



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION MINUTES
For
June 22, 2021, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Ted Wagner, Lance Hudson, Terry Williams and Mike Henry were in attendance. City staff members Ben White, Paula Jackson, Rick Ranspot, Kim Morris, Michael Sullivan, Daphne Hamlin and City Attorney Alan Lathrom were also present.
- Prayer was led by Craig Overstreet followed by the pledges to the United States and Texas flags.
 - Announcements
 - Calendar of upcoming holidays and meetings.
 - Citywide Clean-up Day will be held on Saturday, June 26th from 8 a.m. to 1 p.m.
 - The Recycle Center will be closed on June 26th due to the Citywide Clean-up Day and they will also be closed on July 3rd.
 - Sparks of Freedom will be on Sunday, July 4th.
 - City Hall will be closed on Monday, July 5th in observance of Independence Day.
 - Board and Commission assignments are currently scheduled to be completed during the July 13th City Council meeting.

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

- No one came forward to speak.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

- No one came forward to speak.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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

- Craig Overstreet pulled the City Financial Report.
 - Motion to approve the City Council Minutes made by Craig Overstreet
 - 2nd was made by Mike Henry
 - All council members voted in favor
- Craig Overstreet asked Daphne Hamlin questions regarding the City Financial Report. He said the capital expenditures for the Police Department has already exceeded budget and wanted to know if any of the \$105,000.00 was reimbursable.
- Daphne Hamlin stated that was for the police car grants and the total was \$102,000.00 and it is not reimbursable. She recalled it was just a few hundred dollars off budget and stated she will revise that as she is going through the budget.
- Craig Overstreet also asked about the \$25,000.00 personnel related items for the Fire Department.
- Daphne Hamlin stated it was for several different things and said she would look in to it.
- Craig Overstreet said the financials show there is \$161,000.00 left in the road maintenance account and wanted to know if city staff was going to use that money before the end of the budget cycle.
- Ben White stated city staff is currently fixing curbs and other items related to streets right now.
- Craig Overstreet said in the wastewater impact fees there shows to be \$200,000.00 over budget and asked if that was because of Camden Park Phase 3.
- Ben White stated it should be because we are receiving impact fees. He said we are over budget on that so we are in good shape.
- Craig Overstreet asked about the water supplies for the month of May.

- Daphne Hamlin stated she paid for May and June and that is why the balance was showing the way it was. She said when the June financials come out it will show a decrease.
- Craig Overstreet indicated that permits and inspections are considerably over budget and asked if that was due to Camden Park as well.
- Ben White said it was.
- Mike Henry said we had to borrow money to pay the electric bill from the winter storm and he wanted to know more information about that.
- Daphne Hamlin stated we borrowed \$800,000.00 and the bill was \$772,000.00.
- Mike Henry asked Ben White if the electric company lowered that amount or if they hit us with the full amount. He also asked if we would receive any of that payment back as a refund.
- Ben White stated they hit us with the full amount and he does not believe we will get any back. He said we will continue to see the PCA charges higher for the next two to three years to cover that loan.
 - Motion to approve the City Financial Report made by Mike Henry
 - 2nd was made by Terry Williams
 - All council members voted in favor

V. INFORMATIONAL ITEMS

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

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

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

- B. Farmersville Community Development Board (Type B)
 - 1. Financials
 - 2. Possible Council Liaison Report

- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Financials
 - 2. Possible Council Liaison Report
 - Terry Williams stated the board had another discussion with Mr. Last regarding ramping up the EDC program for retention of businesses and attracting new businesses in the city. He said they also held a budget workshop.

- 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. Financials
 - 2. Possible Council Liaison Report

- H. City Manager's Verbal Report
 - Update on when a joint meeting with Council, 4B and Main Street will be held.
 - Ben White stated he recommended they hold the meeting on Monday, July 12th at 5:30 p.m.

 - Update regarding the gazebo on McKinney Street
 - Ben White explained the gazebo was going to be worked on after the buildings on the cotton gin property are torn down and a sewer line project is complete.

 - Update on Collin Parkway
 - Ben White stated the project has restarted. The final grade and aligning should be done by the end of the week and then they will start laying the steel.

- Mayor Wiebold asked if they were still looking at the end of August to be complete.
 - Ben White stated that was correct.
 - Mike Henry asked about the signal light and what was left to work on.
 - Ben White stated they have to get the additional lanes constructed on the new road and then the lights will work for those lanes.
- Update regarding food trucks and pop-up vendors conducting business in the city limits
 - Ben White stated we have decided to go ahead put our time into the renovation incentive program ordinance first. He said after that ordinance is in place we will work on the food trucks and pop-up vendors paperwork and ordinance.
- Update regarding the Development Agreement with Nelson Bros. Ready Mix
 - Ben White stated there has been an ownership change. Nelson Bros. Concrete has bought out Patriot Concrete. He said Walt Heffinton is the employee who is working with the city regarding what they are planning to do. He indicated Mr. Heffinton said this site needs more trucks because they are becoming a top performer. He explained he looked at the sales tax report and we were receiving strong sales tax from Patriot all the way through May. He said Nelson Bros. did not take over the plant until June. He said we will watch for the sales tax. He said they are going to meet to discuss the outstanding items on the Development Agreement.
 - Craig Overstreet asked if the Development Agreement went with the owner or the property.
 - Alan Lathrom stated the Development Agreement runs with the land.
 - Mike Henry asked if they were paying their water bill.
 - Ben White stated he has not checked that in a while, but he thought they were.

VI. REGULAR AGENDA

- A. Yearly update and presentation from Community Waste Disposal (CWD).
 - Robert Medigovich from CWD gave a presentation on recycling and the participation in the city.

- B. Consider, discuss and act upon the assignment of Council liaisons to City boards and commissions.
- Mayor Wiebold stated that Lance Hudson was concerned about serving as the 4B liaison because his wife serves on the board. He asked Alan Lathrom if that would be a conflict of interest.
 - Alan Lathrom stated it is a gray area, but it would be the appearance of possible impropriety with him serving as the liaison. He recommended changing the liaison if possible.
 - Mike Henry offered to switch boards from Planning & Zoning and take his liaison position with 4B.
 - Motion to approve switch made by Terry Williams
 - 2nd was made by Craig Overstreet
 - All council members voted in favor
- C. Consider, discuss and act upon house renovation grant program.
- Ben White stated he looked at a few other cities and what they had regarding incentive programs. He suggested Alan Lathrom use the different cities guidelines as a reference to generate an ordinance to bring before Council for review.
 - Craig Overstreet said he did not see anything in the notes relating to a budget or proposed budget.
 - Ben White said the ad valorem taxes would not catch up for several years so they can work something into the ordinance about a budget.
 - Craig Overstreet explained some items that seemed risky to him would be the city upgrading or repairing sidewalks and replacing street signs as needed. He indicated that some of the sidewalks would be on private property.
 - Ben White said that was just something the City of Denison did, but it was just within that lot. He said there are some things they will have to consider.
 - Craig Overstreet explained he feels the program has merit, but at what magnitude and wondered where the funds would come from.
 - Terry Williams stated he agreed with Craig Overstreet. He wanted to know how we would have to the capabilities and funds to do the projects.
 - Ben White said we could look at it during budget time to see how it could be worked in the budget.
 - Mike Henry asked if it is appropriate to work on an ordinance before we figure out how we are going to fund the program. He said we should not allocate man hours to create an ordinance until we figure out how to get the money for the program.

- Motion to table further discussions until we can determine what amount of dollars we are speaking of and maybe discuss again when we start reviewing the budget for next year, maybe in the third quarter of 2021 made by Craig Overstreet
 - Mayor Wiebold asked what the standard would be for someone to qualify for the program.
 - Ben White suggested anything where the new tax value would be over \$40,000.00 would qualify. He said we would have to have someone on staff that could evaluate the project to see if it would be over \$40,000.00.
 - 2nd was made by Terry Williams
 - All council members voted in favor
- D. Consider, discuss and act upon Resolution #R-2021-0622-001 regarding submission of an application to become a Reservation System Participant for "Home" funds with the Texas Department of Housing and Community Affairs.
- Ben White stated this was part of the renovation grant program and he suggested they hold this resolution until they decide on the program as a whole. He said on the other hand we could move forward with it by its self.
 - Motion to table until the renovation program is decided upon in the upcoming budget year made by Mike Henry.
 - Craig Overstreet said his only problem with tabling the resolution is that it states it is to assist lower income families and people with disabilities in obtaining affordable housing through several different programs. He said he hates to lump renovations in general with a program that might have very positive characteristics. He does not see a reason to wait on approving the resolution.
 - Mike Henry stated he would withdraw his motion.
 - Charles Edwards, the city's grant writer, stated there are two main programs that are within the home program that would be applicable to the city. He said the HRA Program is the Home Owner Reconstruction Assistance Program that used to include the renovation factor as well, but they have recently removed that aspect of it. This is simply for owner occupied properties to demo and reconstruct based on a number of factors, including income level of the occupant which has to be 80% below the median income of the county. They must currently occupy their home or have a reason in the last four years not to occupy. They have to be clear on taxes and have a clear and marketable title to the property. He said there is a new program for new construction, but it is still considered a pilot program. He said there are a lot of mortgage regulations that are

heavily involved with that program and a lot of people are not comfortable with those.

- Ben White asked him about the match that would be required.
- Charles Edwards stated for the HRA Program any community in excess of 3,000 people triggers a match obligation and that would be 1% for each 1,000 people. So, the city would have a 4% match obligation. He said \$135,000.00 is the granted amount for a standard applicant. He said if the house was in a historical district they could gain an extra \$15,000.00.
- Ben White asked if the state would pay the amount back after the project was complete and asked how long that would take.
- Charles Edwards said it is a reimbursable program and it usually takes approximately two to three weeks to receive the money.
- Craig Overstreet asked if he knew of any other municipalities that have used the programs successfully.
- Charles Edwards stated he did. He said the City of Paris had 46 applications for the program and they currently have eight approved. He said a lot of the city's match could come from waiving building permit fees, impact fees or any other in-kind services the city could provide.
- Ben White said the resolution states the city would have to set up a reserve of \$40,000.00. He asked Charles Edwards if that would have to be done.
- Charles Edwards stated the city would just have to prove they have unreserved funds in the amount of \$40,000.00. He said the city would have to front the money for the title, survey costs and any other closing costs and then ask for reimbursement of those fees.
- Ben White indicated it would cost the city approximately \$5,000.00 per house for the program.
- Mike Henry asked if Charles Edwards could describe a project in Paris because he does not understand how a house could be built and this accomplished with \$135,000.00.
- Charles Edwards passed around photos of the floor plans for the homes. He said one was a two bedroom, approximately 1,100 square feet and the other was a three bedroom with 1,165 square feet. He said they both would have an attached one car garage. He said they received bids and the two bedroom would cost approximately \$121,000.00 and the three bedroom approximately \$126,000.00 with brick. He said they adjust items as needed to fit within budget.
- Mayor Wiebold asked how the program gets started with the home owners.
- Charles Edwards explained that once the city has an approved application with the state a pool of money opens up and it is a reservation system.
- Mike Henry asked what would happen if they could not get a bid that was at the \$135,000.00 price.
- Charles Edwards said that is why they always went out for bids before they submitted the applications to the state so they knew how much they

could build it for. He stated it takes them four to six months to run through an application. He indicated it is a great program.

- Mayor Wiebold said he thought the program would help beautify the city.
- Mike Henry stated he loves the idea of the program, but he is not sure the houses could be built for \$135,000.00.
- Mayor Wiebold asked if there was a deadline to apply for the program.
- Charles Edwards said they accept applications year round.
 - Motion to approve made by Craig Overstreet
 - 2nd was made by Mike Henry
 - All council members voted in favor

E. Consider, discuss and act upon Resolution #R-2021-0622-002 authorizing submission of a grant application to the Parks and Open Space Project Funding Assistance Program established by Collin County for a “Blackland Prairie Park”.

- Ben White stated the resolution is to allow the city to submit an application with a 50% match. He said it does not tie us to anything in particular other than it is associated with a Blackland Prairie Park. He said the executive session later in the meeting also relates to this topic.
- Mike Henry asked if there was a location Ben White was referring to as a Blackland Prairie Park.
- Alan Lathrom stated that is why there is an executive session item on the agenda so the Council can discuss a location under consideration from Ben White. He indicated the Council could take action on the resolution after the executive session.
- Ben White stated there is a timing element involved with the resolution because this is the last Council meeting before the submittal deadline.
 - Motion to move this item to be heard after executive session on agenda made by Mike Henry
 - 2nd was made by Terry Williams
 - All council members voted in favor

F. Consider, discuss and act upon Resolution #R-2021-0622-003 regarding changes to the city’s personnel policy.

- Ben White stated the City Attorney has gone over the city’s personnel policy and some changes have been updated. He discussed some of the changes.
- Mike Henry asked if the maternity leave was changed, because it appeared to be.
- Alan Lathrom stated his co-worker, Terry Welch, adjusted the policy’s to meet all the labor laws under federal and state requirements.

- Motion to approve made by Terry Williams
 - 2nd was made by Mike Henry
 - All council members voted in favor
- G. Consider, discuss and act upon an Engagement Letter/Contract from BrooksWatson & Co., PLLC for auditing services.
- Motion to approve the Engagement Letter/Contract with BrooksWatson & Co., PLLC for audit services for 2021 for \$22,500.00 with the option for the additional years made by Craig Overstreet
 - 2nd was made by Mike Henry
 - All council members voted in favor
- H. Discussion and possible direction regarding parking downtown.
- Ben White stated he is looking for direction from Council regarding parking downtown. He said the city has received several comments about the parking, but it comes down to a funding source.
 - Terry Williams stated he has heard the same complaints because it is a struggle to get parking spots downtown.
 - Ben White stated as we plan the city, we have to consider parking.
 - Lance Hudson asked if the city owned any land around downtown.
 - Ben White said the city owns City Park and Rambler Park.
 - Lance Hudson asked about the old baseball field property.
 - Ben White said the school district owns that land.
 - Alan Lathrom explained the city had tried to offer an interlocal agreement with the school district to utilize that property at one point and the school district was not interested.
 - Craig Overstreet suggested we speak to the school district now since the superintendent has changed.
- I. Discussion and possible direction regarding vacant buildings downtown and how to attract businesses to utilize them.
- Terry Williams stated we have too many buildings downtown that are totally empty or are being utilized as warehouses. He said the city needs to do something about getting businesses in there.
 - Craig Overstreet said the owners have property rights and it is an economic decision for the property owners to have a business in their building or not.

- Terry Williams suggested charging a tax to the owners of a vacant building that is not being utilized.
- Craig Overstreet indicated that would not work.
- Mike Henry stated if that was his building and he had to pay a tax for not using it, he would take the city to court. He said that kind of tact is not the way to go in his opinion.
- Lance Hudson said he would think it would be a fire hazard.
- Mike Henry said maybe, but it would still be up to the owner on how to use his building.
- Ben White explained he has heard of ordinances that charge extra taxes like Mr. Williams suggested. He said we do allow people to live downtown, which may be different from other cities. He said typically the city could offer incentives to help with the attitude the city is trying to promote.
- Mayor Wiebold stated in McKinney they used the Main Street Manager to go to the business owners and spoke to them about opportunities.
- Ben White said a lot of the building owners need help with fire sprinkler systems. He said anything we could do to give them incentives that would help offset the cost would be beneficial.

VII. EXECUTIVE SESSION

- Mayor Wiebold read the statement below and said Council would go into Executive Session at 7:31p.m.

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

1. Deliberation regarding the possible negotiation and purchase of certain real property to be used for a new park proposed to be identified as the "Blackland Prairie Park."

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

- Mayor Wiebold stated Council would reconvene from Executive Session at 8:00 p.m.
 - A. Consider, discuss and act upon a Resolution of the City of Farmersville, Texas, authorizing the submission of a grant application to the Parks and Open Space Project Funding Assistance Program established by Collin County requesting matching grant funds to be used in connection with the

acquisition of costs for a new park proposed to be identified as the Blackland Prairie Park.

- Motion to approve executive session item A. and regular agenda item E. made by Mike Henry
- 2nd was made by Ted Wagner
- All council members voted in favor

VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Terry Williams wanted an item to discuss Chaparral Trail crossing signs.
- Craig Overstreet wanted the following on the next agenda:
 - Nelson Bros. Development Agreement Update
 - Home Rule Charter Inhabitant Study discussion
 - Update on Farmersville/Collin Parkway
 - Update on the Wastewater Treatment Plant #1 trickling filter

XI. ADJOURNMENT

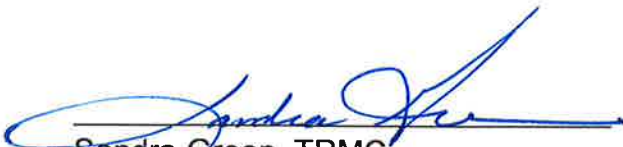
Meeting was adjourned at 8:02 p.m.

APPROVE:



Bryon Wiebold, Mayor

ATTEST:



Sandra Green, TRMC
City Secretary

