



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
December 14, 2021, 6:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Mayor, Bryon Wiebold, called the meeting to order at 6:00 p.m. Council members, Craig Overstreet, Terry Williams, Ted Wagner, Mike Henry and Lance Hudson were in attendance. City staff members Ben White, Paula Jackson, Tabatha Monk, Daphne Hamlin, Fire Chief Kevin Lisman, Police Chief Mike Sullivan and City Attorney Alan Lathrom were also present.
- Prayer was led by Fire Chief Lisman, followed by the pledges to the United States and Texas flags.
  - Announcements
    - Calendar of upcoming holidays and meetings.  
As a reminder the City Office will be closed December 23rd and December 24th for Christmas and December 31st for New Years.

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda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Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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

- Councilmember Overstreet requested to remove and discuss the November 9, 2021, CC Minutes, Public Works Report and City Managers' Report.
- Councilmember Henry made a motion to approve all the items under the Consent Agenda minus the items Councilmember Overstreet requested removed.
- Councilmember Hudson seconded the motion.
- The motion was approved unanimously (5-0).
- Councilmember Overstreet stated the November 9, 2021 draft minutes indicated that he called the meeting to order when it should have read Mayor Wiebold called the meeting to order. Councilmember Overstreet wanted a brief update on the Chaparral Trail grant in the Public Works report. City Manager, Ben White, advised that the City is waiting for State approval to move forward. Mr. White also updated the Council on the feasibility study for Cares Act; broadband high speed internet. On the Managers Report Mr. White also spoke to the Council on updating the Water Design Manual.
- Councilmember Overstreet, after hearing the explanations on the items he had pulled, made a motion to approve the entire Consent Agenda.
- Councilmember Henry seconded the motion.
- The motion was approved unanimously (5-0).

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

## **VI. READING OF ORDINANCES**

- 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 Consider, discuss and act upon the first and only reading of Ordinance # O-2021-1214-001 adopting and approving the amendment of Chapter 2, "Administration," by amending Article VI, "Finance," Division 1, "Generally," by adding a new section 2-3.40, entitled "Reimbursement Fee for Processing Assessment of a Reimbursement fee in an amount not to exceed five percent (5%) of the amount of the fee, court cost, deposit, or other charges being paid for processing payment through the internet."
- City Manager White gave some background information on the credit card fees in which the City is having more of as people are using this option more to pay their

bills. He explained, City Attorney, Mr. Lathan, has drafted an Ordinance in which the City can adopt a minimal fee to off set the cost of these charges.

- Mr. Lathan advised the Council this ordinance actually updates, modifies and replaces an ordinance that was adopted several years ago.
  - Councilmember Henry made a motion to approve.
  - Councilmember Williams seconded the motion.
  - The motion was approved unanimously (5-0).
- B.** “Consider, discuss and act upon the first and only reading of Ordinance # O-2021-1214-002 amending Appendix A, “Master Fee Schedule,” of the Farmersville Code to change the amounts collected, in part at least, for “Sewer Service Fees,” “Refuse/Garbage Fees,” “Electric Service Rates,” “Fire Code Inspection Services; Fire Alarms and Sprinkler,” “Facilities Rentals,” and “Miscellaneous Fees,” and adding a new set of charges or fees for “On-Site Sewage Facility Inspection And Permit Fees.”
- City Manager White advised this ordinance was to bring the Master Fee Schedule in alignment with the previous ordinance that was just passed.
  - City Attorney, Mr. Latham stated it also increases some of the permit fees as well as rental fees for the City.
  - Councilmember Henry made a motion to approve.
  - Councilmember Williams seconded the motion.
  - The motion was approved unanimously (5-0).

## **VII.**

### **REGULAR AGENDA**

- A.** Consider, discuss and act upon Resolution #R-2021-1214-001, approving the City manager’s appointment of Tabatha Monk as City Secretary and releasing the Interim City Secretary from the continuing performance of such duties.
- City Manager, Mr. White advised the Council that he would recommend approval of the Resolution to name Mrs. Monk as the new City Secretary.
  - Councilmember Henry made a motion to approve.
  - Councilmember Overstreet seconded the motion.
  - The motion was approved unanimously (5-0).
- B.** Swearing in of the new City Secretary, Tabatha Monk.
- Mayor Wiebold recited the swearing into appointed office (City Secretary) of Tabatha Monk..
  - No motion was needed.
- K.** Consider, discuss and receive direction from City Council regarding a request, pursuant to Section 77-21(a)(3) of the Farmersville Code, to have the

Planning & Zoning Commission study, and possibly recommend changes and amendments to the Comprehensive Zoning Ordinance that would expand the uses allowed in the CA — Central Area District by right or with a specific use permit to include “Custom Handcrafting,” “Specialty Food Processing,” and “Specialty or Custom Fabrication of Certain Motorcycle Parts,” by amending the “Definitions,” for “Artisan’s Workshop,” “Auto Parts and Accessory Sales (Indoor),” “Automobile Repair, Minor,” and “Motorcycle Sales/Service,” and by adding new definitions for the new uses proposed above together with such other and further changes and amendments as may be in the best interests of the City. *This item (K) was taken out of order in its regular sequence on the Regular Agenda.*

- City Manager, Mr. White, advised there was an ordinance at one time that allowed business’s that are Artisan businesses, however, the ordinance was eliminated in 2019 when another ordinance was drafted. This has now hurt the ability for any Artisan and custom hand crafting type business to come into the City and operate in the CA area.
  - Alan Lathrom advised the City Council, a business has requested the modification of the Zoning Ordinance to allow for their business to be able to make their specialty motorcycle wheels at this location. City Council can decide if they would like this to go to the Planning and Zoning Commission for consideration.
  - Eric, the manager of the motorcycle artisan shop spoke in place of the owner who was unable to make the meeting. This shop will be relocating from California. Eric advised they will be reverting the building back to what it was and dividing this up into other artisan type shops. For the foreseeable future they will primarily have 3 full time employees. They mostly handcraft custom wheels mostly Harley custom wheels.
    - Mayor Wiebold stated he feels this is a great thing to add to the City, it brings a uniqueness and attraction that you don’t find in most towns and he thinks it will be of a great benefit to Farmersville.
    - Councilmember Henry made a motion to send this back to P&Z to review and correct the zoning ordinance.
    - Councilmember Williams seconded the motion.
    - The motion was approved unanimously (5-0).
- C. Consider, discuss and act upon an Interlocal Agreement between Collin County and the City of Farmersville regarding the Charles J. Rike Memorial Library.
- Mr. White advised this is the yearly contact between the library and Collin County for help in funding the library. Last year we received \$31, 378.83 and we will receive the same amount for this year.
  - Councilmember Henry made a motion to accept.
  - Councilmember Wagner seconded the motion.

- The motion was approved unanimously (5-0).
- D. Consider, discuss and act upon an Interlocal Cooperation Agreement between the City of Farmersville and the City of Wylie for Jail Services. Term of one year.**
- Mr. White advised this is basically the same contract as last year, \$125 per detainee per day. This gives us the back up we need if we have to detain someone at Collin County. There is a termination clause that this contract can be terminated at any time with a 30 day notice.
  - Councilmember Overstreet asked Chief Sullivan if there was any conflict for problem with this contract anytime for any reason over the past few years?
  - Chief Sullivan said he was not aware of any.
  - Councilmember Overstreet made a motion to approve the contract.
  - Councilmember Henry seconded the motion.
  - The motion was approved unanimously (5-0).
- E. Consider, Discuss and Act upon accepting a donation from the Farmersville Rotary Club for the Senior Citizen Center.**
- Mr. White advised the donation must be accepted by the City Council.
  - Councilmember Hudson made a motion to approve this donation.
  - Councilmember Wagner seconded the motion.
  - The motion was approved unanimously (5-0).
- F. Consider, discuss and act upon an Interlocal Agreement between the city of Farmersville and Farmersville ISD regarding McKinney Street/Baker Street water line.**
- Mr. White stated City Attorney, Alan Lathom strongly recommended an Interlocal Agreement to solidify what would be done with this water line between the City and FISD. There are a few blanks that will be filled in after this meeting. The negotiation was that the City will pay \$46,200.00.
  - Mr. White advised City staff recommends we move forward on this ILA and the ISD is ready to move forward.
  - Mayor Wiebold asked if the ISD is aware that they are responsible for more than half of the cost of this and Mr. White advised ISD Superintendent, Mr. French is aware of this and said to move forward knowing they are responsible for more than half of the cost of this project.
  - Mr. Latham recommended that the approval of the construction contract be contingent upon FISD execution of the Interlocal Agreement.

- Mr. White asked that from this point if there are any other signatures to this project that he would like to have the ability to sign as other things will come up and this would allow things to move along quicker for the ISD.
  - Councilmember Overstreet asked if there would be money coming back to either party if subsequent entities tie onto this?
  - Mr. Latham advised that if anyone were to tie onto this there would be tap fees collected by the City but he does not know if there is enough run here to where there would be any pro rata that would be paid back to the school district under the subdivision ordinance.
  - Mr. White stated he did not believe the pro rata rules would apply to this case.
  - Councilmember Henry made a motion to approve the ILA between the City of Farmersville and the Farmersville ISD.
  - Councilmember Williams seconded the motion.
  - The motion was approved unanimously (5-0).
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- G.** Consider, discuss, and act upon a bid and notice of award regarding a water line on McKinney Street and Baker Lane for use by FISSD.
- Councilmember Henry made a motion to approve awarding the contract on McKinney Street water line contingent upon the execution of the Interlocal Agreement with Farmersville ISD and authorizing the City Manager to execute/sign the contract.
  - Councilmember Hudson seconded the motion.
  - The motion was approved unanimously (5-0).
- H.** Consider, discuss and act upon a concept plan and preliminary plat for Lakehaven MUD.
- Mr. White advised there was representation for Lakehaven MUD present.
  - Brock Fiture with Kimley-Horn representing Green Brick, Meritage and Lakehaven MUD advised this concept plan and preliminary plat is basically the same as what was previously turned in. The change is redistributing the lots and this new concept plan and preliminary plat are reflective of that change.
  - Councilmember Williams made a motion to approve.
  - Councilmember Hudson seconded the motion.
  - The motion carried unanimously (5-0).

- I. Consider, discuss and act upon a concept plan and preliminary plat for Rikepur.
- Mr. White advised council this is the east side of Orange Street area. This has been seen by the engineer and the engineer states this has met all the requirements and it has been recommended by P&Z for approval.
  - Councilmember Hudson made a motion to approve.
  - Councilmember Wagner seconded the motion.
  - The motion was unanimously approved (5-0).
- J. Consider, discuss and act upon the ownership of the 2 buildings on the south side of City Hall, currently occupied by Farmersville Grain.
- Mr. White advised that the building line could not be fully defined. The property in the redlines is City property with there being some uncertainty on the south property line. The building that is next to our building is owned by the City and this building used to be housed by the Fire Department. When they moved out the Feed and Grain store occupied the space but Mr. White is unaware of any contract.
  - Councilmember Henry states he spoke to former Mayor George Crump. George Crump stated that back in 2000 when the move of the FD occurred they were trying to decide what to do with the building. The City Attorney at that time and the Feed and Grain Attorney, Dick Seward, came to the conclusion the building was owned by the feed store and that the original owner of the feed store had given permission to the City to use that building for the fire trucks with a 99 year lease and when the FD moved out the building went back to the Feed and Grain.
  - Mr. White advised Mat Busby is saying almost the same thing. He thinks before we proceed forward we need to come to some sort of boundary agreement/legal document that defines the lines. Mr. White's recommendation is the next step is to go to Pete, (Feed & Grain), and tell him what we are finding out, see if he has any other type of document, do some research and discovery and come back to the council with what he has at that point.
  - Councilmember Overstreet asked who is paying the property tax.
  - Mr. White said based on what he sees on Collin CAD, this has been included with the City and the City does not pay property taxes so there is nothing to be paid.
  - Councilmember Henry advised on Collin County website it shows to be City property.



- Mr. White advised the deed research has not turned up anything for either the City or Pete (Feed & Grain).
  - Councilmember Overstreet asked who was paying the insurance.
  - Mr. White advised City staff would do research on that as well.
  - No motion was needed.
- L. Consider, discuss and act upon the October 2021 City Budget Report (unaudited). *This item (L) was taken out of order in its regular sequence on the Regular Agenda and heard on the Consent Agenda.*
- M. Consider, discuss and act upon financial information regarding Farmersville Parkway and Collin Parkway construction.
- Mr. White went over the financial information with the council and modifications and changes made to the original budget.
  - No motion was needed.
- N. Consider, discuss and act upon Resolution #R-2021-1214-002, approving the finding and declaring the current number of inhabitants within the City's Corporate Limits as 5,171 thereby qualifying the City to adopt a Home-Rule City Charter; and providing an effective date.
- Mr. White advised to go forward with Home Rule, Mr. Latham said this Resolution is a piece that we have to go through.
  - Councilmember Overstreet made a motion to approve.
  - Councilmember Henry seconded the motion.
  - The motion carried unanimously (5-0).
- O. Consider, discuss and act upon information regarding Home Rule.
- The City Council was briefed on the date for calling the May 2022 election, the Home Rule being part of that update.
  - No motion was needed.

**VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

Councilmember Henry request an update on the multi-family ordinance revision that was passed through P&Z.

Councilmember Overstreet request any update on the sign ordinance, food truck ordinance and an update on filter testing of the wastewater treatment.


**IX. ADJOURNMENT**

Mayor Wiebold adjourned the meeting at 7:07 p.m.

APPROVE:

  
\_\_\_\_\_  
Bryon Wiebold, Mayor

ATTEST:

  
\_\_\_\_\_  
Tabatha Monk, City Secretary

