



**FARMERSVILLE CITY COUNCIL
REGULAR SESSION AGENDA
November 9th, 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. 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."

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements
 - Calendar of upcoming holidays and meetings.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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
 - 1. October 26, 2021 minutes
- B. Public Works Report
- C. City Manager's Report

V. INFORMATIONAL ITEMS

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

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

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

VI. REGULAR AGENDA

- A. Consider, discuss and act upon Resolution #R2021-1109-001 regarding casting ballots for one or more nominees to serve on the Board of Directors for the Collin Central Appraisal District.
- B. Consider, discuss and act upon Municipal Development District (MDD)
- C. Update regarding Nelson Brothers Sales Tax.
- D. Consider, discuss and act upon hiring a Interim Main Street Manager
- E. Consider, discuss and act upon how to control Hydrilla located in South Lake.
- F. Discussion and possible direction regarding a possible text amendment to the zoning ordinance to be presented to the Planning & Zoning Commission relating to food trucks and pop-up vendors.

VII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

VIII. ADJOURNMENT

Dated this the 5th day of November, 2021.

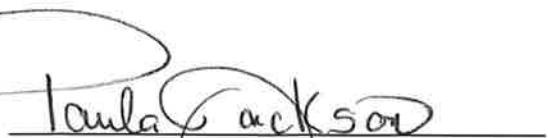


Bryon Wiebold, Mayor

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 November 5, 2021 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



Paula Jackson, Interim City Secretary



I. Preliminary Matters

[«Prior Month](#)**November 2021**[Next Month»](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	November, 1	2	3	4 5:00 pm Parks & Recreation Board Meeting	5	6 Farmersville Market
7	8 4:30 pm Main Street Meeting 6:00 pm FEDC (4A) Meeting	9 6:00 pm City Council Meeting	10	11 City Hall will be closed for Veterans Day	12	13 Audie Murphy Day (Cancelled)
14	15	16 6:00 pm Planning & Zoning Meeting	17	18 6:00 pm FEDC (4A) Meeting	19	20
21	22	23	24	25 City Hall Closed - Thanksgiving 5:00 pm City Annulment Board Meeting (Cancelled)	26 City Hall Closed - Thanksgiving	27
28	29	30	1	2	3	4

[«Prior Month](#)**December 2021**[Next Month»](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	December, 1	2 5:00 pm Parks & Recreation Board Meeting	3	4 Farmersville Market
5	6	7	8	9	10	11
12	13 4:30 pm Main Street Meeting	14 5:00 pm City Council Meeting	15	16 5:00 pm FEDC (HA) Meeting	17	18
19	20	21 5:00 pm Planning & Zoning Meeting	22	23 City Hall Closed - Christmas 5:00 pm City Amenities Board Meeting (Cancelled)	24 City Hall Closed - Christmas	25
26	27	28 5:00 pm City Council Meeting	29	30	31	1

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

II. Public Comment on Agenda Items (For Non-Public Hearing Agenda Items)

Agenda Section	Public Comment on Agenda Items (For Non-Public Hearing Agenda Items)
Section Number	II
Subject	Public Comment on Agenda Items (For Non-Public Hearing Agenda Items)
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<p>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.</p>
Action	NA

III. Citizen Comments On Matters Not On Agenda

Agenda Section	Citizen Comments On Matters Not On Agenda
Section Number	III
Subject	Citizen Comments On Matters Not On Agenda
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	NA
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
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Action	NA

IV. Consent Agenda

Agenda Section	Consent Agenda
Section Number	IV.A
Subject	City Council Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



**FARMERSVILLE CITY COUNCIL
SPECIAL SESSION MINUTES
October 19, 2021, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

I. PRELIMINARY MATTERS

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Ted Wagner, Lance Hudson and Terry Williams were in attendance. Mike Henry was absent. City staff members Ben White, Daphne Hamlin, Rick Ranspot, and City Attorney Alan Lathrom were also present. Pat Diedre LGI Homes
- Prayer was led by Rick Ranspot, Warrant Officer, followed by the pledges to the United States and Texas flags.
 - Announcements
 - Calendar of upcoming holidays and meetings.

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.REGULAR AGENDA

- A. Consider, discuss and act on a proposed Agreement Regarding Wholesale Wastewater Treatment for the Montgomery Farms Subdivision with LGI Homes-Texas, LLC and Copeville Special Utility District

- Ben summarized the agreement to City Council the agreement with LGI Homes-Texas
- Ben stated document was signed in Copeville
- Alan stated there is a second document between the developer and the SUD settling issues between them.
- Alan want to add extension of the contract. Extend upon agreement of the parties.
- Ben we had special meeting because of special timing agreement
- Alan said best to keep the agreement rolling along
- Craig asked what page is the 30 year term on.
- Ben stated on appendix b contingent upon receiving

Motion made by Terry Williams to approve the contract

Second Craig Overstreet

All in favor

- B. Consider, discuss and act upon Resolution #r2021-1019-001 designating a new signatory to replace the former City Secretary as a signatory on all accounts for the City with Commercial Bank of Texas, Farmersville Branch.

Motion made by Craig Overstreet

Second Williams

- C. Consider, discuss and act upon moving to only one city council meeting per month until City Secretary positions is filled and form of minutes.

One in November and December motion made by Overstreet one meeting per month

Motion made by Craig Overstreet

Second Williams

Passed unanimously

Ben stated suggestion is go to our video recordings along with that suggest take the minimum amount to be legal incase recording did not work. As you go thru the meeting state subject and indicate vote and decision. Only piece that I do not have the answer for is how to approve minutes. Alan how would you approve minutes.

Alan stated if you solely rely on recordings must be kept in perpetuity. Must keep those forever and available for the public.

Ben stated not to take it to the detail once but just the deliberation motion second.

Mayor suggested he is willing to try, but with the caveat if it does not work go back to detailed minutes.

Alan stated state law must state subject vote and other action taken if you are going to keep record minutes.

Ben, that would always be the basis

Overstreet the open records act. Along as we have a procedure thing that will be fine.

Alan stated if you receive a request you would have to provide audio recording

Ben stated we would do the bare bones and have audio behind it.

Craig Overstreet stated best for short term.

Motion Williams

Second Hudson

V. REQUESTS TO BE PLACED ON FUTURE AGENDAS

VI. ADJOURNMENT

Meeting was adjourned at 6:35 p.m.

APPROVE:


for Bryon Wiebold, Mayor

ATTEST:


Interim City Secretary

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	Public Works Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	Public Works Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ <p>No motion, no action</p>



Public Works Monthly Report

Metrics

For metrics associated with this report go online to the City of Farmersville website using the following steps:

1. Navigate to: www.farmersvilletx.com
2. Select <OPENGOV> button
3. Navigate within OpenGOV menu to select the metric of choice

Public Works General

1. Lost time accidents for the year.
 - a. Total Number for 2021-2022: 0
 - b. Accidents in Month: 0
2. Project progress below uses the following terminology in order of maturity: concept, engineering, preconstruction, construction, completed. Completion percentages shown are tracking overall project progress through all phases.

Street System

1. Currently active projects in priority order
 - a. Farmersville/Collin Parkway, 4-lane divided (phase: construction, completion percentage: 99%)
 - Hydro-mulch remaining along with engineering changes related to far north Collin Parkway drainage and drainage by AMP/380.
 - b. Upcoming sign updates:
 - Washington Street at Candy Street
 - Washington Street at McKinney Street
 - Main Street at Candy Street
 - Main Street at Farmersville Parkway
 - c. Texas Community Development Block Grant, Community Development Fund
 - Reconstruction and drainage improvements, Davis (Prospect) between Rike and Austin, North Rike: Houston to Davis, Austin: Davis to Houston
 - \$350K grant, \$52.5K match
 - Grant application complete, award notification November 2021 or November 2022

- d. Texas Community Development Block Grant, Main Street Development Fund
 - Street and accessibility improvements, Farmersville Parkway South Main to Washington
 - \$350K grant, \$52.5K match
 - Received grant award!!
 - Projected State contract start is 1 Feb 2022
2. Priority backlog items
 - a. US Economic Development Administration (EDA) Grant
 - Project being defined
 - Monetary grant ceiling defined by project
 - b. Develop thoroughfare impact fees
 - c. Institute railroad silent crossings

Water System

1. Currently active projects in priority order
 - a. Eight-inch water line with fire hydrant support along Baker Lane for FISD (phase: bid, completion percentage: 3%).
 - b. Expand water system down CR 610 to rural customers.
2. Priority backlog items
 - a. Update AMI/meter system with Utility Hawk software to display customer usage.
 - b. Recoat/rehab north elevated water tank.
 - c. Replace cast iron/galvanized water lines:
 - Rolling Hills galvanized water lines
 - Windom Street from 7th Street alley to Sycamore
 - Hill Street between Orange and Bois D' Arc
 - Lee Street
 - d. Chlorine injection system.

Waste Water System

1. Currently active projects in priority order
 - a. WWTP #1 trickling filter arm redesign. (phase: construction, completion percentage: 25%)
 - Arm delivery delayed due to galvanization process timing issues. Manufactured components are delivered.
 - Completion Dec 2021.
 - b. WWTP #2 rerating. (phase: engineering only, completion percentage: 97%)
 - Awaiting TCEQ approval.
 - c. Wastewater line reconstruction Houston to College. (phase: preconstruction, completion percentage: 7%)
 - d. Develop possible financial plans for interceptor line.

2. Priority backlog items
 - a. Floyd Road lift station reconstruction with force main.
 - b. Infiltration project: North of WWTP #1/#2, Replace crushed clay tile line between MH119 and MH129. Downstream of MH129, between 150 and 200 feet. Recommend replacing 200 feet of line downstream of MH129. This is a 15" line.
 - c. Infiltration project: Point Repair, 1746 Rike Street.
 - d. South side lift station construction
 - e. North side lift station SCADA installation
 - f. Infiltration project: Replace floor and top of MH119. Install bolt-down top. Pipe to south may be bad.

Storm Water System

1. No new news.

Property and Buildings

1. Currently active projects in priority order
 - a. South Lake Prairie Restoration Project (Grant: \$14K). All cedar trees targeted for removal have been cut. Cut trees are being disposed of by Public Works. The majority of the trees will be chipped and hauled off. Some of the larger trees will be burned.
 - b. Install Big Bertha emergency siren at Farmersville Heritage Museum. (phase: construction, completion percentage: 35%)
 - c. Chaparral Trail Improvements (Grant: 4 X \$200K grant/\$50K match)
2. Priority backlog items
 - a. Rambler Park: ADA swing set and non-ADA swing set installation
 - b. Install remaining banner mounts downtown.
 - c. Riding Arena: greeting sign with rules
 - d. Southlake Park: playground equipment repair
 - e. Rambler Park: gazebo relocation

Electrical System

1. Currently active projects in priority order
 - a. Improve distribution system reliability related to shorts brought about by animals and tree limbs.
 - i. Harden all pole mounted transformer deployments to animal shorts by insulating wire connection to distribution line and adding bushing animal guard. Remove open wire secondary associated with these transformers as necessary (80% complete)
 - ii. Improve distribution line fusing coordination. Replace transformers with fast blow fusing at a minimum. (80% complete)
2. Substation and transmission line improvements (phase: concept only, completion percentage: 55%)
3. Priority backlog projects
 - a. Copper primary replacement, North Rike from College to Houston

Refuse System

1. No new news.

High Speed Internet Service

1. Continued work on feasibility study.
2. Continued discussions with Charter/Spectrum and AT&T to see if there are any avenues to partner on a broadband project.
3. CARES Act Broadband Grant
 - a. Received final approval!
 - b. \$2.9M grant, \$730K match
3. American Rescue Plan Grant
 - a. \$899.4K total
 - b. Used as match for CARES Act Broadband Grant, \$899.4K total
 - c. Receiving 2 installments, \$449.7K each. First installment received.

Agenda Section	Consent Agenda
Section Number	IV.C
Subject	City Manager's Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	City Manager's Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



City Manager Monthly Report

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City Manager General

1. Top priority items:
 - a. Conduct successful Home Rule Election.
 - b. Establish a Code Compliance organization based on excellence.
 - c. Be ready for and promote growth.
 - i. Comprehensive Plan Update
 - ii. New Wastewater Treatment Plant
 - d. Fiber optic network business case decision.
 - e. Create/support "Keep Farmersville Beautiful" Program
 - f. Keep the Police and Fire Department running optimally.
 - g. Electrical system substation relocation.

Ordinances and Resolutions (In Priority Order)

1. Master fee schedule update. (complete)
2. Modification to Utility Ordinance to accommodate more reasonable winter water average language. (complete)
3. Food Truck/Pop-up vendors ordinance (in-progress)
4. Central Appraisal District vote (in-progress)
5. Create preservation ordinance. P&Z's Historic Preservation Ad Hoc Committee will provide review and make suggestions for changes. (in-progress)
6. Modification to the Subdivision Ordinance regarding platting five or more acres in the ETJ. (in-progress)
7. Zoning ordinance change not allowing duplexes in commercial zoned area. (in-progress)
8. Impact fee ordinance. (backlog)
9. Subdivision ordinance change to accommodate increased park land dedication. (backlog)
10. Water design manual change to accommodate rural water pipe designs. (backlog)
11. Zoning ordinance, zoning map. (backlog)

Contracts/Agreements/Grants

1. Montgomery Farms development agreement for wastewater. (complete)
2. ILA for Fire Marshal services, inspections and plan review. (complete)

3. CDBG Community Development Fund Grant. \$350K grant/\$52.5K match. Applied for in May 2021. Awaiting award which will likely be Fall 2022. (in-progress)
4. CDBG Main Street Development Fund Grant. \$350K grant/\$52.5K match. Applied for in May 2021. (in-progress)
 - a. Received grant award!!
 - b. Projected State contract start is 1 Feb 2022
5. Texas Department of Housing and Community Affairs Homeowner Reconstruction Assistance Program Grant Program. (in-progress)
 - a. Assistance to current owner-occupied properties qualified as low to moderate income. Grant or loan for reconstruction of dilapidated housing.
 - b. Requires contract with the State of Texas to offer the assistance.
6. EDA Planning Grant. (backlog)
7. TP&W Small Communities Parks Grant 50% grant/50% match. (backlog)
8. TP&W Outdoor Recreation Grant. (backlog)
9. State of Texas Historical Preservation Grant. (backlog)
10. T-Mobile Foundation Grant. (backlog)

Planning

1. Update comprehensive plan. (in-progress)
 - a. Board/Committee review complete: August 2018
 - b. Land Use Map and Thoroughfare Map redevelopment: August 2020
 - c. Interim rewrite: February 2022
 - d. Board/commission re-review of rewrite: May 2022
 - e. Planning and Zoning review and Public Workshop: August 2022
 - f. City Council review: September 2022
 - g. Planning and Zoning Public Hearing: October 2022
 - h. Public hearing and Council approval: November 2022

Policy/Procedural Changes

1. No new news.

Customer Service Window

1. No new news.

Personnel Related Matters

1. Personnel requisition for Main Street Manager is on-hold.
2. Personnel requisition for City Secretary is open.
3. Christi Dowdy, our Court Clerk, is retiring at the end of December. Audrey Rubadue will be promoted to her position.
4. Personnel requisition for Customer Service Representative is open.
5. Personnel requisition for police officer is open.

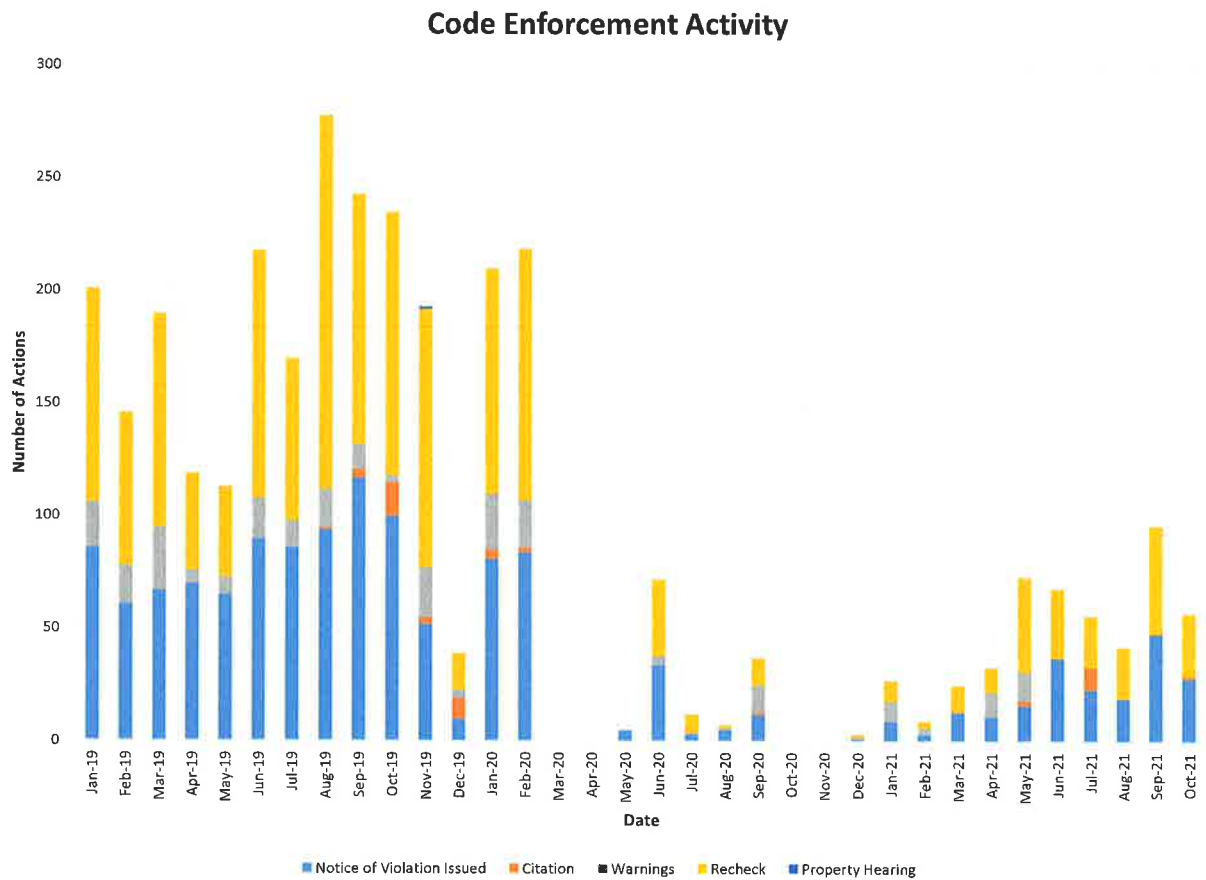
Budget/Finance

1. No new news.

Development Services

1. Nelson Brothers Concrete
 - a. Below is list of remaining items that need to be finished regarding the development agreement:
 - Plat the property
 - Settle past invoices and escrow account
2. Camden Park

- a. Phase I/II housing construction complete, 142 total homes
- b. Phase III infrastructure construction complete, 136 total homes
- c. Phase IV infrastructure, 110 total
 - Platting approved, awaiting infrastructure construction
3. Code Compliance Update



Date	Address	Violation	Open/ Close
10/07/2021	316 N Washington	Citation	Open
10/14/2021	515 Jackson	Vehicle	Open
10/14/2021	513 Jackson	Debris	Open
10/14/2021	416 Jacson	Vehicle	Open
10/14/2021	317 College	Vehicle	Open
10/14/2021	318 College	Vehicle	Open
10/14/2021	311 College	Vehicle	Open
10/14/2021	112 Honaker	Vehicle	Open
10/14/2021	203 College	Vehicle	Close
10/14/2021	201 College	Vehicle	Open
10/14/2021	106 Honaker	Vehicle	Open
10/04/2021	424 Sherry Ln	Vehicle	Open
10/18/2021	112 Dartmouth	Vehicle	Open
10/19/2021	309 N Rike St	Debris	Open
10/19/2021	105 Short St	Vehicle	Open
10/19/2021	104 Short St	Debris	Open
10/19/2021	109 Murchinson	Vehicle	Open
10/19/2021	111 Murchinson	Vehicle	Open
10/19/2021	313 Austin St	Grass	Open
10/19/2021	312 Austin St	Debris	Open
10/19/2021	307 Austin St	Vehicle	Open
10/19/2021	Austin St	Vehicle	Open
10/19/2021	214 Austin St	Debris	Open
10/19/2021	207 Austin St	Vehicle	Open
10/19/2021	205 Austin St	Vehicle	Open
10/19/2021	209 Austin St	Vehicle	Open
10/20/2021	Field behind LDS Church	Grass	Open
10/26/2021	604 N Hwy 78	Dumpster	Open

Information Technology

1. Update wi-fi nodes at City Hall, Public Safety, and Best Center. (complete)
2. Replace outdated network switches at Public Safety Building. (Backlog)

Special Events/Projects

1. Old Time Saturday was a success.
2. Gussie Nell Davis Day was a success.
3. Planning and construction of Farmersville Lights is on-going.

V. Informational Items

Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
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Agenda Section	Informational Items
Section Number	V.B
Subject	Farmersville Community Development Board (Type B)
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
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Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.E
Subject	Parks & Recreation Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.F
Subject	Planning & Zoning Commission
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Informational Items
Section Number	V.G
Subject	TIRZ Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

VI. Regular Agenda

Agenda Section	Regular Agenda
Section Number	VI.A
Subject	Consider, discuss and act upon Resolution #R2021-1109-001 regarding casting ballots for one or more nominees to serve on the Board of Directors for the Collin Central Appraisal District.
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	Resolution # R2021-1109-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

**CITY OF FARMERSVILLE
RESOLUTION # R-2021-1109-001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, CASTING BALLOTS FOR ONE OR MORE NOMINEES TO SERVE ON THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF COLLIN COUNTY, TEXAS, IN ACCORDANCE WITH SECTION 6.03 OF THE STATE PROPERTY TAX CODE AND DIRECTING THE CITY SECRETARY TO SUBMIT THIS RESOLUTION WITH ANY OTHER REQUIRED DOCUMENTATION TO THE CHIEF APPRAISER BEFORE DECEMBER 15, 2021.

WHEREAS, the Farmersville City Council is allowed by the Texas Tax Code to vote for the members of the Board of Directors for the Central Appraisal District of Collin County; and,

WHEREAS, Farmersville City Council possesses three (3) votes all of which votes it may cast for one candidate or distribute between candidates; and

WHEREAS, such votes must be cast no later than December 15, 2021; and,

WHEREAS, the City Council finds that the following nominee, whether one or more, qualifies to be a member of the Board of Directors.

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

SECTION 1: The City Council hereby casts all three (3) of its votes for:

_____.

SECTION 2: The City Council hereby directs the City Secretary to forward a certified copy of this Resolution to the Chief Appraiser of the Central Appraisal District before December 15, 2021.

DULY PASSED AND APPROVED by the City Council of the City Council of the City of Farmersville, Collin County, Texas on this the 9th day of November 2021.

APPROVED:

Bryon Wiebold, Mayor

ATTEST:

Paula Jackson, Interim City Secretary



Collin Central Appraisal District

October 25, 2021

Ben White, City Manager
City of Farmersville
205 South Main Street
Farmersville, TX 75442

RE: Board of Directors election, two-year term, beginning January 1, 2022

Dear Mr. White:

Enclosed you will find the ballot listing the nominees for the Board of Director positions for the Collin Central Appraisal District. The candidates are listed alphabetically by their last name.

- It must be clear that I am not advising any entity regarding casting votes for candidate(s). That said, I have been instructed by Mr. Wayne Mayo, based on medical reasons, that he would be unable to serve in the 2022-2023 term, if elected.
- Mr. Mayo announced to the existing board several months ago that he would not seek or agree to serve in the 2022-2023 term.
 - Not knowing whether he had changed his mind about serving, when the entities were going through the nomination process, I waited until Ballot time to contact him. His wife confirmed to me this morning that extremely serious medical issues would make it impossible for him to serve, if elected again.

Each voting unit must vote in an open meeting, report its vote by written resolution, and submit the resolution to the chief appraiser before December 15, 2021. Each unit may cast all its votes for one candidate or distribute the votes among any number of the candidates listed. Since there is no provision for write-in candidates, the chief appraiser may not count votes for someone not listed on the official ballot.

Sincerely,

Bo Daffin
Chief Appraiser

Enclosure

2022 – 2023
COLLIN CENTRAL APPRAISAL DISTRICT
BOARD OF DIRECTOR'S NOMINATIONS
Page 2 of 2

OFFICIAL BALLOT

ISSUED TO: **City of Farmersville**

NUMBER OF VOTES: **3**

FOR: **BOARD OF DIRECTORS, COLLIN CENTRAL APPRAISAL DISTRICT, TWO-YEAR TERM
BEGINNING JANUARY 1, 2022.**

NOMINEES	VOTES
<i>EARNEST BURKE</i>	
<i>RONALD CARLISLE</i>	
<i>ZEWGE KAGNEW</i>	
<i>RONALD L. KELLEY</i>	
<i>BRIAN MANTZEY</i>	
<i>KENNETH MAUN</i>	
<i>WAYNE MAYO</i>	
<i>GARY RODENBAUGH</i>	
<i>ED STANDRIDGE</i>	
<i>CARSON KINCAID UNDERWOOD</i>	

October 25, 2021


Bo Daffin, Chief Appraiser

Section 6.03 (g) of the State Property Tax Code requires the above action be taken by resolution, therefore, please attach a copy of the resolution to this ballot and return to the chief appraiser, at 250 Eldorado Pkwy., McKinney, Texas 75069, before December 15, 2021.

Agenda Section	Regular Agenda
Section Number	VI.B
Subject	Consider, discuss and act upon Municipal Development District (MDD)
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	NONE
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<p>City Council discussion as required.</p> <p>Facts surrounding an MDD</p> <ul style="list-style-type: none"> • The benefit of adopting the MDD is that you can collect sales tax in the ETJ. • The sales tax for a Municipal Development District ("MDD") is limited to ½ of one percent. • The City would have to hold an election to reallocate the percentage of sales tax revenues that are collected for and paid to EDC and/or CDC since the City currently has the full one percent split up with ½ of one percent going to each of EDC and CDC. • The residents in the ETJ also vote in the election establishing the MDD. • The City would want to tie the decision to reduce either or both the EDC and the CDC sales tax together with the approval of the establishment of the MDD sales tax. • The projects undertaken by the MDD are limited to Type B Section 501.103 infrastructure projects that promote new businesses or expand existing businesses, which Type B projects both the EDC and CDC can undertake. A MDD cannot perform Type A Projects. • The City is not aware of an MDD established in the surrounding region.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VI.C
Subject	Update regarding Nelson Brothers Sales Tax.
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 2021
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<p>Contacted the State of Texas Comptrollers Office Tax Allocation Division on 4 Nov 2021 and talked with Mellisa Salinas. She indicated that the September payment had been made and it would show up on the revenue report in late November. October will show up by the December time frame. The reports are always about two months behind.</p> <p>Nelson Bros. Ready Mix made amendments to their sales taxes paid for July 2021 and August 2021. See attached email.</p>
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

Ben White

From: Walt Heffington <wheffington@nbreadymix.com>
Sent: Thursday, November 4, 2021 4:02 PM
To: Ben White; David Shuffield
Subject: Fwd: Farmersville Amended Sales Tax Returns

Hi Ben,

Wanted to let you know it appears the sales tax issue with the state is all cleared up.

The city should receive revenue from July - August - September. It won't be long before October shows up. We pay the 19th of the month.

-Walt

Begin forwarded message:

From: Jon Cobb <JCobb@nbreadymix.com>
Subject: Farmersville Amended Sales Tax Returns
Date: November 4, 2021 at 11:22:18 AM CDT
To: Walt Heffington <wheffington@nbreadymix.com>

I have filed amended sales tax returns for the July and August period. This should make us whole with Farmersville.

Thank you,

Jon Cobb
Controller
Nelson Bros Ready Mix
R&R Trucking
The Perc Coffeehouse
RO Properties

170 W Main Street
Suite 200
Lewisville, TX 75057

(972)436-6558 (Office)
(469)496-6089 (Cell)

Walt Heffington
CFO
Nelson Bros Ready Mix
R&R Trucking
RO Properties

Cell - 972.971.6458
Office - 972.436.6558

Agenda Section	Regular Agenda
Section Number	VI.D
Subject	Consider, discuss and act upon hiring a Interim Main Street Manager
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VI.E
Subject	Consider, discuss and act upon how to control Hydrilla located in South Lake.
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	VI.F
Subject	Discussion and possible direction regarding a possible text amendment to the zoning ordinance to be presented to the Planning & Zoning Commission relating to food trucks and pop-up vendors.
To	Mayor and Council Members
From	Ben White, City Manager
Date	November 9th, 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	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

77-49 – USE SPECIFIC REGULATIONS

(n) *Food trucks, operation sites and food truck courts.*

(1) *Purpose.*

The purpose of this section is to establish regulations governing “Food Trucks,” “Operation Sites” and the use of property or a tract of land as a “Food Truck Court.” These regulations are intended to promote the health, safety, and welfare of the public, and to protect the property rights of the owners of land located adjacent to and within the vicinity of properties containing a Food Truck, an Operation Site or a Food Truck Court.

(2) *Definitions.*

- a. *Food Truck* means an operational motor vehicle and/or trailer from which food and associated non-alcoholic beverages, which food and beverages are not typically tied to a single season of the year, are prepared, served and sold on private property for a period of time which exceeds 60 minutes or two instances of 30 minutes or more each day. This definition shall also apply to any seating, garbage and/or recycling containers, gear or equipment that is associated with the Food Truck’s operation and/or use.
- b. *Food Truck Court* means a commercially zoned property used or developed to accommodate one or more Food Trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. Food Truck Courts must have a valid certificate of occupancy in addition to all other applicable permits and inspections.
- c. *Operation Site* means the geographic area, not located within a Food Truck Court, within which area the Food Truck will park and prepare and/or sell food and/or associated non-alcoholic beverages. This term also includes areas where the Food Truck’s customers go to consume food and/or non-alcoholic beverages sold from the Food Truck. The sale of merchandise other than food and non-alcoholic beverages shall be prohibited. The owner and operator, if separate entities, operating a Food Truck must have a valid Food Truck temporary site permit for each Operation Site utilized by a Food Truck for any business purpose in addition to all other applicable permits and inspections.
- d. *Temporary Operation Site* means the geographic area, not located within a Food Truck Court, within which area the Food Truck will park and prepare and/or sell food and/or associated non-alcoholic beverages adjacent to a commercial construction site or designated locations along Farmersville Parkway. This term also includes areas where the Food Truck’s customers go to consume food and/or non-alcoholic beverages sold from the Food Truck adjacent to a commercial construction site. The sale of merchandise other than

food and non-alcoholic beverages shall be prohibited. The owner and operator, if separate entities, operating a Food Truck must have a valid Food Truck temporary site permit for each Temporary Operation Site utilized by a Food Truck for any business purpose in addition to all other applicable permits and inspections.

(3) Required permits, plans and inspections.

- a. *Certificate of Occupancy (Food Truck Courts only).* Each Food Truck Court shall be required to receive a certificate of occupancy from the Chief Building Official or their designee. As part of the request for a certificate of occupancy, the following information, at a minimum, shall be provided:

1. The name and address of the owner and/or operator;
2. A description of the owner and/or operator;
3. If the applicant represents a corporation, association, partnership or any other business entity, the names and addresses of the officers, partners or principals;
4. The address and name under which the Food Truck Court will be operated; and
5. Any other information reasonably required by the Chief Building Official to document the use and operation of the Food Truck Court.

- b. *Food Truck temporary site permit (for an Operation Site).*

1. Except as part of a Food Truck Court, the owner or the owner's authorized representative of property containing an operation site where a Food Truck may be located from time to time must apply for a Food Truck temporary site permit from the Building Inspections Department prior to allowing a Food Truck to operate on their property. The permit application, which shall be verified in the same manner as required for a deed, shall include information that details where the Food Truck will be located on the property along with the location of any refuse receptacle(s), restroom(s), vehicle parking, dining area(s), and any other pertinent information regarding the operation of the Food Truck on and about the Operation Site. As part of the permit application, any necessary authorization letters from adjacent property owners and businesses shall be provided. Authorization letters that limit the allowance of Food Trucks to a specific type or style of food will not be accepted. Any additional information as may be deemed necessary by the Chief Building Official to thoroughly review the request shall also be submitted as part of the permit application.

2. A Food Truck temporary site permit for an Operation Site issued by the Building Inspections Department shall only remain valid for a maximum of six months and regardless of the date of issuance shall expire on June 30 or December 31 of such calendar year, whichever date occurs first following the issuance of the initial permit and then every six months thereafter.
 3. A Food Truck temporary site permit may accommodate any licensed Food Truck vendor that the property owner/temporary site permit holder deems acceptable for an Operation Site.
 4. The Chief Building Official, in approving or denying such application shall consider the nature of the use; existing uses in surrounding areas; noise, dust, light, and traffic generated; health and sanitary conditions; and compliance with other regulations of this chapter. The chief building official shall have the right, upon finding that a hazard or nuisance shall exist by continuing such use, to revoke any temporary use at any time or to deny any extension. After which revocation, such temporary use shall immediately cease and all temporary structures shall be removed within ten days of notification of such finding.
- c. *Food Truck vendor permit.* All Food Trucks shall be required to register and obtain all applicable permits in accordance with Chapter 32 of the Farmersville Code prior to operation.
 - d. *Health permit.* All Food Trucks must obtain a permit in accordance with Chapter 32 of the Farmersville Code prior to operating at a Food Truck Court.
 - e. *Inspections.* Food Truck Courts, Operation Sites and Food Trucks may be inspected from time to time by appropriate City or County personnel. Food Truck Courts, Operation Sites and Food Trucks shall immediately be made available for inspection upon request of such City or County personnel.
 - f. *Other permits required.* Food Trucks shall be responsible for identifying and obtaining all applicable permits and shall be responsible for conforming to all applicable city, county, state and federal regulations. Property owners shall be responsible for ensuring that any Food Truck which operates as part of the Food Truck Court or a temporary site permit for any Operation Site obtains all necessary permits prior to operation and conforms to all applicable city, county, state and federal regulations.
 - g. *Safety.* The Chief Building Official, Fire Marshal and/or the City Manager shall have the authority to require that additional safety measures be provided at a Food Truck Court, Operation Site or Food Truck to ensure the health, safety, and welfare of the general public. These additional safety measures may include, but are not limited to, limitations governing the provision of utilities (water, wastewater, electricity, gas, etc.) to the Food Truck, providing fire

extinguisher(s), and adding limitations to the use of deep fat fryers or flat top grills in specific instances.

- h. *Site plan required (food truck court only)*. A site plan as specified in section 77-82 (Site Plan Approval Required for Commercial Development) of the Farmersville Code shall be required to be submitted and approved prior to the issuance of any permits for a Food Truck Court.

(4) Acceptable locations.

a. *Food Truck Courts.*

1. Food truck courts shall be a permitted land use with the City Council's discretionary approval of a specific use permit on property that is not located within 100 feet of any property used for single-family or duplex residential purposes in the following zoning districts of the City:
 - i. Multi-Family Residential Zoning Districts;
 - ii. Non-Residential Zoning Districts; or
 - iii. Agricultural Zoning Districts.
2. A specific use permit for a Food Truck Court may be revoked by the City Council if it finds that any condition imposed at the time of granting the permit is not met, or if thereafter ceases to exist. The City Council may deny a specific use permit for a Food Truck Court if the development of said use would be detrimental or offensive to the surrounding area or otherwise be contrary to the health, safety, or general welfare of the City and its inhabitants. In approving or denying a specific use permit for a Food Truck Court, the City Council shall consider:
 - i. The nature of the proposed use;
 - ii. Proximity to other Food Truck Courts;
 - iii. Proximity to existing "brick and mortar" restaurants;
 - iv. The number of Food Trucks allowed within the Food Truck Court at a single time;
 - v. Existing uses in surrounding areas;
 - vi. Noise, dust, light, and traffic generated;
 - vii. Health and sanitary conditions; and

viii. Compliance with other regulations of the Farmerville Code.

b. **Food Truck Operation Sites.**

1. Subsequent to all permits being issued, Operation Sites for Food Trucks may be located within any multi-family residential zoning district or non-residential zoning district assuming all applicable locational criteria and the following requirements are satisfied:
 - i. No Food Truck operations including, but not limited to food preparation, sales, or consumption shall be permitted within 100 feet of any door, window or outdoor dining area of any existing restaurant(s) or food service establishment(s). Food Trucks shall be exempted from this requirement with the express written permission of the restaurants' or food service establishments' owner or authorized representative.
 - ii. Only one Food Truck shall be permitted on each lot or property that is smaller than five acres in size.
 - iii. Lots or properties that are five acres in size or larger may have two Food Trucks for every five acres of land area with the maximum allowable number of Food Trucks on a particular lot or property being limited to no more than six Food Trucks.
 - iv. Food Trucks shall not be allowed to engage in sales operations within 100 feet of any property used for single-family or duplex residential purposes. This distance may be eliminated if unanimous written consent from each property owner located within the 100 foot buffer is provided.
2. Food Trucks and their customers shall be prohibited from utilizing the public rights-of-ways for food sales, preparation, and/or consumption.
3. Food Truck Courts and Operation Sites shall only be permitted on private property, save and except that Food Trucks may park and prepare and/or sell food and/or associated non-alcoholic beverages adjacent to a commercial construction site within the City's corporate limits and/or at designated locations along Farmersville Parkway.
4. All portions of a Food Truck and its associated Operation Site shall be located within 150 feet, as determined by the Fire Marshal, of a dedicated fire lane easement or a public street.

5. Food Trucks must be parked, situated, and operated in a manner that does not restrict orderly and/or safe vehicular and/or pedestrian movements.
6. Food Trucks and Operation Sites may not occupy required off-street parking or loading spaces.
7. All Food Trucks participating in a Food Truck Court shall remain fully mobile and operational unless a commissary is provided on site and said Food Truck is authorized to utilize the on-site commissary.
8. Food Trucks shall report to their designated commissary at least once per day for food, supplies, cleaning, and servicing.

(5) Hours of operation.

a. *Food Truck Courts.*

1. Food Truck Courts shall only be allowed to engage in sales operations between the hours of 7:00 am to 12:00 am.

b. *Food Truck Operation Sites.*

1. Food Trucks shall only be allowed to engage in sales operations between the hours of 8:00 am and 10:00 pm.

(6) Noise.

- a. Food Truck Courts and Operation Sites shall be subject to the noise requirements of Chapter 44, Article II (Noise Regulation) of the Farmersville Code.

- b. No amplified sound shall be permitted after 10:00 p.m.

(7) Refuse, recycling, litter and food preparation byproducts.

a. *Food Truck Courts.*

1. Food Truck Courts shall provide containers of sufficient size and number for the disposal of refuse and recyclables resulting from the Food Truck Court's operation and sales. The containers shall be identified as being for the disposal of refuse and/or recyclables.

b. *Food Truck Operation Sites.*

1. Food Trucks shall provide, on or within 20 feet of the Food Truck, containers of sufficient size and number for the disposal of refuse and recyclables

resulting from the Food Truck's operation and sales. The containers shall be identified as being for the disposal of refuse and/or recyclables.

- c. City-provided refuse and recycling containers shall not be used for the Food Truck's or Food Truck Court's refuse and/or recycling needs unless written authorization has first been obtained from the City for such use.
- d. Any refuse, recycling and/or litter on the ground at the Food Truck Court or Operation Site shall be immediately picked up and discarded appropriately by the Food Truck operator or the Food Truck Court's on-site manager. Refuse and/or recycling must be removed from the Operation Site or Food Truck Court at least daily or more frequently as needed to remove excess refuse and/or recycling from the property thereby avoiding the creation of an unsanitary or unhealthy condition or nuisance.
- e. Greases, oils, vapors and other similar food preparation byproducts shall be kept inside the Food Truck at all times. Dumping, or the improper disposal, of food preparation byproducts onto the ground, pavement or other surface or into a storm water collection system or other system not designed for that specific use is strictly prohibited and may result in the immediate revocation of all permits and licenses of the Food Truck, Food Truck Court and/or Operation Site in addition to the performance of any necessary remediation and the issuance of citations and fines.
- f. Sewage, liquid wastes and food preparation byproducts shall be removed from a Food Truck at an approved waste servicing area in such a way that a public health hazard or nuisance is not created.

(8) Signage.

All signage pertaining to or advertising a Food Truck and/or its menu shall be attached to the Food Truck. There shall be no limit to the amount of signage that is allowed on a Food Truck while the Food Truck is parked at a Food Truck Court or Operation Site. A Food Truck shall not be outfitted with a "changeable electronic variable message sign" or any manner of "prohibited signage" as defined and/or set forth in Chapter 56 (Signs and Advertising) of the Farmersville Code. Notwithstanding the foregoing, signage for the Food Truck Court shall be permitted as outlined in Chapter 56 (Signs and Advertising) of the Farmersville Code. Signage containing profanity or lewd or obscene images shall be prohibited.

(9) Off-street vehicle parking.

a. Food Truck Courts.

- 1. One off-street vehicle parking space shall be required for every 150 square feet of dining area. The minimum number of required customer parking

spaces may be reduced by the Planning and Zoning Commission as part of the site plan approval process should the Commission find that the full provision of required parking may not be necessary.

b. **Food Truck Operation Sites.**

1. One off-street vehicle parking space shall be required for each table that is provided for use by Food Truck customers. If no tables are provided, no off-street vehicle parking shall be required. Any customer parking that is provided must be finished with concrete or asphaltic surface materials.
- c. Required off-street vehicle parking and maneuvering shall adhere to the requirements of Chapter 71 (Traffic and Vehicles) of the Farmersville Code, except as otherwise specified herein.
- d. Food Truck Courts and Operation Sites must feature an area of sufficient size that is finished with a compacted gravel base, concrete or asphaltic surface materials on which any Food Trucks may park and operate. Customer parking must be finished with concrete or asphaltic surface materials.

(10) *Restrooms required.*

a. **Food Truck Courts.**

1. Permanent restrooms located within a permitted building or structure must be provided on-site within the Food Truck Court for the use of the Food Truck's and the Food Truck Court's customers, operators and employees. The minimum number and type of restrooms shall be determined based on the occupant load of the Food Truck Court. Such restroom(s) must remain open and available for use at all times during which the Food Truck Court is being used. No portable or temporary restrooms shall be allowed.

b. **Food Truck Operation Sites.**

1. Restrooms for each sex, or a gender neutral restroom(s), located within a permanent building that has been issued a valid certificate of occupancy shall be provided for the use of the Food Truck's customers, operators and employees at an Operation Site. Such restroom(s) must remain open and available for use at all times during which the Food Truck is situated on the Operation Site. No portable or temporary restrooms shall be allowed.

c. **Temporary Food Truck Operation Sites.**

1. Restrooms located within a permanent building that has been issued a valid certificate of occupancy shall not be required for the use of the Food Truck's customers, operators and employees at a Temporary Operation Site

located adjacent to a commercial construction site or designated locations along Farmersville Parkway provided that the Food Truck is not stopped at such location for more than two hours.

(11) *Utility services required at Food Truck Courts.*

- a. Each site at the Food Truck Court on which a Food Truck will be located and operated shall be provided hookups for electricity and potable water. Each individual Food Truck is not permitted to operate a generator at the site unless emergency circumstances necessitate the need for the use of a generator on a temporary basis not to exceed two hours within any given six hour period of time.

(12) *Exceptions.*

- a. These regulations shall not apply to Food Trucks that operate:
 1. At a special event that is properly licensed pursuant to a special event permit issued by the City, provided that the Food Truck is identified in the special event permit application as a participating concessionaire or caterer; or
 2. As a vendor at a properly permitted farmers' market for which the Food Truck has rented space from the farmers' market and/or its organizer(s); or
 3. On public property including, but not limited to a public park, public library, recreation or aquatics center, or performing art center at the request of and with the express written permission of the property owner.

(13) *Prohibited Locations.*

- a. Food Trucks shall not be allowed or operated at any location:
 1. Within the Central Business District;
 2. Within any single-family residential zoning district; or
 3. Along, about, or within:
 - i. Southlake Park;
 - ii. J.W. Spain; or
 - iii. The Riding Arena.

VII. Requests to be Placed on Future Agendas

VIII. Adjournment