Debt Service Reserve (Texpool 0014) (2 months rsv)	\$	40.41	\$					
Debt Service Reserve (Texpool 0014) (2 months rsv) TOTAL:	\$	40.41 76.57	\$	717,236.75 1,012,260.99	_		\$	1,012,260.99
		- 0.00	\$	717,236.75			\$	1,012,260.99
TOTAL:	\$	- 0.00	\$	717,236.75 1,012,260.99			\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008)	\$	76.57	\$ ner	717,236.75 1,012,260.99	543		\$	1,012,260.99
TOTAL:	\$ lated Su	76.57 rplus Investr	\$ ner	717,236.75 1,012,260.99 at Accounts		527.51	\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008)	\$ lated Su \$	76.57 rplus investn 8.79	\$ ner \$	717,236.75 1,012,260.99 at Accounts 113,959.52 623,586.95		S 7 5 1	\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110)	\$ lated Su \$	76.57 rplus Investr 8.79 36.50 74.72	\$ ner \$ \$	717,236.75 1,012,260.99 at Accounts 113,959.52 623,586.95 1,236,035.65		S27 5 1	\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190)	\$ lated Su \$	76.57 rplus investm 8.79 36.50 74.72 7.19	\$ ner \$ \$ \$	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36	Ses	12. Y 5 E	\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300)	\$ lated Su \$ \$ \$ \$ \$ \$ \$ \$	76.57 rplus Investm 8.79 36.50 74.72 7.19 0.28	\$ s	717,236.75 1,012,260.99 at Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21			\$	1,012,260.99
TOTAL: Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231)	\$ lated Su \$ \$ \$ \$ \$ \$ \$ \$	76.57 rplus investm 8.79 36.50 74.72 7.19	\$ s s s s s s s s s s s s s s	717,236.75 1,012,260.99 at Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88	Š			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01	\$ lated Su \$ \$ \$ \$ \$ \$ \$ \$	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22	\$ s s s s s s s s s s s s s s	717,236.75 1,012,260.99 at Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21	\$		\$	1,012,260.99 2,215,495.57
Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL:	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22	\$ s s s s s s s s s s s s s s s s s s s	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57	\$			
Appropri Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL:	\$ lated Su \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22 138.70	\$ \$ s s s s s s s s s s	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL:	\$ lated Su \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	76.57 rplus Investm 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61	\$ \$ s s s s s s s s s s	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL: Unassign Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve)	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investm 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61 5.93	\$ s s s s s s ent s	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34 76,958.04	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL: Unassign Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve) Water/WW Fund (Texpool 00017)(Capital)	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investm 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61 5.93 25.61	\$ \$ ner \$ \$ \$ \$ \$ \$ \$ ent \$ \$ \$ \$ \$	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34 76,958.04 331,984.90	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL: Unassign Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve) Water/WW Fund (Texpool 0003)(Operating 90 day) Water/WW Fund (Texpool 00017)(Capital) Elec. Fund (Texpool 0005) (Operating)	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61 5.93 25.61 3.90	\$ \$ s \$ s \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34 76,958.04 331,984.90 50,000.00	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL: Unassign Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve) Water/WW Fund (Texpool 0003)(Operating 90 day) Water/WW Fund (Texpool 00017)(Capital) Elec. Fund (Texpool 0005) (Operating) Elec. Fund (Texpool 0016)(Capital)	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61 5.93 25.61 3.90 26.17	\$ \$ ner \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34 76,958.04 331,984.90 50,000.00 339,282.78	\$			
Customer meter deposits (Texpool 0008) Water Dev. Board (Texstar 1110) 2019 C/O Street (Texstar 0190) Listcon Escrow(Texstar 0300) Summit Property Sewer Escrow (cbtx 231) 2012 G/O Bond, streets, water, wastewater (Texstar 01 TOTAL: Unassign Gen Fund Acct. (Texpool 0004)(Reso. 90 Day Reserve) Water/WW Fund (Texpool 0003)(Operating 90 day) Water/WW Fund (Texpool 00017)(Capital) Elec. Fund (Texpool 0005) (Operating)	\$ s s s s s s s s s s s s s s s s s s s	76.57 rplus Investr 8.79 36.50 74.72 7.19 0.28 11.22 138.70 plus Investm 102.61 5.93 25.61 3.90	\$ \$ s \$ s \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	717,236.75 1,012,260.99 It Accounts 113,959.52 623,586.95 1,236,035.65 125,127.36 16,709.21 100,076.88 2,215,495.57 Accounts 1,611,080.34 76,958.04 331,984.90 50,000.00	\$	74,140.48		

Contractor Mar	naged Accounts No	onspe	ndable		
NTMWD Sewer Plant Maint. Fund	\$		2		
TOTAL APPROPRIATED SURPLUS	\$		- 2	\$ -	\$ 2
TOTAL CASH & INVESTMENT ACCOUNTS	\$	5,78	0,530.79	\$ 154,938.22	\$ 5,935,469.01

SUMMARY OF CASH BALANCES DECEMBER 2020

FEDC 4A	Board Inve	estment &	Che	ecking Accou	nt	Section 12	MAC	
FEDC 4A Checking Account(Independent Bank 7909)	\$	73.16	\$	298,994.48				
FEDC 4A Checking Account(Independent Bank 452)	\$	65.64	\$	257,680.67				
FEDC 4A Investment Account (Texpool 0001)	\$	82.78	\$	1,072,290.97				
FEDC 4A Certificate of Deposit (Independent Bank)	\$	*	\$	250,000.00				
TOTAL:	\$	221.58	\$	1,878,966.12	\$	- 20	\$	1,878,966.12

FCDC 41	Board Inv	estment & C	hec	dng Account	THE .	41 3	N III NAME OF THE OWNER, WHEN
FCDC 4B Checking Account (Independent Bank 9724)	\$	5.55	\$	140,681.98			
FCDC 4B Investment Account (Texpool 0001)	\$	42.21	\$	546,768.37			
TOTAL:	\$	47.76	\$	687,450.35	\$	 \$	687,450.35

	T	RZ Account	300	or and the same	100	20 PM	
County Tax Deposits (cbtx 01276)	\$	1.40	\$	32,912.63			
TIRZ Texpool Account (xxx019)	\$	32.19	\$	417,001.93			
TOTAL:	\$	33.59	\$	449,914.56	\$	្ឋ	\$ 449,914.56

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:

10-2019 NCTCOG - Public Funds Inv Act.

Daphne Hamlin

Daphne Hamlin, City Investment Officer

100-GENERAL FUND FINANCIAL SUMMARY

FINANCIAL SUMMARY				₹O %	F YEAR COMPLETED:	: 25.00
	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
REVENUE SUMMARY						
00-REVENUE	4,145,770	942,226.41	1,639,011.14	0,00	2,506,758.86	39,53
TOTAL REVENUES	4,145,770	942,226.41	1,639,011.14	00.00	2,506,758.86	39.53
EXPENDITURE SUMMARY						
OO-TRANSFER OUT CAPITAL EXPENDITURES TRANSFERS TOTAL 00-TRANSFER OUT	0 0	00.00	0.00	0.00	00.00	00.00
11-MAYOR & CITY COUNCIL						
CONTRACTS & PROF. SVCS	2,040	170.00	510.00	0.00	1,530.00	25.00
MAINTENANCE	200	00.00	72.00	00.0	1,000.00 428.00	0.00
PERSONNEL RELATED ITEMS	13,760	553.00	8,905.63	00.00	4,854.37	64.72
CAFILL EAFENDINGS TOTAL 11-MAYOR & CITY COUNCIL	17,300	723.00	9,487.63	00.00	0.00	0.00
) -	0	. 710	24.04
12-ADMINISTRATION PERSONNEL SERVICES CONTRACTS & PROF, SVCS	515,934	48,392.83	119,425.69	00.0	396,508.31	23.15
CONST. MATL./TOOLS/EQUP	0	00.00	00.0	00.00	00.0	
MAINTENANCE UTILITIES	134,844	7,314,45	25,971.24	00.00	108,872.76	19.26
SUPPLIES	26,000	1,247.11	2,482.51	0.00	23,517.49	
PERSONNEL RELATED ITEMS	49,700	4,162.39	30	00.00	43,397.11	
CAFITAL EXPENDITORES TRANSFERS		00-0	0.00	0.01)	0.01	
TOTAL 12-ADMINISTRATION	1,035,410	93,825.27	225,958.27	0.00	809,451.74	21.82
14-MUNICIPAL COURT PERSONNEL SERVICES	158,380	18,236.30	45,830,65	00.0	112,549.35	28,94
MATNITURANCE AVOR	19 480	1,230.00 00.054.75	4,500.00	00.00	21,900.00	17.05
UTILITIES	1,740	143.07	384.15	00.0	1 358 - //	22 08
SUPPLIES	7,500	33.81	1,122.31	00.0	6,377.69	14.96
PERSONNEL RELATED ITEMS	9,410	147,31	5,165.59	00.00	4,244.41	54.89
CAFILAL PAFEMULIURES TOTAL 14-MUNICIPAL COURT	224,662	20,805.24	62,145.93	0.00	1,750.00	0.00
15-LIBRARY PERSONNEL SERVICES CONTRACTIC DEDGE STORY	103,567	10,993.19	28,791.97	00.0	74,775.03	27.80
MAINTENANCE	27,945	2,624.50	6,005.98	00.0	200.00	21.49
UTILITIES	11,000	1,187.96	2,613.57	00.00	8,386.43	23.76

100-GENERAL FUND FINANCIAL SUMMARY

 \sim

% OF YEAR COMPLETED: 25.00

CITY OF FARMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)

202
31ST,
DECEMBER
OF:
AS

% YTD BUDGET	2.57 49.00 4.73 0.00	0.00 20.10 15.33	24.47 25.65 0.00 41.19 18.25 17.34 66.46 0.00	25.78 35.41 0.00 22.12 17.50 15.88 96.86 0.00	66.47 72.70 22.28 10.07 11.38 236.81 5.44 0.00	43.43 19.70 123.01
BUDGET	3,556.33 3,331.00 14,290.92 0.00 126,478.73	4,641.00 11,904.37 16,545.37	732,553.63 65,230.74 1,000.00 60,495.78 33,928.02 51,330.71 9,088.41 104,783.00	175,009.90 46,870.00 500.00 29,321.96 2,178.03 27,087.72 615.51 2,500.00 0.00 284,083.12	29,806.89 2,402.65 125,765.09 3,462.41 11,387.19 684.05) 1,418.46	51,740.34 18,870.00 9,510.36)
TOTAL ENCUMBERED	00.00	0.00	0.00 0.00 0.00 3,324.70 0.00 0.00 0.00 0.00 3,324.70	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	0.00 0.00 1,466.76 0.00 0.00 0.00 1,466.76	00.00
YEAR TO DATE ACTUAL	93.67 3,201.00 709.08 0.00	0.00 2,995.63 2,995.63	237,290.37 22,503.26 0.00 39,044.52 7,571.98 10,769.29 18,011.59 0.00	60,797.10 25,690.00 0.00 8,244.52 461.97 5,112.28 18,984.49 0.00	59,097.11 6,397.35 34,579.15 37.59 1,462.81 1,1462.81 1,146.05 81.54 0.00 102,839.60	39,724.66 4,630.00 50,846.36
CURRENT PERIOD	93.67 0.00 24.90 0.00 14,924.22	0.00 1,465.09	93,908,56 160,00 0,00 16,37380 2,929,04 7,647,30 5,508,44 0,00	22,667.81 15,000.00 0.00 2,331.51 143.97 2,353.78 5,010.00 0.00 47,507.07	25,249.10 4,853.83 18,044.22 0.00 683.30 405.53 0.00 49,235.98	16,945.54 1,590.00 6,227.67
CURRENT BUDGET	3,650 6,532 15,000 167,894	4,641 14,900 19,541	969,844 87,734 1,000 102,865 41,500 62,100 27,100 104,783	235,807 72,560 500 37,650 32,200 19,600 2,500 403,457	88,904 8,800 161,811 3,500 12,850 1,500 1,500	91,465 23,500 41,336
	SUPPLIES PERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TRANSFERS TOTAL 15-LIBRARY	16-CIVIC/CENTER CONTRACTS & PROF. SUCS UTLLITIES TOTAL 16-CIVIC/CENTER	21-POLICE DEPT. PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP NAINTENANCE UTILITIES SUPPLIES PERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TRANSFERS TOTAL 21-POLICE DEPT.	PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP MAINTENANCE UTILITIES SUPPLIES SUPPLIES FERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TRANSFERS TOTAL 22-FIRE DEPT.	34-STREET SYSTEM PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP MAINTENANCE UTILITIES SUPPLIES SUPPLIES PERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TOTAL 34-STREET SYSTEM	60-PUBLIC WORKS BLDG PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP

100-GENERAL FUND FINANCIAL SUMMARY

CITY OF FARMERSVILLE REVENUE & EXPENSE REPORT (UNAUDITED)

2020
31ST,
DECEMBER
OF:
AS

% OF YEAR COMPLETED: 25.00

PAGE:

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET	% YTD BUDGET
	6,500	86.889	2,666.02	00.00	3,833,98	41.02
	22,750	2,370.69	5,129.01	00.00	17,620,99	22.55
	200	00.0	00.00	00.00	500.00	00.00
PERSONNEL RELATED ITEMS	300	00.0	00.00	00.00	300,00	00.00
CAPITAL EXPENDITURES	0	00.0	00.00	00.00	00.00	00.00
	0	00.0	00.00	00.00	00.00	00.00
TOTAL 60-PUBLIC WORKS BLDG	186,351	27,822.88	102,996.05	00.0	83,354.95	55.27
PERSONNEL SERVICES	60,173	6,077.91	19,710.91	00.00	40,462,09	32.76
CONTRACTS & PROF. SVCS	51,750	3,375.72	10,885.72	00.0	40,864.28	21.04
CONST. MATL./TOOLS/EQUP	20,000	680.98	6,638.54	00.00	13,361,46	33,19
	16,500	1,151.00	4,629.00	0.00	11,871.00	28.05
	75,000	3,198.82	9,988.10	00.0	65,011.90	13.32
	4,500	123,38	666.55	00*0	3,833,45	14.81
PERSONNEL RELATED ITEMS	200	00.0	00.00	00.0	500,00	00.00
CAPITAL EXPENDITURES	0	00.00	00.0	00.0	00.00	00.00
TOTAL 39-PARKS	228,423	14,607.81	52,518.82	00.0	175,904.18	22.99
	187,941	121.00	5,055.52	00.00	182,885.48	2.69
	٥	00.00	00.00	00.0	00.0	00.0
TOTAL 71-DEBT SERVICE	187,941	121.00	5,055.52	00.0	182,885.48	2.69
TOTAL EXPENDITURES	4,145,770	397,564.70	1,059,894.09	4,874.97	3,081,000.94	25.68
REVENUE OVER/(UNDER) EXPENDITURES	0	544,661.71	579,117.05 (4,874.97)(574,242.08)	00.00

PAGE:

	25.00	% YTD BUDGET
	% OF YEAR COMPLETED:	BUDGET
0	% %	TOTAL ENCUMBERED
DECEMBER 31ST, 2020		YEAR TO DATE ACTUAL
AS OF:		CURRENT
		CURRENT BUDGET
00-GENERAL FUND		ES
100-GE		REVENUE

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47.9	0	20.05	1 0	0.00		22.9	33.61	24.40	90.2	25.0	22 5	10.9	29.37	00.0	00.0	79.5	30.00	61.03	7.50	21.8	49.62	10.00	0.00	0.00			000	0 0	0.0	3,80	00.0	25.00	0.0	0.0	9.5	1.32	0.0	00.00	00.00	00.0	0.0	5.00	0.0	00.00	0.0	0.0	25.00
726,283.99	000	18 820 36	5	00.0	00.0	463,063.76	4,049.53	26,956.47	3,210.67	43,740.00	5,573,58	2,670.49	13,419.96	00.00	00.00	20,618.17		19,484.23	185.0	117,168.27	57,495,99	450.00	31,100,00	ì	00.0	00.0	102.593.00) 4	1.200.00	14,429.36	1,000.00	9,000.00	00-0	00.00	6,515.12	27,588.00	101,677.36)	33,950.00)	1,125.00)	00.00	00.0	475.00	4,499.23)	00.00	23,968.00)	1,000.00	15,532.54
00.00	00.0	00.00	000		00.0	00.0	00.00	00.0	00.0	0.00	00.00	00.00	0.00	00.00	00.00	00.00	0.00	00.0	00.0	0.00	00.00	00.00	00.00	00.00	00.0	00.0	00.0	00-0	00-0	00.00	00.00	00.00	00.00	00.00	00.0	00.0	0.00	0.00 (00.00	00.0	00.00	00.0	0.00 (00.0	0.00	00.0	00.0
668,307.01	00-0	21,126,64				137,557.24	050.4	8,698.53	29,789.33	14,580.00	1,626,42	329.51	5,580.04	00.0	00.0	80,198.83	00.09	30,515.77	15.00	32,831.73	56,636,01	50.00	00.00	00 0	00.00	000	00.0	4.502.22	00.0	570.64	0.00	3,000.00	00.00	00.00	684.88	368.00	101,677.36	33,950.00	1,125.00	00.00	00.0	25,00	4,499.23		23,968.00		5,177.46
542,286.72	00.00	1,414.43	0.0		,	43,341.30	2,050.4/	2,904.78	00.0	4,860.00	00.00	131.30	00.00	00.00	00-0	6,143.31		3,965.00	00.00	9,850.85	9	00.00	00.00	00.00	00.00	00.0	00-0	1,500.74		187.54	00.00	2,000.00	00.0	00.0	00.0	18.00	101,677,36	12,950.00	1,125,00	00.0	00.0	00.0	4,499.23	00.0	23,968.00		1,725.82
1,394,591	0	39,947	0		רנים סטים	179,000	00T 49	35,655	33,000	58,320	7,200	3,000	19,000	0	0	100,817	200	20,000	200	150,000	114,132	200	31,100	0	0	С	102,593	16,747	1,200	15,000	1,000	12,000	0	0	7,20	27,956	0	0	0	0	0	200	0	0	0	1,000	20,710
AD VALOREM TAX	100.00.5712.000 CC CONV FEE COURT	DEL. TAX, PEN. &	100.00.5714.000 CC CONV FEE UTILITY	TIRZ			DEVERAGE TAA	FRANCHISE FEES -			100.00.5733.000 ELEC. FUND FRANCHISE FEE	100.00.5734.000 FRANCHISE FEES - TELE.			ANNEXATION FEE	PERMITS & INSPECT	ALCOHOL BEVERAGE F			100.00.5744.000 PENALTIES	100.00.5745.000 CNTY FIRE RUNS	100.00.5746.000 ONION SHED RENTAL	100.00.5747.000 COUNTY LIBRARY FUND	100.00.5748.000 MICRO CHIP PROGRAM						100.00.5762.000 INTEREST EARNED	FEDC							FARMERSVILLE LIGHTS DO		ATHLECTIC COMPLE		ALARM	TEXAS	100.00.5777.000 BRICK CAMPAIGN		100.00.5791.000 4B SUPPORT REVENUE	

100-GENERAL FUND

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

% OF YEAR COMPLETED: 25.00

REVENUES	CURRENT	CURRENT	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
THE OWN COLD AND THE PERSON AND PARTY OF THE PERSON AN						
TOU.DO.DO.S/93.000 KENT RECEIVED	3,600	300.00	900.00	00.00	2,700,00	25.00
100,00.5794.000 CIVIC RENT	5,500	00.00	250.00	00.00	5.250.00	4 T T T T T T T T T T T T T T T T T T T
100.00.5795.000 4B SALARY	85,000	00.00	12,289,35	00 0	72.710.65	14.46
100.00.5799.000 CAPITAL LEASE REFUNDING	0	0.00	00.00	00.0	00.01	
100.00.5899.000 SALE OF EQUIPMENT	0	00.00	00.00	00.0	00.00	0.00
100.00.5939.000 FORESTRY SVC GRANT	0	00.0	0.00	00.0	0.00	00-0
100.00.5940.000 INSURANCE CLAIM REFUND	0	00.00	00.00	00.00	00 0	00.00
100.00.5991.000 TRANSFERS IN-OTHER FUNDS	1,464,286	118,690.49	356,071.47	00.00	1,108,214,53	24.32
100.00.5992.000 SALE OF FIXED ASSESTS	97,300	00.00	00.00	00.00	97,300.00	00.00
100.00.5994.000 LEASE PURCHASE PROCEEDS	0	00.0	00.00	00.00	00.00	00-0
100.00.5995.000 TRANSFERS-RESERVE	0	00.00	00.0	00.0	00:0	00.0
100,00.5998.000 TRANS.IN- GEN. FND. SURPLU	0	00.00	00.00	00.00	00.0	0-00
100.00.5999.000 TRANS.IN-PARK IMP.SURPLU	0	00.00	00.00	00.00	0.00	00.00
100.00.5999.001 TIRZ TRANSFER OUT (360,205)	00.00	0.00	00.00	360,205,00)	00.00
TOTAL 00-REVENUE	4,145,770	942,226.41	1,639,011.14	00.0	2,506,758.86	39.53
TOTAL REVENUE	4,145,770	942,226.41	1,639,011.14	0.00	2,506,758.86	39.53

700-WATER FUND FINANCIAL SUMMARY

FINANCIAL SUMMARY				¥0 %	OF YEAR COMPLETED:	. 25.00
	CURRENT BUDGET	CORRENT	YEAR TO DATE ACTUAL	TOTAL	BUDGET BALANCE	% YTD BUDGET
REVENUE SUMMARY						
00-REVENUE	1,915,216	138,793.90	482,359.22	00.0	1,432,856.78	25.19
TOTAL REVENUES	1,915,216	138,793.90	482,359.22	00.0	1,432,856.78	25.19
EXPENDITURE SUMMARY						
00-TRANSFER OUT TRANSFERS TOTAL 00-TRANSFER OUT	00	0.00	0.00	0.00	0,00	0.00
12-administration PERSONNEL SERVICES CONTRACTS & PROF. SVCS MAINTENANCE	140,572 500 35,333	10,985.82 0.00 23,314.37	29,898.16 0.00 27,062.34	00.0	110,673.84 500.00 8,270.66	21.27
UTILITIES SUPPLIES PERSONNEL RELATED ITEMS TOTAL 12-ADMINISTRATION	5,750 3,000 18,000 203,155	127.32 267.36 1,304.85 35,999.72	127.32 803.69 4,736.46 62,627.97	00.0	5,622.68 2,196.31 13,263.54 140,527.03	2.21 26.79 26.31 30.83
52-STORM WAIER SYSTEM PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP UTILITIES SUPPLIES SUPPLIES PERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TOTAL 52-STORM WATER SYSTEM	0000000	00.00		00.00		000000000000000000000000000000000000000
PERSONNEL SERVICES CONTRACTS & PROF. SVCS CONST. MATL./TOOLS/EQUP MAINTENANCE UTILITIES SUPPLIES PERSONNEL RELATED ITEMS CAPITAL EXPENDITURES TRANSFERS TOTAL 35-WATER DEPT.	257,116 120,405 282,170 5,500 32,750 847,596 22,150 22,500 121,874	21,896.97 16,076.65 5,045.90 21.07 2,703.76 70,438.53 862.17 10,156.17	64,021.72 25,753.62 18,816.28 937.54 9,722.28 141,880.90 7,148.39 0.00 30,468.51	0.00 308.51 0.00 0.00 0.00 0.00 0.00 0.00	193, 094.28 94, 651.38 263, 045.21 4, 562.46 23, 027.72 705, 715.10 15, 001.61 22, 500.61 22, 500.91, 405.49	24.90 21.39 6.78 17.05 29.69 16.74 32.27 0.00 25.00
TOTAL EXPENDITURES	1,915,216	163,200.94	361,377.21	308.51	1,553,530.28	18.88
REVENUE OVER/(UNDER) EXPENDITURES	0	24,407.04)	120,982.01 (308.51)(120,673.50)	00.0

700-WATER FUND

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

% OF YEAR COMPLETED: 25.00

REVENUES	CURRENT BUDGET	CURRENT	YEAR TO DATE ACTUAL	TOTAL	BUDGET	% YTD BUDGET
00-REVENUE						
700.00.5714.000 CC CONV. FEE	0	00.00	00.00	00.00	000	
700.00.5743.000 CONNECT FEE	11,500	747.50	2.530.00	000	00.070 8	00.00
700.00.5744.000 PENALTIES	15,000	1,566,14	6.471.81	00 0	0,00000	26.00
700.00.5745.000 AGREEMENTS AND CONTRACTS	179,000	15,870,17	48,465.91	000	120 524 091	27.10
700.00.5746.000 IMPACT FEE	84,310	1,574.00	48-153-00	00 0	36 157 00	00.72
700.00.5751.000 CITY WATER SALES	1,612,836	119,014.15	373,482 03	00.0	יים נישני ר	TT - / C
700.00.5752.000 CHANGE IN UTILITY DEPOSI	0	00.0	00.0	00.0	10.000,000,1	22.10
700.00.5753.000 WATER TAP FEES	10,570	00.00	3.148.00	00.0	00.00	20.00
700.00.5762.000 INTEREST EARNED	2,000	21,94	108.47	00-0	1.891 53	7 . 70 7 . 40
700.00.5767.000 OTHER REVENUE	0	00.0	00.0	00.0	00 0	700
700.00.5769.000 OTHER REVENDE	0	00.00	00.00	00.0	00.0	00.00
700.00.5800.000 CONTRIBUTED CAPITAL	0	00.00	0.00	00.00	00-0	0.00
700.00.5993.000 TRANSFER IN	0	00.00	00.00	00.00	00.0	00.0
TOTAL 00-REVENUE	1,915,216	138,793.90	482,359.22	00.00	1,432,856.78	25.19
						Ì
TOTAL REVENUE	1,915,216	138,793.90	482,359.22	00.00	1,432,856.78	25.19

% OF YEAR COMPLETED: 25.00

705-WASTEWATER FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT	YEAR TO DATE ACTUAL	TOTAL	BUDGET	% YTD BUDGET
REVENUE SUMMARY						
00-REVENUE	1,517,640	111,803.12	470,292.45	0.00	1,047,347.55	30,99
TOTAL REVENUES	1,517,640	111,803.12	470,292.45	00.00	1,047,347.55	30,99
EXPENDITURE SUMMARY						
00-TRANSFER OUT TRANSFERS TOTAL 00-TRANSFER OUT	0 0	00.00	0.00	00.0	0.00	0.00
12-administration PERSONNEL SERVICES TOTAL 12-ADMINISTRATION	56,143	6,664.40	16,175.83	0.00	39,967.17	28.81
36-WASTEWATER SYSTEM PERSONNEL SPENTCES		i i i				
CONTRACTS & PROF. SVCS	145,337	5,518.94 1,066.40	22,438.66 3,383.30	00 0	126,898.34 35,516.70	15.03
CONST. MATE./TOOLS/EQUE	62,933	1,776.38	13,366.97	00.00	49,566.03	21.24
UTILITIES	502,185	44,015.00	162,760.16	00.0	439,424.84	27.03
SUPPLIES	5,500	405,53	3,130.93 862.22	00.0	20,144.07	20.30
PERSONNEL RELATED ITEMS	5,000	00.0	00.0	00.00	5,000.00	00.00
DEBT SERVICE	319,587	34,733.00	34,733.00	00.00	284,854.00	10.87
CAPITAL EXPENDITURES	0	00.0	00.00	00.00	00.00	00.0
TRANSFERS TOTAL ASAMASTEMASSO SYSTEM	252, 780	21,065.00	63,195.00	00.00	189,585.00	25.00
	1, 401, 45/	8C./8C./UTT	305,870.24	00.0	1,155,626.76	20.93
TOTAL EXPENDITURES	1,517,640	117,251.98	322,046.07	00.0	1,195,593.93	21.22
REVENUE OVER/(UNDER) EXPENDITURES	0	5,448.86)	148,246.38	00.0	(148,246.38)	00.0

705-WASTEWATER

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

% OF YEAR COMPLETED: 25.00

0

REVENUES	CURRENT BUDGET	CURRENT	YEAR TO DATE ACTUAL	TOTAL	BUDGET	% YTD BUDGET
00-REVENUE						
705.00.5741.000 SEWER SALES	1,374,804	105,862,35	313,403,21	00	1 061 400 70	C
705.00.5743.000 FEES	c				T' 00 T' TOO'T	00.77
705 00 E744 000 bttptp	1	00.00	00.00	00.0	00.0	00.0
	15,000	901.16	3,865.43	0.00	11,134.57	25.77
/US.UU.5/45.UUU AGREEMENTS AND CONTRACTS	0	00.0	00.00	00.00	00-0	00.0
705.00.5746.000 IMPACT FEE	120,336	5,014.00	150,420.00	00.00	30,084,001	125.00
705.00.5753.000 SEWER TAP FEE	2,000	00.0	2,507.00	00.00	2,493.00	50.14
705.00.5762.000 INTEREST EARNED	2,500	25.61	96.81	00.00	2,403 19	
705.00.5767.000 OTHER REVENUE	0	00.00	00.00	000	1	
705.00.5800.000 CONTRIBUTED CAPITAL	0	00.0	000			
705.00.5995.000 TRANSERRE IN PREFER	c				00.00	00.0
BORNES OF THE PROPERTY OF THE		0.00	00.00	00.0	00.00	00.00
TOTAL UN-KEVENUE	1,517,640	111,803.12	470,292.45	0.00	1,047,347.55	30.99
TOTAL REVENUE	1,517,640	111,803.12	470,292,45	00.00	1,047,347.55	30.99

715-ELECTRIC FUND FINANCIAL SUMMARY

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

% OF YEAR COMPLETED: 25.00

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET	% YTD BUDGET
REVENUE SUMMARY						
00-REVENUE	4,154,363	286,450.30	816,543.93	00.00	3,337,819.07	19.66
TOTAL REVENUES	4,154,363	286,450.30	816,543.93	0.00	3,337,819.07	19.66
EXPENDITURE SUMMARY						
12-administration Personnel services	77,005	7,635.82	18,312.27	00	58, 692	7.8
TOTAL 12-ADMINISTRATION	77,005	7,635.82	18,312.27	00.0	58, 692.73	23.78
37-ELECTRIC DEPT.						
PERSONNEL SERVICES	482,695	61,130.05	138,269.50	00.0	344,425.50	28.65
CONTRACTS & PROF. SVCS	89,000	10,566.99	11,470.99	00.0	77,529.01	12.89
CONST. MATL./TOOLS/EQUP	161,575	42,580.81	59,731.90	5,100.66	96,742.44	40.13
MAINTENANCE	30,342	996.46	2,298.94	00.0	28,043.06	7.58
	13,750	1,173.77	2,693.77	00-0	11,056.23	19.59
SUPPLIES	2,137,791	160,123.52	519,961.90	00.00	1,617,829.10	24.32
PERSONNEL RELATED ITEMS	24,868	1,006.70	3,975.48	00.00	20,892.52	15.99
DEBT SERVICE	40,631	2,622.04	48,497,51	00.00	7,866.51)	119.36
CAPITAL EXPENDITURES	157,500	00-0	1,654,90	813,84	155,031.26	1.57
TRANSFERS	939,206	78,267.16	234,801,48	00.00	704,404.52	25.00
TOTAL 3/-ELECTRIC DEPT.	4,077,358	358,467.50	1,023,356.37	5,914.50	3,048,087.13	25.24
TOTAL EXPENDITURES	4,154,363	366,103.32	1,041,668.64	5,914.50	3,106,779.86	25.22
REVENUE OVER/ (UNDER) EXPENDITURES) 0	79,653.02)(225,124.71)(5,914.50)	231,039.21	00.00

715-ELECTRIC FUND

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

% OF YEAR COMPLETED: 25.00

0

REVENUES	CURRENT BUDGET	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD
			100 100		BALANCE	BUDGET
OO-REVENUE						
715.00.5743.000 FEES	9,500	567.50	1,675.00	0.00	7.825.00	17,63
	40,000	1,932.55	10,142.61	00.00	29,857,39	25.36
715.00.5/45.000 AGREEMENTS AND CONTRACTS	٥	00.0	00.00	00.00	00.00	00.00
715 00 5752 000 ELECTRICITY SALES	3,488,861	225,720.80	639,007.82	00.00	2,849,853.18	18.32
715.00.5752.000 CHANGE IN ELECTRIC DEPOS	0	00.0	00.0	00.0	00.00	00.00
/15.00.5755.000 SURCHARGE	150,000	9,210.72	26,039.70	00.00	123,960.30	17,36
/15 UU 5/5/.000 PCA (POWER COST ADJ)	459,502	48,978.77	139,527.82	00.00	319,974.18	30.37
/15.00.5762.000 INTEREST	6,500	39.96	150.98	00.00	6,349.02	2.32
715.00.5767.000 OTHER REVENUE	0	00.00	00.0	00.0	00.00	000
715.00.5770.000 SALES TAX REVENUE	0	00.00	00.00	0.00	00 0	00.0
715.00.5995.000 TRANSFER IN ELEC NOTE	0	00.00	0.00	00.00	00.0	
715.00.5998.000 TRANSFER IN RESERVES	0	00.0	00.00	00.00	00.0	00.0
TOTAL 00-REVENUE	4,154,363	286,450.30	816,543.93	00.0	3,337,819.07	19.66
TOTAL REVENUE	4,154,363	286,450.30	816,543.93	00.00	3,337,819.07	19.66

720-REFUSE FUND FINANCIAL SUMMARY

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

FINANCIAL SUMMARY				% OF	OF YEAR COMPLETED:	25.00
	CURRENT	CURRENT	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET	% YTD BUDGET
REVENUE SUMMARY						
00-REVENUE	510,058	42,983,83	129,088.24	0.00	380,969.76	25.31
TOTAL REVENUES	510,058	42,983.83	129,088.24	00.00	380,969.76	25.31
EXPENDITURE SUMMARY						
32-REFUSE DEPT. PERSONNEL SPRUTCES	C	C	ć	ć	6	,
CONTRACTS & PROF. SVCS	397,232	32,886.56	66,720,58	00.0	330.571 42	0.00
CONST. MATL./TOOLS/EQUP	110,426	9,202.16	27,606.48	00.00	82,819,52	25.00
MAINTENANCE	0	00.00	00.00	00.00	00.0	00-0
OTILITIES	2,400	200.00	00.009	00.00	1,800.00	25.00
PERSONNEL RELATED ITEMS	0	00-0	00.0	00"0	00.00	00.00
CAPITAL EXPENDITURES	0 (00.00	00.00	00.00	00.0	00.0
TOTAL 32-REFISE DEPT	510 058	0.00	00.0	0.00	0.00	0.00
		71 007 175	00.126126	00.0	415,130.94	18.61
35-WATER DEPT, SUPPLIES	0	00	00	c	c	c
TOTAL 35-WATER DEPT.	0	00.0	00.00	00-0	00.00	00.00
TOTAL EXPENDITURES	510.058	42.288 72	94.927.06	c	73 051 311	9 6
	•				****	
REVENUE OVER/(UNDER) EXPENDITURES	0	695.11	34,161.18	0.00	34,161.18)	00.00

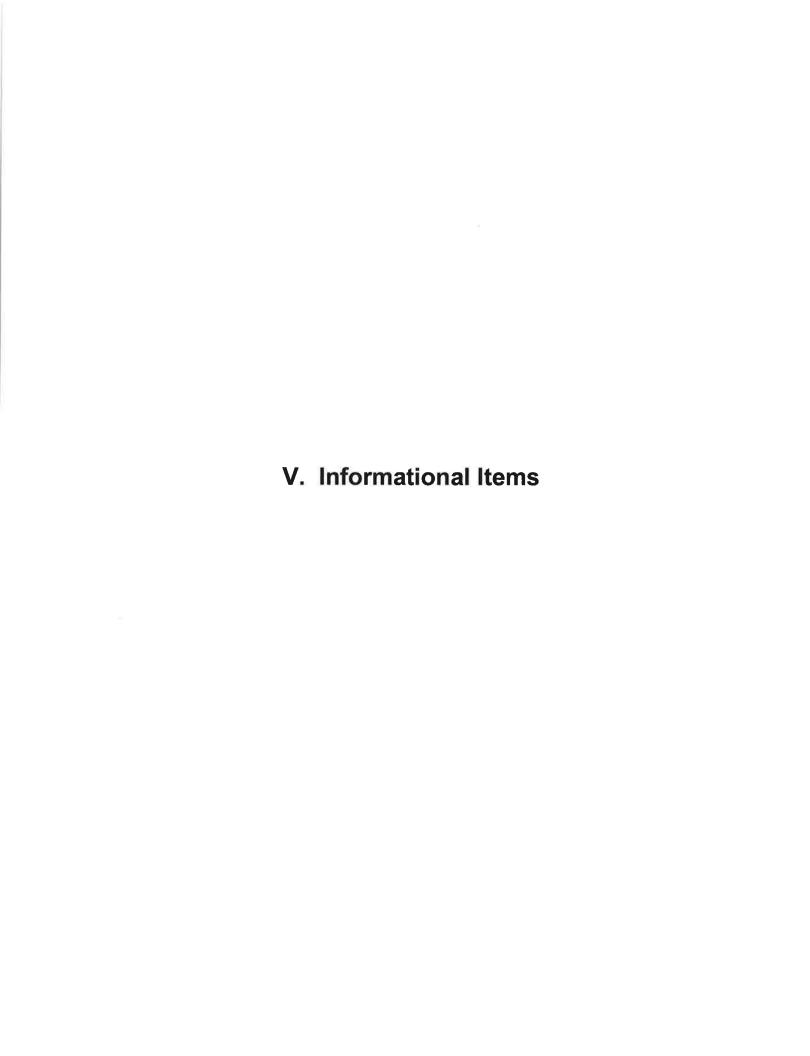
720-REFUSE FUND

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

% OF YEAR COMPLETED: 25.00

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REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL	BUDGET	% YTD BUDGET
00-REVENUE						
720.00.5743.000 FEES	0	00.00	00.00	00 0		c
720,00.5744.000 PENALTIES	7.500	347 40	7 3 7 7 7		00.00	00.00
720.00.5745.000 AGREEMENTS AND CONTRACTS		0	00.015.11	00.0	6,083.15	_ 2 8 6 9 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8
720 00 5751 000 BESTERMINAL BRASH ONLY	0 0 0	00.0	00.00	00.00	00 0	00.0
720.00.3/31.000 KESIDENIIAL IKASH COLL	234,297	20,166.79	60,298.70	00.00	173,998.30	25.74
720 00 FIFE 000 COMMERCIAL TRASH COLLECT	182,691	14,944.51	44,907.12	00.00	137,783.88	24.58
720.00.5/55.000 RECYCLE	79,436	6,920.13	20,659.57	00.00	58,776,43	26.01
720 00 5750 00 RECYCLE FRANCHISE FEE	6,134	605.00	1,806.00	00.0	4,328.00	29.44
720 00 7767 000 INTEREST EARNED	0	00.00	00.00	00.0	0.00	00.00
720.00.5/6/.000 OTHER REVENUE	0	00.00	00.00	00.00	00.00	00.00
720 30 5778 000 BRUSH AND CHIPPING AND P	0	00.00	00.00	00.00	0.00	00.00
720.00.5770.000 HAW	0	00.00	00.00	00.00	00.00	00.00
/ZU.00.5995.000 TRANSFER IN RES	0	00.00	00.00	00.00	00.00	00.00
TOTAL OU-REVENUE	510,058	42,983.83	129,088.24	00.0	380,969.76	25.31
TOTAL REVENUE	510.058	77 683 83	0 0 0	c	0000	
	200	CD. CDC 175	123,000.24	00.00	380, 969.76	25.31



Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action

Agenda Section	Informational Items
Section Number	V.B
Subject	Farmersville Community Development Board (Type B)
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Financials Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action

FARMERSVILLE ECONOMIC DEVELOPMENT CORP 4A NOVEMBER 2020 FINANCIAL BUDGET REPORT

Farmersville Economic Development Corp 4A November 2020

Statement Balance 11-01-2020

\$279,537.72

Deposits:

 Sales Tax:
 \$23,952.55

 Cking Int .30%
 \$71.08

CD Interest

Loan repayment \$2,622.04

Cleared Checks 1326-1330 \$(31,554.80)

Statement balance 11-30-2020 \$274,628.59

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Oustanding checks

Balance 12-15-2020

\$274,628.59

	FY 2019		0.00	011 118										
100000000000000000000000000000000000000	Budget	October	November	December	January	February	March	April	May	lune	filte			4
Deposits		\$253,314.84	\$276,467.67									ieofine ieofine	September	2
Sales Tax Collections	\$250,000,00	\$23,155.40	823 050 55			e e								
Interest Income cking	\$100.00	\$68.39	\$71.08											\$47,107,95
Now Account Interest	\$1,200.00	\$65.60	\$63.51											\$139.47
Loan Repayment	\$31,464.00	\$2,622,04	\$2,622.04											\$129,11
Transfer to Texpool														\$5,244.08
Transfer From Texpool														
Texpool Interest	\$1,200,00	\$121,50	\$108.42											
CD Investment		\$377.08												\$229.92
Total Revenue	\$283,964.00	\$ 279,537.75	\$ 303,113.34						,					\$377.08
Expenses:												•		53,227.61
Administration Expenses														
Administration	\$1,000.00												13	
Meeting Expenses	\$1,000,00	\$570.08												ds
Dues/School/Travel	\$5,200,00													\$570.08
TEX 21	\$2,500,00	\$2,500.00												sh ;
Office Supplies	\$200,00		\$194.72											\$2,500.00
Legal Service	\$2,500.00													\$194.72
Total Administration	\$12,400.00													ıb i
Marketing/promotion Expenses	enses													ולע
Marketing/Promotion														r/a
Expenses/Advertising	\$8,000.00													H
Website update	\$6,000,00													J
EDC Round Table	\$1,500.00													A 6
Rotary Sponsorship	\$500.00													Ά́
Chamber Sponsorship	\$1,000,00													h u
Forgetter Conf	6													h
TO A STATE OF THE PARTY OF THE	00 0000							,						4
Total floored three	20,000,00	20 000 00	-	1										J,
Directive Business Incentives	ives	90'0/0'00	2134.72	٨					4			i,	۵	\$3,264.80
Edc Action Plan	\$20,000.00													y)
Collin College Road	\$244,000,00		4											ьķ
Façade Grant Program	\$50,000.00		\$25,000.00											4
Expense Prior Year			\$3,290 00											525,000.00
Total Development Cost	\$314,000,00													45,290.00
Total Expenditures	\$351,400.00	\$3,070.08	\$28,290.00	۵		ú	J		J			•		00.062,825
Revenue vs Expenditures	(\$67,436)												à	DB.Acc, Toe
Trom Keserves	\$214,710.00													
Total Expenditures		\$3,070.08	\$28,484.72	d,		J	J.		*	J	J.	4	۵	\$31,554.80
Ending Bank Balance		\$276,467.67	\$274,628.62											
Now Account		\$257,551.52	\$257,615.03											
CO Investment		\$250,000.00	\$250,000.00											
Texpool Balance		\$1,072,099.77	\$1,072,208.19											
Total Available Funds		\$1,856,118.96	\$1,596,836.81	J.	\$	*	u	٠	٠	i	*	À	3	

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FARMERSVILLE ECONOMIC DEVELOPMENT CORP 4A DECEMBER 2020 FINANCIAL BUDGET REPORT

Farmersville Economic Development Corp 4A December 2020

Statement Balance 12-01-2020

\$274,628.59

Deposits:

Sales Tax: \$21,670.69 Cking Int .30% \$73.16 **CD** Interest

Loan repayment \$2,622.04

Cleared Checks

Statement balance 12-31-2020 \$298,994.48

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Oustanding checks

Balance 1-15-2021

\$298,994.48

		FY 2020													
Structure State Structure State Structure State State Structure State Stat		Budget	October	November	December	January	February	March	Anni	2		(0)	94	6	
Strong	Beginning Bank Balance Deposits		\$253,314.84	\$276,467.67	\$274,628.59					íau.	9000	Anno	August	September	Ę
Since Sinc	Sales Tax Collections	\$250,000,00	523 155 40	C22 063 46	03.053.69										
\$1,000.00 \$2,000.00 \$1,0	Interest Income aking	\$100,00	S68.39	\$71.08	E0.070,120										\$68,778.64
\$17.000 0 \$2	Now Account Interest	51,200 00	\$65.60		865.64				2						\$212.63
S1,000.00 S211.53 S100.42 S20.78 S20.7	Loan Repayment	\$31,464,00	\$2,622.04	\$2	\$2 622.04				T N						5194.75
\$1,000.00 \$171.50 \$100.42 \$127.72 \$200.0042 \$1.0 \$1.0 \$1.0 \$1.0 \$1.0 \$1.0 \$1.0 \$1.0	Transfer to Texpool											,			\$7,866,12
ST ST ST ST ST ST ST ST	Transfer From Texpool														
STRANGE STRA	Texpool Interest	\$1,200.00	\$121,50	\$108.42	582 78										
STATEMENTON STORT STATEMENT STATEM	Co Investment		\$377.08												\$312.70
\$ \$1,000.000 \$ \$1,000.000 \$ \$2,	Total Revenue	\$283,964.00			298,994,48		,	5							\$377.08
Strong S	Expenses:												,		\$ 77,741.92
\$1,000.00 \$1,000.00 \$2,500	Administration Expense:	10													
\$5,000.00 \$5,000.00 \$5,000.00 \$1,000.00 \$5,000.00 \$1,000	Administration	\$1,000.00													
\$5.200.00 \$5.200	Meeting Expenses	\$1,000,00	\$570 08												ь
S200000 S250000 S19472 S200000 S19472 S200000 S2500000 S2000000 S20000	Dues/School/Travel	\$5,200.00													\$570.08
\$250000 on Expenses \$12,200.000 \$1,200.000 \$1,000.000 \$1,000.000 \$1,000.000 \$2,000.000	TEX 21	\$2,500.00	\$2,500 00												nh.
\$12,000.00 \$12,000.00	Office Supplies	\$200.00		\$194.72											\$2,500.00
## \$17,400.00 \$1,000.00 \$1	Legal Service	\$2,500.00													5194.72
Section of Section o	Total Administration	\$12,400.00													u.
\$8,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$2,000	Marketing/promotion Exp	penses													eh.
\$50,000 05 \$51,000.00 \$51,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$2,	Marketing/Promotion														υh
\$15,000.00 \$15,000.00 \$15,000.00 \$1,000.00 \$1,000.00 \$1,000.00 \$2,070.00 \$2,	Expenses/Advertising	\$8,000,00													6
\$5,500.00 \$1,000.00 \$1,000.00 \$2,000	Website update	\$6,000 00													h e
\$500.00 \$1,000	EDC Round Table	\$1,500.00													<i>h</i> (
\$50,000 \$50,000 \$1000,00 \$10000,00 \$10000,00 \$1000,00 \$10000,00 \$10000,00 \$10000,00 \$10000,00 \$10000,	Rotary Sponsorship	\$500,00													<i>h</i> (
SSOURCE SSOURCE ST94.72 S. S. S. S. S. S. S. S	Chamber Sponsorship Small Business	\$1,000,00													h uh
\$57,400.00 \$5,000.00 \$224,400.00 \$5,000.00 \$224,400.00 \$5,000.00 \$23,400.00 \$5,000.00 \$23,400.00 \$5,000.00 \$23,400.00 \$5,000.00 \$23,400.00 \$5,000.00 \$23,400.00 \$5,000.00 \$23,400.00 \$2,000.00	Entrepreneurship Conf	\$500.00													
## ## ## ## ## ## ## ## ## ## ## ## ##	Collin College Spansorship	\$7,500.00													us :
## \$274,000.00 \$254,000.00 \$254,000.00 \$254,000.00 \$25,000.00 \$3,070.08 \$25,000.00 \$3,070.08 \$25,000.00 \$3,070.08 \$25,000.00 \$2,000.	Total Expenditures	\$37,400.00	\$3,070.08	\$194.72	u						•				ı,
\$20,000.00 \$50,000.00 \$50,000.00 \$50,000.00 \$33,400.00 \$33,400.00 \$33,70,00 \$33,70,00 \$33,70,00 \$32,51,52 \$27,551,52 \$257,551,52 \$250,000.00 \$31,072,090.77 \$1,072,090.77 \$1,072,090.77 \$1,072,090.77 \$1,072,200.19 \$1,072,200.10	Directive Business Incer									4	*		٨	J.	53,264.80
\$244,000.00 \$3.500.00 \$5.290.00 \$5.200.00 \$5.200.00 \$5.200.00 \$5.2	Ede Action Plan	\$20,000.00													ψhι
\$50,000.00 \$14,000.00	Collin College Road	\$244,600.00											100		<i>h</i> •
\$33.4,000.00 \$33,070.08 \$23,290.00 \$\$ \$2314,000.00 \$33,070.08 \$23,290.00 \$\$ \$214,710.00 \$33,070.08 \$224,48.71 \$\$ \$2714,710.00 \$33,070.08 \$224,48.71 \$\$ \$2714,710.00 \$32,070.00 \$327,61.62 \$227,618.00 \$220,000	Façade Grant Program	\$50,000.00		\$25,000.00											4 90 909
## \$314,000.00 ## \$314,000.00 ## \$314,000.00 ## \$31,000.00	Expense Prior Year			\$3,290,00											25,000,00
\$214,710.00 \$3,070.08 \$228,290.00 \$- \$- \$- \$- \$- \$- \$- \$- \$- \$- \$- \$- \$-	Total Development Cost	\$314,000.00													28 280 00
\$214,710.00 \$3,070.08 \$277,647.5 \$277,647.67 \$250,000.00 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.78 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77 \$1,072,099.77	Total Expenditures	\$351,400.00	\$3,070,08	\$28,290.00	ų,		٥	J.		4			٤		420,630.00
\$3,070.08 \$224,484,722 \$2 \$298,994,48 \$2574,628.62 \$298,994,48 \$257,551.62 \$277,615.03 \$227,616.00 \$259,000.00 \$25	Revenue vs Expenditures From Reserves	(567,436)									14				00.800 Lob
\$276,467.67 \$274,628.62 \$238,994.48 \$257,551.52 \$257,615.03 \$257,806.67 \$250,000.00 \$250,000.00 \$250,000.00 \$1,072,099.77 \$1,072,290.97 \$1,072,290.97 \$1,856,118.96 \$1,596,838.81 \$1,621,295.45 \$2	Total Expenditures		\$3,070.08	\$28,484.72	۵		J.			J	•		•		007 667 00
\$257,551.52 \$257,615.03 \$257,680.67 \$250,000.00 \$250,000.00 \$250,000.00 \$1.072,099.77 \$1,072,290.97 \$1,072,290.97 \$-	Ending Bank Balance		5276.467.67	\$274.628.62	\$298 994 48							•	•		00.400,100
\$250,000.00 \$250,000.00 \$250,000.00 \$1,072,099.77 \$1,072,290.97 \$1,072,290.97 \$1,856,118.96 \$1,596,836.81 \$1,621,285,45 \$- \$- \$-	Now Account		\$257,551.52	\$257,615.03	\$257,680,67										
\$1,072,099.77 \$1,072,290.97 \$1,072,290.97 \$1,856.118.96 \$1,596,836.81 \$1,621,285.45 \$- \$- \$-	CO Investment		\$250,000.00	\$250,000.00	\$250,000.00										
\$1,856,118,96, \$1,596,836,81 \$1,621,285,45 \$- \$- \$- \$-	Texpool Balance		\$1,072,099.77	\$1,072,208.19	\$1,072,290,97										
The same of the sa	Total Available Funds		\$1,856,118,96	\$1.596,836.81	\$1,621,285,45	۵	4		J	J					

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Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

Agenda Section	Informational Items
Section Number	V.E
Subject	Parks & Recreation Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Minutes Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action



FARMERSVILLE PARKS AND RECREATION BOARD MINUTES FOR November 12, 2020

Present for the meeting: Miranda Martin, Kiel Cathey, Beverly Mond, Suzie Grusendorf, Misty Wiebold, Charlotte Holloway. Absent was John Young. Absent. Also present: Paula Jackson as staff.

I. PRELIMINARY MATTERS

Meeting was called to order by 5:00

II. APPROVAL OF MINUTES

- Motion made by Charlotte Holloway to approve October 1, 2020 meeting minutes
- Motion seconded by Kiel Cathey
- Motion carried

III. REGULAR AGENDA

A. Rambler Park

- 1. Comparisons of cost savings for Pour in Place and Mulch/Pellets
- Miranda went over the bids:

For Pour in Rubber only

Lea N Park - \$50,850 for 2496 sqft

Pro Tech - \$33,160 for 2000 sqft

Childs Play -\$37,440 for 2496 sqft

For Half Pour In Rubber and Half Mulch

Lea N Park -\$36,570 +12,050 install for 1344 Mulch and 1152 Pour In Rubber

Childs Play -\$30,105 (includes installation) 1385 Pour In and 76.9 cubic ft

Rubber Mulch

Pro Tech - will not do Mulch

- Miranda stated that Childs play has done the playgrounds at the Farmersville ISD and the playground in the center at Tatum.
- Charlotte asked if Childs Play would be Miranda recommendation.

Farmersville Parks and Recreation Meeting November 12, 2020

Miranda stated yes Childs play seemed like he has the expertice for this project.
 Although Lea N Park is a real good company, but feels like for the money Childs Play would be her choice.

B. JW Spain

1. Consider discuss and act upon making a recommendation for City Council to make Improvements to Jw Spain Complex.

Recommendation:

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
 - o Will need paint
 - o 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

C. Little League

1. Review Contract to Consider and act upon making a recommendation to City Council changes to the Little League Contract

Recommendation:

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

Farmersville Parks and Recreation Meeting November 12, 2020

PARAGRAH 1: The Little League shall provide to the City copies of Little League's yearend financial statement, ending December 31st, for each year during the term of and priorto 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

D. Park Land Dedication Section of the Subdivision Ordinance

Consider and act upon making a recommendation to City Council regarding changes to the section for Park Land Dedication.

The Board discussed the Park Land Dedication and where the 5% fee is going.

The Board asked can we spend those fund on improvements? The Board dicided that they will come back next meet with recommendations to make a change in the Subdivision Ordinance's section on Park Land Dedication.

- Motion Made by Kiel Cathey
- Seconded by Susie Grusendorf
- Motion carried all in favor

IV. CITY MANAGER UPDATE: Ben White Not available

V. DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

Vote on the Vendor for the Pour in Place and Mulch project for Ramble Park
Update on recommendation to Council on improvement to the Complex
Update on recommendation to Council on changes to the Little League Contract
Park Land Dedication

VI. ADJOURNMENT

Motion to Adjourned at 6:35 Kiel Cathey Motion Seconded by Charlotte Holloway Motion carried ATTEST:

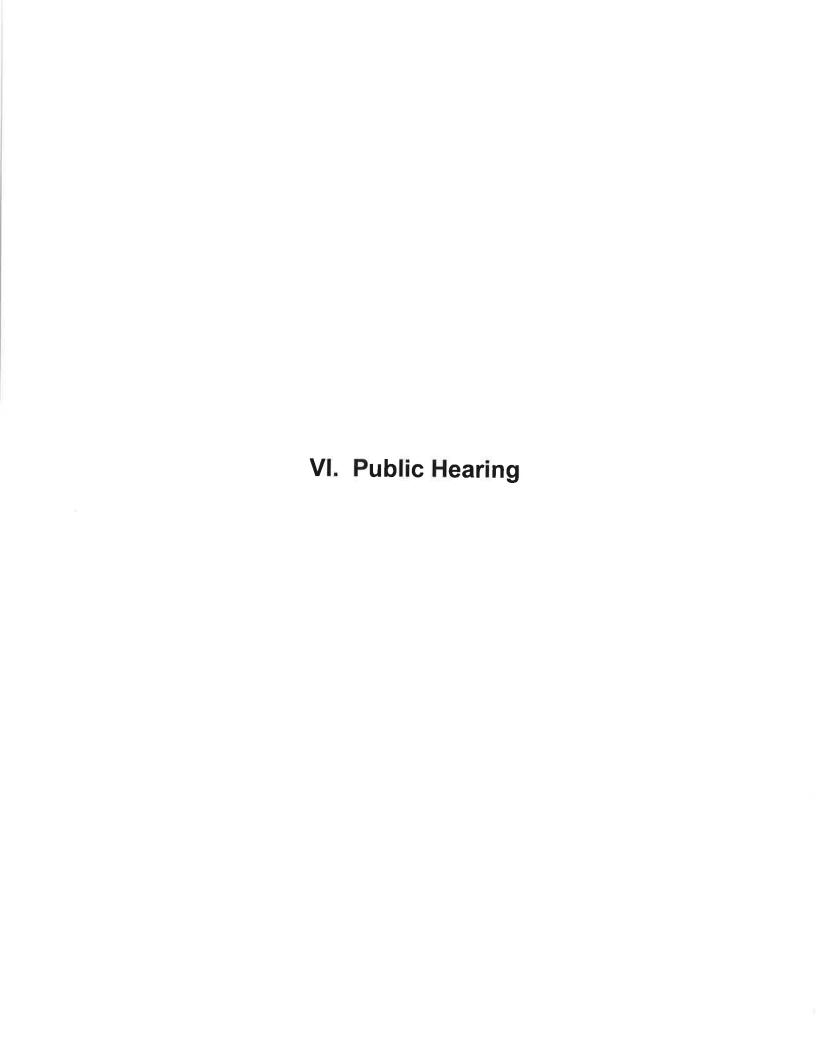
Paula Jackson, Assistant to the City Manager

APPROVE:

Miranda Martin, CHAIR

Agenda Section	Informational Items
Section Number	V.F
Subject	Planning & Zoning Commission
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action

Agenda Section	Informational Items
Section Number	V.G
Subject	TIRZ Board
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action



Agenda Section	Public Hearing
Section Number	VI.A
Subject	Public hearing to consider, discuss and act upon a Texas Community Development Block Grant (TxCDBG) Program application.
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action

PUBLIC HEARING NOTICE CITY OF FARMERSVILLE

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Farmersville will hold a public hearing at 6:00 p.m. on January 26, 2021, at the Farmersville City Hall, 205 S. Main Street, Farmersville, Texas 75442, regarding the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds. The City encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to Ben White, City Manager, at the City Hall. Persons with disabilities that wish to attend this meeting should contact the City Hall to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the City Hall at least two days before the meeting so that appropriate arrangements can be made. Para más información en español, comuníquese con Sandra Green, Secretaria de la ciudad al (972) 782-6151.

VII. Reading of Ordinances

Agenda Section	Reading of Ordinances
Section Number	VII.A
Subject	Consider, discuss and act upon the second reading of Ordinance #O-2021-0126-001 regarding grading and excavation.
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	O-2021-0126-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action

CITY OF FARMERSVILLE ORDINANCE O-2021-0126-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING **ACTIVITY" TOGETHER WITH NEW SECTIONS 26-101 THROUGH 26-**114 AS PROVIDED HEREIN-BELOW, AND AMENDING APPENDIX A, "MASTER FEE SCHEDULE" TO INCLUDE PERMITTING FEES FOR FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY **PERMITS** ON PRIVATE PROPERTY; REPEALING **ORDINANCES** IN CONFLICT HEREWITH: **PROVIDING** SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING **INJUNCTIONS**: FOR **PROVIDING** PENALTY; Α PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas, (the "City") is a Type A General – Law Municipality located in Collin County having a population of less than 5,000 persons as determined by the most recent federal census, created in accordance with the provisions of Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas ("Farmersville Code"), for the protection of the public health and general welfare of the people of the City; and

WHEREAS, the City has previously adopted regulations relating to grading and excavation of public property in Farmersville; and

WHEREAS, the City desires to establish regulations relating to filling, grading and excavation of private property in Farmersville; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that it is in the best interest of the public health, safety and welfare to establish regulations relating to grading and excavation of private property as provided herein below to establish such a process.

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

Section 1. INCORPORATION OF FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. AMENDMENT OF CHAPTER 26, "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY" TOGETHER WITH SECTIONS 26-101 THROUGH 26-114 AS PROVIDED HEREIN-BELOW

From and after the effective date of this Ordinance, Chapter 26, "Environment," of the Farmersville Code, is hereby amended through the amendment of Article II, "Flood Control," by adding a new Division 4 titled "Filling, Grading, Excavation, and Other Soil Disturbing Activity" together with Sections 26-101 through 26-113 to read as follows:

"DIVISION 4. FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY

Sec. 26-101. - Definitions.

For purposes of this Article, the following terms shall have the meaning given below:

Excavation. The removal of any soil or earthen material in an amount that will exceed a depth of twelve inches (12"), including but not limited to trenching, or performing any structural or other construction that blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Filling, Grading, and Soil Disturbing Activity. The movement, addition or removal of any soil or earthen material for the purposes of altering the level, incline, decline, slant or slope of the ground surface by a contour of more than one foot (1') in elevation in an area that (a) exceeds two hundred (200) total square feet in area, and/or (b) blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of

the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Sec. 26-102. – Applicability.

This Division shall apply to all property owners, persons, or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the City, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this Division shall constitute an offense, and each day such failure continues shall constitute a separate offense. This Division shall not apply to excavation and grading related to any public street, sidewalk, right-of-way or other public property.

Sec. 26-103. - Grading and Excavation Permit—Required.

It shall be unlawful for any person to perform any filling, grading, excavation, or other soil disturbing activity within the territorial limits of the City without first having obtained a permit to do so. No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit for filling, grading, excavation, or other soil disturbing activity in accordance with this Division, from the City Manager or his designee. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit from the City Manager or his designee. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within a flood hazard area, a development permit must be secured in accordance with Chapter 26, "Environment."

Sec. 26-104. - Application.

The application for a permit for filling, grading, excavation, or some other soil disturbing activity shall be submitted to the City Manager or his designee, and shall clearly state the following:

- The location where the applicant proposes to perform filling, grading, excavation, or other soil disturbing activities;
- (2) The purpose for the filling, grading, excavation, or other soil disturbing activities;
- (3) The proposed size, change in elevation, depth and/or degree of the filling, grading, excavation, or other soil disturbing activities;
- (4) Written confirmation from all applicable utilities that the proposed filling, grading, excavation or other soil disturbing activities will not disrupt, disturb, impair or interfere with the provision of such utilities.

- (5) The name of the person or entity who proposes to perform such filling, grading, excavation, or other soil disturbing activities;
- (6) The name and contact information of the person or entity that will be performing such filling, grading, excavation, or other soil disturbing activities; and
- (7) Proof of commercial liability insurance for claims of property damage or bodily injury covering the applicant or person(s) or entity(ies) performing the work in an amount acceptable to at least Fifty Thousand Dollars (\$50,000) or such greater amount as may be agreed by and between the property owner and the applicant or person(s) or entity(ies) performing the work.

Failure to provide any and all of the above information shall be grounds for denial of the application.

Sec. 26-105. - Issuance of permit.

Upon acceptance of the application and confirmation that the submitted application is complete, the City Manager or his designee shall issue a permit for the filling, grading, excavation, or other soil disturbing activity to the applicant, and the applicant may then proceed with such filling, grading, excavation, or other soil disturbing activity. A nonrefundable fee in the amount set out in Appendix A, Master Fee Schedule shall be charged for each application for a permit submitted to the City to cover administrative expenses.

Sec. 26-106. - Limitation on permit.

Each permit issued for any filling, grading, excavation, or other soil disturbing activity shall be limited to the scope of the filling, grading, excavation, or other soil disturbing activity expressly identified in the application. Such permit shall expire and become null and void if the filling, grading, excavation, or other soil disturbing activity is not started within thirty (30) days from issuance of the permit, or such filling, grading, excavation, or other soil disturbing activity is suspended or abandoned for a period of time of at least thirty (30) days after the date such filling, grading, excavation, or other soil disturbing activity is initially commenced. In the event the permit(s) expires for failure to timely commence the work or because the work has been suspended or abandoned, the applicant must obtain a new permit before any filling, grading, excavation, or other soil disturbing activity can commence or resume.

Sec. 26-107. – Filling, grading, excavation, and any other soil disturbing activity subject to City inspection.

All filling, grading, excavation, or other soil disturbing activity shall be subject to inspection by the City Manager or his designee for compliance with all applicable codes and ordinances.

Sec. 26-108. – Duty of property owner and any person having control of the property to prevent dirt, mud, and debris from washing onto public streets, alleys, or other public property.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring within the City to suffer or permit soil, mud, rock or debris to wash, slide, erode or otherwise be moved from said real property onto the streets, alleys, utility facilities, rights-of-way or easements of the City. It shall be the duty of each property owner or party in control of property on which such activities are occurring to prevent soil, mud, rock or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed a violation of this article.

Sec. 26-109. - Duties upon completion of work.

- a. The property owner and any person having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring or has occurred shall be responsible for all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion control and removal of all trash or other materials not suitable for fill including those deposit on streets, alleys, utility facilities, rights-of-way or easements.
- b. After any excavation activity is completed, and within seven (7) days of completion, the person performing the excavation shall backfill the excavation area with such materials and in such a manner as the City Manager or his designee may require, and leave the excavated area in at least the same condition as it was before the excavation activity was started.

- c. After any filling, grading, or any other soil disturbing activity is completed, and within seven (7) days of completion, the person performing the filling, grading, or other soil disturbing activity shall remove all excess soil or earthen material, or any other material used for the grading, filling, construction or other disturbance of the surface of real property in such a manner as the City Manager or his designee may require, and leave the area in at least the same condition as it was before the grading, filling, construction or other disturbance of the surface of real property was started.
- d. If the person performing the grading, filling, excavation, construction or other disturbance of the surface on property situated within the corporate limits of the City is not able to promptly restore the surface of the property to its pre-disturbance condition, that person will use their best efforts to re-establish ground cover on the property and construct erosion control measures to prevent the earth, soil, dirt and fill from eroding and washing away into, upon, under or across other private property or public property.
- e. If the property owner fails in any respect to fulfill the requirements of this Division, and such failure continues for more than 72 hours after the CITY sends written notice of such failure to the address, fax or email address provided on the application, the CITY may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same to the applicant and/or the property owner. The CITY shall bill the applicant and/or the property owner for the unpaid expenses and if the applicant and/or the property owner fails to pay the CITY for such expenses within 30 days of being billed for same, the CITY shall have the right to place a lien on the subject property which shall be filed with the county clerk for all amounts expended by the CITY plus interest at the then current lawful rate.

Sec. 26-110. – Compliance with flood control and erosion regulations.

All filling, grading, excavation, and other disturbance of the surface activity shall be performed and/or maintained at all times in accordance with the City's flood control and erosion regulations including, but not limited to, those requirements contained in Chapter 26, entitled "Environment," and Chapter 65, entitled "Subdivisions," of the Farmersville Code. In addition, the owner of property together with any and all engineers, architects, and contractors retained by or working on behalf of any of the same that are

engaged in filling, grading, excavation, and other disturbance of the surface activity on a particular lot, parcel or tract of land shall utilize generally accepted "Best Management Practices" ("BMPs") including, but not limited to, silt fencing and storm drain inlet protection to prevent soil erosion from migrating from the subject property to, upon, over, and across adjacent properties, roads, streets and alleys. The City Manager or his designee shall have the sole discretion to determine whether any filling, grading, excavation, and other disturbance of the surface activity is being performed and/or maintained in accordance with such regulations.

Sec. 26-111. - Signage required.

The applicant shall be responsible for placing signage visible from all adjacent public rights-of-way informing the public that filling, grading, excavation, and other disturbance of the surface activity is being performed. The signage shall include the name and contact information for the person performing the filling, grading, excavation, and other disturbance of the surface activity and the permit number under which the filling, grading, excavation, and other disturbance of the surface activity is being performed.

Sec. 26-112. – Exception for Permanent Excavations.

- (a) Detention ponds and retention ponds required by the City's Subdivision Ordinance to maintain storm water run-off at pre-development standards are excepted from the provisions of this Division and are instead regulated by and through the Subdivision Ordinance, the City's Manual for the Design of Storm Drainage Systems, and related Standard Construction Details;
- (b) The owner of property that is greater than <u>five (5)</u>—acres in area may obtain a permit to excavate a pond or stock tank intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - The area or section of the property where the pond or stock tank is situated shall be entirely enclosed on all sides by a fence that stands at least four feet tall; and
 - 2. All gates allowing ingress and egress to and from the area or section of the property where the pond or stock tank is situated shall be kept closed and locked when not being used; and
 - 3. The pond or stock tank shall be located at least one hundred feet away from the nearest fence line; and

- 4. The location and volume of the pond or stock tank shall conform to and comply with all applicable local, state and federal statutes, laws, rules and requirements including but not limited to any and all rules, requirements and procedures adopted by the Texas Commission on Environmental Quality and the United States Environmental Protection Agency; and
- (c) An owner of property may obtain a permit to excavate a Koi Pond intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - 1. The Koi Pond shall be no more than three feet (3') deep at its deepest point unless the Koi Pond is constructed and maintained in an area that is completely surrounded on all sides by a fence that stands at least four feet tall; and
 - 2. All gates allowing ingress and egress to and from the area or section of the property where the Koi Pond is situated shall be kept closed and locked when not being used.
- (d) Notwithstanding the provisions contained in this Section 26-112, it remains the obligation of an owner or occupant of property to comply with Section 14-307 of the Farmersville Code regarding stagnant water.

Sec. 26-113. – Addressing complaints where a permit was not obtained.

If a property owner files a complaint supported by an affidavit that the owner(s) of adjacent properties, their agents, or other persons acting on their behalf violated any one or more of the provisions of this Division resulting in stormwater being redirected onto or away from their property or the volume and velocity of such stormwater flowing onto their property being increased or decreased, the CITY may cause a citation to be issued to the owner(s) of the complained of adjacent properties, their agents, or other persons acting on their behalf if a permit was not obtained.

Sec. 26-114. - Penalty for violation of article.

Each violation of this article shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000) for each day or part of a day that such violation occurs and/or continues."

Section 3. AMENDMENT OF APPENDIX A, "MASTER FEE SCHEDULE", BY AMENDING ARTICLE V, "EXCAVATION; MOVING; BURNING," BY ADDING A NEW SECTION 5-4, ENTITLED "FILLING, GRADING,

EXCAVATION, AND OTHER DISTURBANCE OF THE SURFACE ACTIVITY ON PRIVATE PROPERTY PERMIT"

From and after the effective date of this Ordinance, Appendix A, "Master Fee Schedule" of the Farmersville Code, is hereby amended by amending Article V, "Excavation; Moving; Burning" by adding a new Section 5-4, titled "Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit", to hereafter read as follows:

Sec. 5-4. - Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit

PERMIT	FEE	
Filling the surface of private real property	\$ 200.00	
Grading the surface of private real property	\$ 200.00	
Excavating the surface of private real property	\$ 200.00	
Other Disturbance of the surface of private real property	\$ 200.00	

Section 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

Section 5. SAVINGS

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

Section 6. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 7. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

Section 8. INJUNCTIONS

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

Section 9. ENGROSSMENT AND ENROLLMENT

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

Section 10. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after it passage and publication of the caption as required by law.

[Signatures begin on following page.]

PASSED on first reading on the 12th day of January, 2021, and second reading on the 26th day of January, 2021, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

CITY OF FARMERSVILLE, TEXAS

BRYON WIEBOLD Mayor

ATTEST:

SANDRA GREEN, TRMC City Secretary

CITY OF FARMERSVILLE ORDINANCE 0-2021-0126-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 26, "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY" TOGETHER WITH NEW SECTIONS 26-101 THROUGH 26-114 AS PROVIDED HEREIN-BELOW, AND AMENDING APPENDIX A. "MASTER FEE SCHEDULE" TO INCLUDE PERMITTING FEES FOR FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY **PERMITS** ON **PRIVATE** PROPERTY: REPEALING **ORDINANCES** IN CONFLICT HEREWITH: PROVIDING SEVERABILITY: PROVIDING FOR GOVERNMENTAL IMMUNITY: **PROVIDING INJUNCTIONS:** FOR **PROVIDING** Α **PENALTY:** PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas, (the "City") is a Type A General – Law Municipality located in Collin County having a population of less than 5,000 persons as determined by the most recent federal census, created in accordance with the provisions of Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas ("Farmersville Code"), for the protection of the public health and general welfare of the people of the City; and

WHEREAS, the City has previously adopted regulations relating to grading and excavation of public property in Farmersville; and

WHEREAS, the City desires to establish regulations relating to filling, grading and excavation of private property in Farmersville; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that it is in the best interest of the public health, safety and welfare to establish regulations relating to grading and excavation of private property as provided herein below to establish such a process.

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

Section 1. INCORPORATION OF FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. AMENDMENT OF CHAPTER 26, "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY" TOGETHER WITH SECTIONS 26-101 THROUGH 26-114 AS PROVIDED HEREIN-BELOW

From and after the effective date of this Ordinance, Chapter 26, "Environment," of the Farmersville Code, is hereby amended through the amendment of Article II, "Flood Control," by adding a new Division 4 titled "Filling, Grading, Excavation, and Other Soil Disturbing Activity" together with Sections 26-101 through 26-113 to read as follows:

"DIVISION 4. FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY

Sec. 26-101. - Definitions.

For purposes of this Article, the following terms shall have the meaning given below:

Excavation. The removal of any soil or earthen material in an amount that will exceed a depth of twelve inches (12"), including but not limited to trenching, or performing any structural or other construction that blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Filling, Grading, and Soil Disturbing Activity. The movement, addition or removal of any soil or earthen material for the purposes of altering the level, incline, decline, slant or slope of the ground surface by a contour of more than one foot (1') in elevation in an area that (a) exceeds two hundred (200) total square feet in area, and/or (b) blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of

the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Sec. 26-102. – Applicability.

This Division shall apply to all property owners, persons, or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the City, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this Division shall constitute an offense, and each day such failure continues shall constitute a separate offense. This Division shall not apply to excavation and grading related to any public street, sidewalk, right-of-way or other public property.

Sec. 26-103. – Grading and Excavation Permit—Required.

It shall be unlawful for any person to perform any filling, grading, excavation, or other soil disturbing activity within the territorial limits of the City without first having obtained a permit to do so. No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit for filling, grading, excavation, or other soil disturbing activity in accordance with this Division, from the City Manager or his designee. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit from the City Manager or his designee. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within a flood hazard area, a development permit must be secured in accordance with Chapter 26, "Environment."

Sec. 26-104. - Application.

The application for a permit for filling, grading, excavation, or some other soil disturbing activity shall be submitted to the City Manager or his designee, and shall clearly state the following:

- (1) The location where the applicant proposes to perform filling, grading, excavation, or other soil disturbing activities;
- (2) The purpose for the filling, grading, excavation, or other soil disturbing activities;
- (3) The proposed size, change in elevation, depth and/or degree of the filling, grading, excavation, or other soil disturbing activities;
- (4) Written confirmation from all applicable utilities that the proposed filling, grading, excavation or other soil disturbing activities will not disrupt, disturb, impair or interfere with the provision of such utilities.

- (5) The name of the person or entity who proposes to perform such filling, grading, excavation, or other soil disturbing activities;
- (6) The name and contact information of the person or entity that will be performing such filling, grading, excavation, or other soil disturbing activities; and
- (7) Proof of commercial liability insurance for claims of property damage or bodily injury covering the applicant or person(s) or entity(ies) performing the work in an amount acceptable to at least Fifty Thousand Dollars (\$50,000) or such greater amount as may be agreed by and between the property owner and the applicant or person(s) or entity(ies) performing the work.

Failure to provide any and all of the above information shall be grounds for denial of the application.

Sec. 26-105. - Issuance of permit.

Upon acceptance of the application and confirmation that the submitted application is complete, the City Manager or his designee shall issue a permit for the filling, grading, excavation, or other soil disturbing activity to the applicant, and the applicant may then proceed with such filling, grading, excavation, or other soil disturbing activity. A nonrefundable fee in the amount set out in Appendix A, Master Fee Schedule shall be charged for each application for a permit submitted to the City to cover administrative expenses.

Sec. 26-106. - Limitation on permit.

Each permit issued for any filling, grading, excavation, or other soil disturbing activity shall be limited to the scope of the filling, grading, excavation, or other soil disturbing activity expressly identified in the application. Such permit shall expire and become null and void if the filling, grading, excavation, or other soil disturbing activity is not started within thirty (30) days from issuance of the permit, or such filling, grading, excavation, or other soil disturbing activity is suspended or abandoned for a period of time of at least thirty (30) days after the date such filling, grading, excavation, or other soil disturbing activity is initially commenced. In the event the permit(s) expires for failure to timely commence the work or because the work has been suspended or abandoned, the applicant must obtain a new permit before any filling, grading, excavation, or other soil disturbing activity can commence or resume.

Sec. 26-107. – Filling, grading, excavation, and any other soil disturbing activity subject to City inspection.

All filling, grading, excavation, or other soil disturbing activity shall be subject to inspection by the City Manager or his designee for compliance with all applicable codes and ordinances.

Sec. 26-108. – Duty of property owner and any person having control of the property to prevent dirt, mud, and debris from washing onto public streets, alleys, or other public property.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring within the City to suffer or permit soil, mud, rock or debris to wash, slide, erode or otherwise be moved from said real property onto the streets, alleys, utility facilities, rights-of-way or easements of the City. It shall be the duty of each property owner or party in control of property on which such activities are occurring to prevent soil, mud, rock or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed a violation of this article.

Sec. 26-109. - Duties upon completion of work.

- a. The property owner and any person having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring or has occurred shall be responsible for all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion control and removal of all trash or other materials not suitable for fill including those deposit on streets, alleys, utility facilities, rights-of-way or easements.
- b. After any excavation activity is completed, and within seven (7) days of completion, the person performing the excavation shall backfill the excavation area with such materials and in such a manner as the City Manager or his designee may require, and leave the excavated area in at least the same condition as it was before the excavation activity was started.

- c. After any filling, grading, or any other soil disturbing activity is completed, and within seven (7) days of completion, the person performing the filling, grading, or other soil disturbing activity shall remove all excess soil or earthen material, or any other material used for the grading, filling, construction or other disturbance of the surface of real property in such a manner as the City Manager or his designee may require, and leave the area in at least the same condition as it was before the grading, filling, construction or other disturbance of the surface of real property was started.
- d. If the person performing the grading, filling, excavation, construction or other disturbance of the surface on property situated within the corporate limits of the City is not able to promptly restore the surface of the property to its pre-disturbance condition, that person will use their best efforts to re-establish ground cover on the property and construct erosion control measures to prevent the earth, soil, dirt and fill from eroding and washing away into, upon, under or across other private property or public property.
- e. If the property owner fails in any respect to fulfill the requirements of this Division, and such failure continues for more than 72 hours after the CITY sends written notice of such failure to the address, fax or email address provided on the application, the CITY may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same to the applicant and/or the property owner. The CITY shall bill the applicant and/or the property owner for the unpaid expenses and if the applicant and/or the property owner fails to pay the CITY for such expenses within 30 days of being billed for same, the CITY shall have the right to place a lien on the subject property which shall be filed with the county clerk for all amounts expended by the CITY plus interest at the then current lawful rate.

Sec. 26-110. – Compliance with flood control and erosion regulations.

All filling, grading, excavation, and other disturbance of the surface activity shall be performed and/or maintained at all times in accordance with the City's flood control and erosion regulations including, but not limited to, those requirements contained in Chapter 26, entitled "Environment," and Chapter 65, entitled "Subdivisions," of the Farmersville Code. In addition, the owner of property together with any and all engineers, architects, and contractors retained by or working on behalf of any of the same that are

engaged in filling, grading, excavation, and other disturbance of the surface activity on a particular lot, parcel or tract of land shall utilize generally accepted "Best Management Practices" ("BMPs") including, but not limited to, silt fencing and storm drain inlet protection to prevent soil erosion from migrating from the subject property to, upon, over, and across adjacent properties, roads, streets and alleys. The City Manager or his designee shall have the sole discretion to determine whether any filling, grading, excavation, and other disturbance of the surface activity is being performed and/or maintained in accordance with such regulations.

Sec. 26-111. - Signage required.

The applicant shall be responsible for placing signage visible from all adjacent public rights-of-way informing the public that filling, grading, excavation, and other disturbance of the surface activity is being performed. The signage shall include the name and contact information for the person performing the filling, grading, excavation, and other disturbance of the surface activity and the permit number under which the filling, grading, excavation, and other disturbance of the surface activity is being performed.

Sec. 26-112. – Exception for Permanent Excavations.

- (a) Detention ponds and retention ponds required by the City's Subdivision Ordinance to maintain storm water run-off at pre-development standards are excepted from the provisions of this Division and are instead regulated by and through the Subdivision Ordinance, the City's Manual for the Design of Storm Drainage Systems, and related Standard Construction Details;
- (b) The owner of property that is greater than five (5)—acres in area may obtain a permit to excavate a pond or stock tank intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - 1. The area or section of the property where the pond or stock tank is situated shall be entirely enclosed on all sides by a fence that stands at least four feet tall; and
 - All gates allowing ingress and egress to and from the area or section of the property where the pond or stock tank is situated shall be kept closed and locked when not being used; and
 - 3. The pond or stock tank shall be located at least one hundred feet away from the nearest fence line; and

- 4. The location and volume of the pond or stock tank shall conform to and comply with all applicable local, state and federal statutes, laws, rules and requirements including but not limited to any and all rules, requirements and procedures adopted by the Texas Commission on Environmental Quality and the United States Environmental Protection Agency; and
- (c) An owner of property may obtain a permit to excavate a Koi Pond intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - The Koi Pond shall be no more than three feet (3') deep at its deepest point unless the Koi Pond is constructed and maintained in an area that is completely surrounded on all sides by a fence that stands at least four feet tall; and
 - 2. All gates allowing ingress and egress to and from the area or section of the property where the Koi Pond is situated shall be kept closed and locked when not being used.
- (d) Notwithstanding the provisions contained in this Section 26-112, it remains the obligation of an owner or occupant of property to comply with Section 14-307 of the Farmersville Code regarding stagnant water.

Sec. 26-113. - Addressing complaints where a permit was not obtained.

If a property owner files a complaint supported by an affidavit that the owner(s) of adjacent properties, their agents, or other persons acting on their behalf violated any one or more of the provisions of this Division resulting in stormwater being redirected onto or away from their property or the volume and velocity of such stormwater flowing onto their property being increased or decreased, the CITY may cause a citation to be issued to the owner(s) of the complained of adjacent properties, their agents, or other persons acting on their behalf if a permit was not obtained.

Sec. 26-114. - Penalty for violation of article.

Each violation of this article shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000) for each day or part of a day that such violation occurs and/or continues."

Section 3. AMENDMENT OF APPENDIX A, "MASTER FEE SCHEDULE", BY AMENDING ARTICLE V, "EXCAVATION; MOVING; BURNING," BY ADDING A NEW SECTION 5-4, ENTITLED "FILLING, GRADING,

EXCAVATION, AND OTHER DISTURBANCE OF THE SURFACE ACTIVITY ON PRIVATE PROPERTY PERMIT"

From and after the effective date of this Ordinance, Appendix A, "Master Fee Schedule" of the Farmersville Code, is hereby amended by amending Article V, "Excavation; Moving; Burning" by adding a new Section 5-4, titled "Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit", to hereafter read as follows:

Sec. 5-4. - Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit

PERMIT	FEE
Filling the surface of private real property	\$ 200.00
Grading the surface of private real property	\$ 200.00
Excavating the surface of private real property	\$ 200.00
Other Disturbance of the surface of private real property	\$ 200.00

Section 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

Section 5. SAVINGS

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

Section 6. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 7. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

Section 8. INJUNCTIONS

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

Section 9. ENGROSSMENT AND ENROLLMENT

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

Section 10. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after it passage and publication of the caption as required by law.

[Signatures begin on following page.]

PASSED on first reading on the 12th day of January, 2021, and second reading on the 26th day of January, 2021, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

	CITY OF FARMERSVILLE, TEXAS
	BRYON WIEBOLD Mayor
ATTEST:	
SANDRA GREEN, TRMC City Secretary	

CITY OF FARMERSVILLE ORDINANCE O-2021-0126-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 26. "ENVIRONMENT." THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING **ACTIVITY" TOGETHER WITH NEW SECTIONS 26-101 THROUGH 26-**114 AS PROVIDED HEREIN-BELOW, AND AMENDING APPENDIX A, "MASTER FEE SCHEDULE" TO INCLUDE PERMITTING FEES FOR FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY **PERMITS** ON **PRIVATE** PROPERTY: REPEALING **CONFLICT** ORDINANCES IN HEREWITH: **PROVIDING** SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; **PROVIDING** FOR **INJUNCTIONS: PROVIDING** Α **PENALTY:** PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas, (the "City") is a Type A General – Law Municipality located in Collin County having a population of less than 5,000 persons as determined by the most recent federal census, created in accordance with the provisions of Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas ("Farmersville Code"), for the protection of the public health and general welfare of the people of the City; and

WHEREAS, the City has previously adopted regulations relating to grading and excavation of public property in Farmersville; and

WHEREAS, the City desires to establish regulations relating to filling, grading and excavation of private property in Farmersville; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

WHEREAS, the City Council of the City of Farmersville, Texas finds that it is in the best interest of the public health, safety and welfare to establish regulations relating to grading and excavation of private property as provided herein below to establish such a process.

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

Section 1. INCORPORATION OF FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. AMENDMENT OF CHAPTER 26, "ENVIRONMENT," THROUGH THE AMENDMENT OF ARTICLE II, "FLOOD CONTROL," BY ADOPTING A NEW DIVISION 4 TITLED "FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY" TOGETHER WITH SECTIONS 26-101 THROUGH 26-114 AS PROVIDED HEREIN-BELOW

From and after the effective date of this Ordinance, Chapter 26, "Environment," of the Farmersville Code, is hereby amended through the amendment of Article II, "Flood Control," by adding a new Division 4 titled "Filling, Grading, Excavation, and Other Soil Disturbing Activity" together with Sections 26-101 through 26-113 to read as follows:

"DIVISION 4. FILLING, GRADING, EXCAVATION, AND OTHER SOIL DISTURBING ACTIVITY

Sec. 26-101. - Definitions.

For purposes of this Article, the following terms shall have the meaning given below:

Excavation. The removal of any soil or earthen material in an amount that will exceed a depth of twelve inches (12"), including but not limited to trenching, or performing any structural or other construction that blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Filling, Grading, and Soil Disturbing Activity. The movement, addition or removal of any soil or earthen material for the purposes of altering the level, incline, decline, slant or slope of the ground surface by a contour of more than one foot (1') in elevation in an area that (a) exceeds two hundred (200) total square feet in area, and/or (b) blocks or occludes or changes the volume, direction, flow, and/or velocity of storm water running across the surface of

the land particularly at or about the boundary of two or more parcels, tracts, or lots of land within the corporate limits of the City.

Sec. 26-102. - Applicability.

This Division shall apply to all property owners, persons, or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the City, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this Division shall constitute an offense, and each day such failure continues shall constitute a separate offense. This Division shall not apply to excavation and grading related to any public street, sidewalk, right-of-way or other public property.

Sec. 26-103. - Grading and Excavation Permit—Required.

It shall be unlawful for any person to perform any filling, grading, excavation, or other soil disturbing activity within the territorial limits of the City without first having obtained a permit to do so. No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit for filling, grading, excavation, or other soil disturbing activity in accordance with this Division, from the City Manager or his designee. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a permit from the City Manager or his designee. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within a flood hazard area, a development permit must be secured in accordance with Chapter 26, "Environment."

Sec. 26-104. - Application.

The application for a permit for filling, grading, excavation, or some other soil disturbing activity shall be submitted to the City Manager or his designee, and shall clearly state the following:

- (1) The location where the applicant proposes to perform filling, grading, excavation, or other soil disturbing activities;
- (2) The purpose for the filling, grading, excavation, or other soil disturbing activities;
- (3) The proposed size, change in elevation, depth and/or degree of the filling, grading, excavation, or other soil disturbing activities;
- (4) Written confirmation from all applicable utilities that the proposed filling, grading, excavation or other soil disturbing activities will not disrupt, disturb, impair or interfere with the provision of such utilities.

- (5) The name of the person or entity who proposes to perform such filling, grading, excavation, or other soil disturbing activities;
- (6) The name and contact information of the person or entity that will be performing such filling, grading, excavation, or other soil disturbing activities; and
- (7) Proof of commercial liability insurance for claims of property damage or bodily injury covering the applicant or person(s) or entity(ies) performing the work in an amount acceptable to at least Fifty Thousand Dollars (\$50,000) or such greater amount as may be agreed by and between the property owner and the applicant or person(s) or entity(ies) performing the work.

Failure to provide any and all of the above information shall be grounds for denial of the application.

Sec. 26-105. - Issuance of permit.

Upon acceptance of the application and confirmation that the submitted application is complete, the City Manager or his designee shall issue a permit for the filling, grading, excavation, or other soil disturbing activity to the applicant, and the applicant may then proceed with such filling, grading, excavation, or other soil disturbing activity. A nonrefundable fee in the amount set out in Appendix A, Master Fee Schedule shall be charged for each application for a permit submitted to the City to cover administrative expenses.

Sec. 26-106. – Limitation on permit.

Each permit issued for any filling, grading, excavation, or other soil disturbing activity shall be limited to the scope of the filling, grading, excavation, or other soil disturbing activity expressly identified in the application. Such permit shall expire and become null and void if the filling, grading, excavation, or other soil disturbing activity is not started within thirty (30) days from issuance of the permit, or such filling, grading, excavation, or other soil disturbing activity is suspended or abandoned for a period of time of at least thirty (30) days after the date such filling, grading, excavation, or other soil disturbing activity is initially commenced. In the event the permit(s) expires for failure to timely commence the work or because the work has been suspended or abandoned, the applicant must obtain a new permit before any filling, grading, excavation, or other soil disturbing activity can commence or resume.

Sec. 26-107. – Filling, grading, excavation, and any other soil disturbing activity subject to City inspection.

All filling, grading, excavation, or other soil disturbing activity shall be subject to inspection by the City Manager or his designee for compliance with all applicable codes and ordinances.

Sec. 26-108. – Duty of property owner and any person having control of the property to prevent dirt, mud, and debris from washing onto public streets, alleys, or other public property.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring within the City to suffer or permit soil, mud, rock or debris to wash, slide, erode or otherwise be moved from said real property onto the streets, alleys, utility facilities, rights-of-way or easements of the City. It shall be the duty of each property owner or party in control of property on which such activities are occurring to prevent soil, mud, rock or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed a violation of this article.

Sec. 26-109. - Duties upon completion of work.

- a. The property owner and any person having control of real property on which filling, grading, excavation, or any other soil disturbing activity is occurring or has occurred shall be responsible for all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion control and removal of all trash or other materials not suitable for fill including those deposit on streets, alleys, utility facilities, rights-of-way or easements.
- b. After any excavation activity is completed, and within seven (7) days of completion, the person performing the excavation shall backfill the excavation area with such materials and in such a manner as the City Manager or his designee may require, and leave the excavated area in at least the same condition as it was before the excavation activity was started.

- c. After any filling, grading, or any other soil disturbing activity is completed, and within seven (7) days of completion, the person performing the filling, grading, or other soil disturbing activity shall remove all excess soil or earthen material, or any other material used for the grading, filling, construction or other disturbance of the surface of real property in such a manner as the City Manager or his designee may require, and leave the area in at least the same condition as it was before the grading, filling, construction or other disturbance of the surface of real property was started.
- d. If the person performing the grading, filling, excavation, construction or other disturbance of the surface on property situated within the corporate limits of the City is not able to promptly restore the surface of the property to its pre-disturbance condition, that person will use their best efforts to re-establish ground cover on the property and construct erosion control measures to prevent the earth, soil, dirt and fill from eroding and washing away into, upon, under or across other private property or public property.
- e. If the property owner fails in any respect to fulfill the requirements of this Division, and such failure continues for more than 72 hours after the CITY sends written notice of such failure to the address, fax or email address provided on the application, the CITY may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same to the applicant and/or the property owner. The CITY shall bill the applicant and/or the property owner for the unpaid expenses and if the applicant and/or the property owner fails to pay the CITY for such expenses within 30 days of being billed for same, the CITY shall have the right to place a lien on the subject property which shall be filed with the county clerk for all amounts expended by the CITY plus interest at the then current lawful rate.

Sec. 26-110. – Compliance with flood control and erosion regulations.

All filling, grading, excavation, and other disturbance of the surface activity shall be performed and/or maintained at all times in accordance with the City's flood control and erosion regulations including, but not limited to, those requirements contained in Chapter 26, entitled "Environment," and Chapter 65, entitled "Subdivisions," of the Farmersville Code. In addition, the owner of property together with any and all engineers, architects, and contractors retained by or working on behalf of any of the same that are

engaged in filling, grading, excavation, and other disturbance of the surface activity on a particular lot, parcel or tract of land shall utilize generally accepted "Best Management Practices" ("BMPs") including, but not limited to, silt fencing and storm drain inlet protection to prevent soil erosion from migrating from the subject property to, upon, over, and across adjacent properties, roads, streets and alleys. The City Manager or his designee shall have the sole discretion to determine whether any filling, grading, excavation, and other disturbance of the surface activity is being performed and/or maintained in accordance with such regulations.

Sec. 26-111. - Signage required.

The applicant shall be responsible for placing signage visible from all adjacent public rights-of-way informing the public that filling, grading, excavation, and other disturbance of the surface activity is being performed. The signage shall include the name and contact information for the person performing the filling, grading, excavation, and other disturbance of the surface activity and the permit number under which the filling, grading, excavation, and other disturbance of the surface activity is being performed.

Sec. 26-112. – Exception for Permanent Excavations.

- (a) Detention ponds and retention ponds required by the City's Subdivision Ordinance to maintain storm water run-off at pre-development standards are excepted from the provisions of this Division and are instead regulated by and through the Subdivision Ordinance, the City's Manual for the Design of Storm Drainage Systems, and related Standard Construction Details;
- (b) The owner of property that is greater than five (5) acres in area may obtain a permit to excavate a pond or stock tank intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - The area or section of the property where the pond or stock tank is situated shall be entirely enclosed on all sides by a fence that stands at least four feet tall; and
 - 2. All gates allowing ingress and egress to and from the area or section of the property where the pond or stock tank is situated shall be kept closed and locked when not being used; and
 - 3. The pond or stock tank shall be located at least one hundred feet away from the nearest fence line; and

- 4. The location and volume of the pond or stock tank shall conform to and comply with all applicable local, state and federal statutes, laws, rules and requirements including but not limited to any and all rules, requirements and procedures adopted by the Texas Commission on Environmental Quality and the United States Environmental Protection Agency; and
- (c) An owner of property may obtain a permit to excavate a Koi Pond intended to be perpetual in nature on their property subject to compliance with the following requirements:
 - 1. The Koi Pond shall be no more than three feet (3') deep at its deepest point unless the Koi Pond is constructed and maintained in an area that is completely surrounded on all sides by a fence that stands at least four feet tall; and
 - 2. All gates allowing ingress and egress to and from the area or section of the property where the Koi Pond is situated shall be kept closed and locked when not being used.
- (d) Notwithstanding the provisions contained in this Section 26-112, it remains the obligation of an owner or occupant of property to comply with Section 14-307 of the Farmersville Code regarding stagnant water.

Sec. 26-113. – Addressing complaints where a permit was not obtained.

If a property owner files a complaint supported by an affidavit that the owner(s) of adjacent properties, their agents, or other persons acting on their behalf violated any one or more of the provisions of this Division resulting in stormwater being redirected onto or away from their property or the volume and velocity of such stormwater flowing onto their property being increased or decreased, the CITY may cause a citation to be issued to the owner(s) of the complained of adjacent properties, their agents, or other persons acting on their behalf if a permit was not obtained.

Sec. 26-114. - Penalty for violation of article.

Each violation of this article shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000) for each day or part of a day that such violation occurs and/or continues."

Section 3. AMENDMENT OF APPENDIX A, "MASTER FEE SCHEDULE", BY AMENDING ARTICLE V, "EXCAVATION; MOVING; BURNING," BY ADDING A NEW SECTION 5-4, ENTITLED "FILLING, GRADING,

EXCAVATION, AND OTHER DISTURBANCE OF THE SURFACE ACTIVITY ON PRIVATE PROPERTY PERMIT"

From and after the effective date of this Ordinance, Appendix A, "Master Fee Schedule" of the Farmersville Code, is hereby amended by amending Article V, "Excavation; Moving; Burning" by adding a new Section 5-4, titled "Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit", to hereafter read as follows:

Sec. 5-4. - Filling, Grading, Excavation, and Other Disturbance of the Surface Activity on Private Property Permit

PERMIT	FEE
Filling the surface of private real property	\$ 200.00
Grading the surface of private real property	\$ 200.00
Excavating the surface of private real property	\$ 200.00
Other Disturbance of the surface of private real property	\$ 200.00

Section 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

Section 5. SAVINGS

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

Section 6. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 7. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

Section 8. INJUNCTIONS

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

Section 9. ENGROSSMENT AND ENROLLMENT

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

Section 10. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after it passage and publication of the caption as required by law.

[Signatures begin on following page.]

PASSED on first reading on the 12th day of January, 2021, and second reading on the 26th day of January, 2021, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

	CITY OF FARMERSVILLE, TEXAS	
	BRYON WIEBOLD Mayor	
ATTEST:		
SANDRA GREEN, TRMC City Secretary		

Agenda Section	Reading of Ordinances
Section Number	VII.B
Subject	Consider, discuss and act upon the first reading of Ordinance #O-2021-0209-001 regarding an amendment to the Sign Ordinance pertaining to painted signs on walls.
То	Mayor and Council Members
From	Ben White, City Manager
Date	January 26, 2021
Attachment(s)	O-2021-0209-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	 Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action

CITY OF FARMERSVILLE ORDINANCE # O-2021-0209-001

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 56-31, "DEFINITIONS; SIGN REGULATIONS REQUIREMENTS," BY AMENDING AND FOLLOWING WORDS OR PHRASES DEFINITIONS FOR THE "CENTRAL AREA (CA) ZONING DISTRICT OR CA – CENTRAL AREA DISTRICT," "GRAFFITI," "MURAL," "REAR WALL SIGN," AND "WALL SIGN," BY AMENDING SECTION 56-32, "PROHIBITED SIGNS" BY AMENDING SUBPARAGRAPH (L) TO PROHIBIT A SIGN TO BE PAINTED DIRECTLY ON TO THE EXTERIOR WALL OR FACADE OF A BUILDING OR STRUCTURE IN THE CENTRAL AREA (CA) ZONING SAVE AND EXCEPT A MURAL (IF OTHERWISE DISTRICT PERMITTED), A REAR WALL SIGN, AND/OR A WALL SIGN, AND BY AMENDING SECTION 56-53, "SIGNS FOR THE CENTRAL AREA (CA) ZONING DISTRICT" TO ALLOW A MURAL (IF OTHERWISE PERMITTED). A REAR WALL SIGN. AND/OR A WALL SIGN. TO BE PAINTED DIRECTLY ON TO THE EXTERIOR WALL OR FACADE OF A BUILDING OR STRUCTURE IN THE CENTRAL AREA (CA) ZONING DISTRICT: REPEALING ORDINANCES IN CONFLICT HEREWITH: PROVIDING FOR SEVERABILITY: PROVIDING FOR GOVERNMENTAL IMMUNITY: PROVIDING FOR INJUNCTIONS: PROVIDING A PENALTY: PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE: AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City adopted the Code of Ordinances, City of Farmersville, Texas ("Farmersville Code"), for the protection of the public health and general welfare of the people of the City; and

WHEREAS, the City Council of the City of Farmersville ("City Council") previously adopted rules and regulations relating to signs and advertising; and

WHEREAS, the City Council now seeks to modify certain of the rules and regulations relating to signs and advertising; and

WHEREAS, the City Council finds that it is in the best interest of the public health, safety and welfare to modify certain of the rules and regulations relating to signs and advertising as provided hereinbelow.

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

Section 1. FINDINGS INCORPORATED.

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

AMENDMENT OF CHAPTER 56, "SIGNS AND ADVERTISING,"
THROUGH THE AMENDMENT OF ARTICLE II "DEFINITIONS AND
REGULATIONS," OF THE CITY'S CODE OF ORDINANCES BY
AMENDING SECTION 56-31, "DEFINITIONS; SIGN REGULATIONS
AND REQUIREMENTS," BY AMENDING THE DEFINITIONS FOR
THE FOLLOWING WORDS OR PHRASES "CENTRAL AREA (CA)
ZONING DISTRICT OR CA – CENTRAL AREA DISTRICT,"
"GRAFFITI," "MURAL," "REAR WALL SIGN," AND "WALL SIGN"

From and after the effective date of this Ordinance, Chapter 56, "Signs and Advertising," is hereby amended through the amendment of Article II "Definitions and Regulations," of the City's Code of Ordinances by amending Section 56-31, "Definitions; Sign Regulations and Requirements" by amending the definitions for the following words or phrases "Central Area (Ca) Zoning District or Ca — Central Area District," "Graffiti," "Mural," "Rear Wall Sign," and "Wall Sign" to hereafter read as follows:

"Central Area (CA) Zoning District or CA – Central Area District.

- (1) The area consists of the historic downtown area as established by Chapter 77, "Zoning," as it currently exists or may be amended by ordinance, and as indicated on the City Zoning Map.
- (2) All signs for the CA Central Area District shall be regulated according to the provisions of this Chapter. Refer to Section 56-53 regarding Signs in the Central Area Zoning District and see Section 56-54."

"Graffiti means pictures, words or slogans, images, or other artwork painted, drawn, scratched, carved, cut or applied in any other manner to exterior walls, fences, structures, vehicles, stone, statues, buildings, or other items in public view without obtaining a sign permit. Graffiti includes,

but is not limited to, the illegal or unauthorized defacing of a building, wall, or other edifice or object by painting or otherwise marking it with words, pictures, symbols, advertising, logos, relations with a group, indecent or vulgar images or offensive language. Graffiti is prohibited in the city and its extraterritorial jurisdiction."

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

- (1) Murals shall not be used to advertise products or services of any kind offered or sold off premises or on premises. Any form of wording or logo shall be of secondary nature to a mural.
- (2) A sign permit is required.
- (3) A detailed drawing of the proposed mural shall be submitted to the city with the sign permit application for review to determine conformity with all applicable city, state and federal laws, statutes and ordinances.
- (4) The mural shall be executed in conformity to the detailed drawing of the proposed mural that is submitted to the city with the sign permit application.
- (5) A mural shall be located above grade and below a roof and only within a nonresidential zoning district. Murals shall not be applied to a roof or other similar cover of a building or structure. The maximum area of a mural shall not exceed the length or height of the exterior wall on which it is painted, drawn or applied. A mural shall not face a residential neighborhood unless separated by a major thoroughfare.
- (6) Murals are permitted only in conjunction with a nonresidential use or in a nonresidential zoning district.
- (7) Murals shall not contain any matter that is obscene or pornographic, or which offends the public morals, or that is inappropriate viewing material for anyone under the age of 18 years including, but not limited to:

- a. Nudity or a state of nudity, specified anatomical areas and specified sexual activities, as those terms are defined in this section:
- b. Less than completely and opaquely covered human genitals, buttocks, or that portion of the female breast below the top of the areola; and
- c. Human male genitals in a discernibly turgid stage whether covered or uncovered."

"Rear Wall Sign means a sign erected on to or against, or painted, drawn or applied directly on to a wall with no main entrances or store fronts, and which wall does not face the front or side of the lot.

- (1) A sign permit is required.
- (2) A building may have a maximum of one rear wall sign.
- (3) Rear wall signs shall only be permitted in the CA Zoning District."

"Wall Sign means any sign erected on to or against, or painted, drawn or applied directly on to an exterior wall or erected parallel directly onto a wall. A wall sign is a sign erected parallel to and extending not more than 12 inches from the facade of any building to which it is attached, supported throughout its entire length by the building face. A wall sign identifies the name or logo of a business.

- (1) A sign permit is required.
- (2) Wall signs are permitted only in conjunction with a nonresidential use or in a nonresidential zoning district.
- (3) Maximum wall coverage for signs placed on the front or side of a building, which wall contains a main entrance into the building, above the highest opening (window or door), shall be limited to 25 percent of the area, measured vertically from the highest opening (window or door) up to the highest point of the wall, and horizontally from outside corner to outside corner of such wall, including openings.

- (4) Maximum wall coverage for signs placed on the front or side of a building, which wall contains a main entrance into the building, below the top of the first floor opening (window or door), shall be limited to ten percent of the area, measured vertically from the top of the highest opening (window or door) down to the sidewalk, and horizontally from outside corner to outside corner of such wall, including openings.
- (5) Maximum wall coverage for rear wall signs shall be limited to 15 percent of the rear wall surface, measured vertically from the bottom of the wall to the roof, and horizontally from outside corner to outside corner of the rear wall."

AMENDMENT OF SECTION 56-32, "PROHIBITED SIGNS" BY AMENDING SUBPARAGRAPH (L) TO PROHIBIT 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 SAVE AND EXCEPT A MURAL (IF OTHERWISE PERMITTED), A REAR WALL SIGN, AND/OR A WALL SIGN

From and after the effective date of this Ordinance, Chapter 56, "Signs and Advertising," is hereby amended 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 (I) to prohibit 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 save and except a Mural (if otherwise permitted), a Rear Wall Sign, and/or a Wall Sign to hereafter read as follows:

"(I) No portion of any sign save and except a Mural (if otherwise permitted), a Rear Wall Sign, and/or a Wall Sign in the CA – Central Area District shall be painted directly on to the exterior wall or facade of any building or structure other than on a window or a door. Murals remain prohibited throughout the City."

Section 4. AMENDMENT OF SECTION 56-53, "SIGNS FOR THE CENTRAL AREA (CA) ZONING DISTRICT" TO ALLOW A MURAL (IF OTHERWISE PERMITTED), A REAR WALL SIGN, AND/OR A WALL SIGN TO BE PAINTED DIRECTLY ON TO THE EXTERIOR WALL OR FACADE OF A BUILDING OR STRUCTURE IN THE CA – CENTRAL AREA DISTRICT

From and after the effective date of this Ordinance, Chapter 56, "Signs and Advertising," is hereby amended through the amendment of Article II "Definitions and Regulations," of the City's Code of Ordinances by amending Section 56-53, "Signs for the

Central Area (CA) Zoning District" to allow a Mural (if otherwise permitted), a Rear Wall Sign, and/or a Wall Sign to be painted directly on to the exterior wall or facade of a building or structure in the Central Area (CA) Zoning District to hereafter read as follows:

"Sec. 56-53. - Signs for the CA – Central Area District.

(a) Policy and purpose.

- (1) The CA Central Area District is a unique historical and cultural environment that provides a certain charm and aura to the city which cannot be replaced and is worthy of preservation.
- (2) In an age of uniform franchise signs and generic, plastic box signs, historic signs and even new historic styled signs (signs which emulate or imitate historic signage) often attract by their individuality. Historic signage typically allowed buyers and sellers to communicate quickly using images that were the medium of daily life. By communicating names, addresses, prices, products, images and other fragments of daily life, historic styled signs also bring the past to life.

(b) Design considerations.

In order to preserve the benefits of the CA, all signs in the CA shall have a design appearance compatible with, reflective of, and incorporating materials and design elements utilized in, the original building design, time era, and historic downtown character of the CA. The following points should be considered when designing and constructing new signs for structures in the CA:

- (1) New signs should emulate or imitate historic signage. The simple signs that were originally used on these buildings serve as the best example for new signs.
- (2) Signs should be viewed as part of an overall graphics system for the historic building to which they are attached. Signs should work with the building, rather than against it.
- (3) New signs should respect the size, scale and design of the historic building.

- (4) Sign placement is an important decision and new signs should not obscure significant architectural features and building elements or design details of a historic building.
- (5) New signs should also respect neighboring buildings and add to the tapestry and appeal of the CA. New signs should not overpower the historic building to which they are attached or adjacent historic buildings or structures.
- (6) Sign materials should be compatible with the historic character of the building and the CA. Materials characteristic of the building's period and style, used in contemporary designs, can form effective new signs.
- (7) New signs should be attached to the building carefully to prevent damage to historic fabric and to ensure the safety of pedestrians. Fittings should penetrate mortar joints rather than brick, for example, and sign loads should be properly calculated and distributed.
- (8) New signs may also be painted, drawn or applied directly on to the building provided that the sign is painted, drawn or applied in a manner acceptable to the City Manager, or his designee, that will prevent damage to the historic fabric and structural integrity of the building and provided further that the sign itself is protected and sealed against the elements so as to provide a clean, well-defined, long-lasting, durable, non-fading, and non-running or streaking image.

(c) Sign standards.

- (1) Allowable signs in the CA include general business signs, incidental signs, menu boards, nameplates, wall signs and rear wall signs.
- (2) Signs shall be designed for pedestrian and slow-moving traffic. Big does not mean better.
- (3) Signs shall be flat signs with an allowable thickness of no more than four inches, measured from the wall surface to that portion of the face of the sign which projects furthest away from the building wall.

- (4) Signs should be placed under the lower cornice. No sign shall be allowed above the top of the second-story windows of a building.
- (5) Signs may be placed on the building's fascia or on the sign frieze, which is the horizontal flat bank above the store windows. Such signs may be on a flat signboard; painted, drawn or applied directly to the building; or, made of individual letters or symbols attached to the building's fascia or sign frieze.
- (6) Signs may be placed on an awning. The following shall apply:
 - a. Only one awning sign is allowed per building.
 - b. Awnings shall be positioned to emphasize special shapes or details of the facade, draw attention to shop entrances, or to emphasize a display window.
 - c. Awning signs positioned along the first-floor level of the facade shall be no less than eight feet from the sidewalk to the sign.
 - d. Awning signs shall not extend beyond the awning or canopy projection.
 - e. Awnings and awning signs shall not be made of metal, shiny plastic, barrel or square extension awning, or internally-illuminated vinyl awning.
- (7) Sandwich boards are allowed provided they adhere to the following criteria:
 - a. One sign per primary entrance;
 - b. May extend out a maximum of two feet from the building, with the maximum of six square feet of sidewalk area used.
- (8) Projecting signs that hang over the sidewalk are discouraged because they often obscure individual buildings and interrupt the visual harmony of the street. A projecting sign that is attached to a wall and extends

out from a building may be used provided it meets the following criteria:

- a. The projecting sign shall not extend more than 15 inches in whole or in part horizontally or diagonally beyond the surface of the building to which it is attached;
- b. The projecting sign shall be placed along the first-floor level of the facade:
- c. Projecting signs must have a minimum clearance above the sidewalk of eight feet and shall not extend 12 feet or more above the sidewalk nor above the roof line of the building to which it is affixed;
- d. The projecting sign shall be of a unique shape and design or symbolize the services offered within the business being advertised, such as a bowl and trestle advertising a drug store or pharmacy; and
- e. The projecting sign shall be no more than four inches thick.
- (9) Materials and colors shall be harmonious with the architecture of surrounding structures in the CA.
- (10) Sign materials should be durable and easy to maintain.
 - a. Appropriate and acceptable sign materials include:
 - 1. Painted or carved wood:
 - 2. Carved wooden letters;
 - 3. Galvanized sheet metal;
 - 4. Porcelain enamel;
 - 5. Slate, marble, or sandstone;
 - 6. Gold leaf;

- 7. Gilt, painted, stained, or sandblasted glass; or
- 8. Stained glass.
- Plastic shall not be allowed unless it is determined to have the appearance of one of the appropriate sign materials identified herein.
- (11) A sign in the CA shall not visually dominate the structure to which it belongs or call undue attention to it.
- (12) No Day-Glo, fluorescent, neon or brilliant bright colored signs shall be allowed in the CA. Standard or traditional colors shall be used.
- (13) No rear lighted, or internally lighted, plastic signs shall be allowed in the CA.
- (14) No sign shall contain any moving parts or be lit from behind or internally unless and except it is an historically accurate reproduction of a sign previously existing in the specific location proposed."

Section 5. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

Section 6. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances,

same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Farmersville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 8. GOVERNMENTAL IMMUNITY

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

Section 9. INJUNCTIONS

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

Section 10. ENGROSSMENT AND ENROLLMENT

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

Section 11. EFFECTIVE DATE

This Ordinance shall take e publication of the caption as required		ely from and	after it	passage	and
PASSED on first reading on the reading on the day of the City Council of the City of Farma approved by the Mayor on the date s	2021 ersville, Texas,	, at properly	schedule		gs of

AF	PPROVED THIS DAY OF, 2021.
	APPROVED:
	Ву:
	BRYON WIEBOLD, Mayor
ATTEST:	
D. a	
By:SANDRA G	GREEN. TRMC. City Secretary