

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
June 28, 2011

The Farmersville City Council met in called regularly called session on June 28, 2011 at 6:00 p.m. in the Council Chamber at City Hall with the following members present: Mayor Joe Helmberger, Pansy Hundley, Paul Kelly, Billy Long, Russell Chandler and Jim Foy. Staff members present were Police Chief Mike Sullivan, Public Works Director Ben White, City Attorney Alan Lathrom, Fire Chief Kim Morris, Finance Director Daphne Hamlin and City Secretary Edie Sims.

CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Helmberger welcomed all guests and visitors.

Mayor Helmberger thanked all City Staff, Ben White, all the volunteers who helped make Audie Murphy Day celebration on Saturday June 18, 2011 a great success in honoring our veterans.

PUBLIC HEARING – CONDUCT A PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON AN AMENDMENT TO SECTION 18 OF THE COMPREHENSIVE ZONING ORDINANCE BY ADDING A NEW SECTION 18-E AND A NEW SECTION 18-F ESTABLISHING SITE PLAN REQUIREMENTS FOR COMMERCIAL DEVELOPMENT AND MULTI-FAMILY DEVELOPMENT PROJECTS

Mayor Helmberger opened the Public Hearing at 6:04pm with no one speaking for or against amending the Comprehensive Zoning Ordinance regarding site plan requirements. Mayor Helmberger closed the Public Hearing at 6:05pm.

Mayor Helmberger opened this item for Council discussion stating that during a recent platting process along Highway 380 in the Highway Commercial Zoning, it was found that commercial and multi-family development did not have site plan requirements. Per Mayor Helmberger's experience, if the amendment is adopted as proposed, to simply add square footage to a building would cost the developer \$10-12,000 additionally for engineering. Paul Kelly expressed that the proposed amendment would defeat the purpose. The Council needs to give clear direction to the Planning and Zoning Commission for them to revise this amendment. Mayor Helmberger stated it was clear that this ordinance was plagiarized from the City of McKinney; however Farmersville is not prepared to be like McKinney. Jim Foy questioned how Brookshire's' documents were sufficient at the time they were submitted. Mayor Helmberger requested the Council to continue this topic at the last meeting in July. Ben White suggested having staff make recommendations and bring back to the Council. Jim Foy motioned to continue this topic to the last meeting in July with Billy Long seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

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EXECUTIVE SESSION: DISCUSSION OF MATTERS PERMITTED BY THE FOLLOWING SECTIONS OF TEXAS GOVERNMENT CODE CHAPTER 551:

SECTION 551.071, CONSULTATION WITH CITY ATTORNEY, AND SECTION 551.086, COMPETITIVE MATTERS OF A PUBLIC POWER UTILITY

1. CONSIDERATION, DISCUSSION AND ACTION REGARDING COMPETITIVE MATTERS OF THE CITY-OWNED PUBLIC POWER UTILITY AS ALLOWED BY SECTION 551.086 OF THE TEXAS GOVERNMENT CODE FOR PURPOSES OF MAINTAINING THE CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO COMPETITIVE ELECTRIC UTILITY MATTERS ENGAGED IN OR TO BE ENGAGED IN BY THE CITY OF FARMERSVILLE.

Council went into Executive Session at 6:36pm.

Council reconvened to Regular Session at 8:07pm.

READING OF ORDINANCES – FIRST AND ONLY READING OF ORDINANCE # O-2011-0628-001 AMENDING THE 2010 – 2011 FISCAL YEAR BUDGET

Finance Director Daphne Hamlin came before the Council and reviewed the Projected Electric Revenue Increase for Ordinance # O-2011-0628-001. Revisions were made to personnel services as those expenditures have dropped. Professional Services has increased due to the Electric Rate Study and Legal Services. The current budget did not have a capital expenditure expense which is being proposed for the transformer expense at JD Russell. Paul Kelly motioned to approve Ordinance # O-2011-0628-001 with Billy Long seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

DISCUSS THE RESULTS OF THE INFLOW AND INFILTRATION STUDY AS WELL AS THE REPAIRS MADE TO, AND THE OVERALL CONDITION OF, THE CITY'S WASTEWATER COLLECTION AND TREATMENT SYSTEM

Mayor Helmberger requested Ben White to bring the Council up to date on the City's wastewater collection and treatment system. The current grant has replaced several deteriorated manholes which has helped with the infiltration problem within the sewer system. The City Crews have worked on replacement lines which assist with the \$50,000 matching funds required for this project with the Community Development Block Grant. Cleanouts and low lying areas without plugs are still creating problems, but those are being addressed as found. Crushed sewer lines and manhole replacements should help with the infiltration problem as noted by Texas Commission on Environmental Quality. All contracted related items are expected to be completed in August. No action was taken by the Council.

PRESENTATION AND DISCUSSION REGARDING PHASE 3 OF THE U.S. HIGHWAY 380 RELOCATION PROJECT

Mayor Helmberger opened this topic to Ben White who stated that the bid opening for the Phase 3 Utility Relocation Project has been delayed until July 12, 2011.

A bore that has been in place for some time has been considered by TxDOT to be an incorrect placement. TxDOT wants a storm drainage feature at this location near Northlake to allow for proper drainage. Plans are being executed by Hayter Engineering. Some easement work is needed; however it should not be a problem to complete. Phase 1 and 2 of the Relocation Project have been completed. Jim Foy expressed concern of Orange Street being closed during construction of Phase 3. Mr. White stated plans are available for review at City Hall. The South Main exit to get to McKinney Street from Highway 380 will be a ramp. No action was taken by the Council.

#### DISCUSSION AND POSSIBLE DIRECTION REGARDING THE ESTABLISHMENT OF MINIMUM ROOF AND FOUNDATION REGULATIONS FOR SINGLE FAMILY AND TWO-FAMILY HOUSING PRODUCTS

Jim Foy asked that the roof pitch ordinance be brought back for Council review. The reason the ordinance was defeated was the expense of engineering for a foundation. Mr. Foy requested the foundation engineering requirement be removed and bring back this ordinance for reconsideration. No further action from the Council was taken at this time.

#### DISCUSS THE 2010 – 2011 FISCAL YEAR BUDGET AND THE PRELIMINARY 2011 – 2012 FISCAL YEAR BUDGET

Mayor Helmberger was concerned of the budget process. City Manager John Moran stated he is still receiving numbers; however he has learned that the Property Taxes will be down 4% from last year. The revenues for the City are flat or declining. Mayor Helmberger stated he understood the sales tax revenues are up. A Budget Workshop is planned for July 26 where all the information received will be presented to the Council. Jim Foy stated the electric fund has increased by \$170,000 and the water and sewer rates have just increased. The wholesale water rates should be effective by October 1. Mr. Foy stated he would like to see the Council try to place funds for the Parks and Recreation Board. Some ideas would be to place lights in the City Park for higher security and possibly install cameras along the Chaparral Trail. Mayor Helmberger requested to fund the Fire Chief as a full time employee. No further action was taken by the Council at this time.

#### RECEIPT OF INFORMATION TECHNOLOGY REPORT FROM TONY LINTON AND POSSIBLE DISCUSSION

Tony Linton, TLC NetCon which serves the City for Information Technology (IT), came before the Council to give a report of IT projects. Mr. Linton was hired to accomplish the City's IT needs and has made some major strides with minimal cost. Projects that are in progress include a firewall router updated with enhanced VPN capabilities for the Police Department and City Hall with remote access. The City Hall's server has been consolidated to utilize existing equipment and an Ubuntu Linux Server. A complete systems audit has been accomplished which brought attention to the lack of licenses for software. Licenses should be renewed after their 2 year expiration and cost depends on the product. As funds allow, the licenses will be brought current. Also the Library system has been implemented with an active directory on the server. Mr. Linton requested the Council look to the future for IT needs which will include a citywide network consolidation and asset management utilization for budget planning. Emergency calls due to equipment issues have decreased dramatically which means

the systems are functioning the way they are suppose to. The City is not running anything older than Windows XP; however there are still some systems with Home Edition and Vista which is not conducive to a business environment. Recently a system was installed at the Police Department for cameras that is all browser web based. There was no purchase cost for software, only for the wireless equipment. No action was taken by Council.

CONSIDER, DISCUSS AND ACT ON LIBRARY POLICIES AND LONG RANGE PLAN FOR THE LIBRARY

Library Policies and a Long Range Plan for the Library was presented to the Council. The Library Board approved these policies unanimously and has recommended them to the Council for final approval. Mayor Helmberger questioned monetary donations that come to the Library and how they are handled. City Manager John Moran stated all monetary donations should come to the Council for acceptance. Pansy Hundley stated in past years the donations would be used to purchase a book to be kept at the Library in honor of the donor. The correct procedure for handling these donations is to bring before the City Council for acceptance; the funds are then placed in the General Fund to be earmarked for the Library. Paul Kelly motioned to approve the Library Policies and Long Range Plan with Russell Chandler seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT ON RESIGNATIONS TENDERED BY CRAIG OVERSTREET FROM THE ECONOMIC DEVELOPMENT BOARD, GEORGE CRUMP FROM THE COMMUNITY DEVELOPMENT BOARD AND WILMA RAINS FROM THE LIBRARY/CIVIC CENTER BOARD

Jim Foy requested the Library Board acceptance be delayed until the next meeting to allow time to find a replacement. Russell Chandler motioned to approve the resignations of Craig Overstreet from the Economic Development Board and George Crump from the Community Development Board. Paul Kelly seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT UPON APPOINTMENTS TO BOARDS AND COMMISSIONS, INCLUDING, BUT NOT NECESSARILY LIMITED TO, THE COMMUNITY DEVELOPMENT BOARD, THE PLANNING AND ZONING COMMISSION AND THE LIBRARY/CIVIC CENTER BOARD

Billy Long motioned to approve Charlie Whitaker to complete the 4B Community Development Board with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

Due to needing more applicants, the Building and Property Standards Commission and Library Board will be addressed at the next Council meeting.

## DISCUSSION AND DIRECTION REGARDING THE RENAMING OF CERTAIN STREETS WITHIN THE CITY

Due to emergency calls, Council saw the need to change the street names that are currently South Rike and Austin Streets to names which will be recognized and easier to locate in times of emergencies. Jim Foy requested to change Collin Street to Honaker Court to allow the use of the name Collin on the West end of Farmersville Parkway in honor of Collin College. Russell Chandler also requested to consider changing Prospect where it connects on the East side of the Chaparral Trail to another name for safety purposes. Per City Attorney Alan Lathrom, the Council is allowed to rename a street at the staff's recommendation. Council requested to bring this item back to the next meeting to discuss possible names and recommendations from staff. No further action taken by Council at this time.

## UPDATE REGARDING THE CODIFICATION OF THE FARMERSVILLE CODE OF ORDINANCES

City Attorney Alan Lathrom informed the Council that 2/3 of the code has been reviewed and scrutinized for errors or changes and submitted to MuniCode. Mr. Lathrom stated he hopes to have the remainder of the ordinances completed and ready for MuniCode by the end of next week. No further action taken by Council.

## DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE CITY MANAGER TO CONTRACT WITH COLLIN COUNTY FOR PUBLIC SAFETY DISPATCHING, IN AN AMOUNT NOT TO EXCEED \$23,000.00

Police Chief Mike Sullivan came before the Council to state that the dispatching costs have decreased from last year from \$27,000 to \$23,000. Some of this change is due to have the VPN which was spoke earlier by our IT vendor. The VPN allows the officers to check vehicles and other warrant information themselves rather than have Collin County Dispatch at a cost. Chief Sullivan stated the Police Officers are also reducing costs by changing how they clear calls for service. Billy Long motioned to approve authorizing the City Manager to contract with Collin County for dispatching services not to exceed \$23,000. Paul Kelly seconded the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

## RECEIVE UPDATE REGARDING THE SOLID WASTE AND RECYCLING REQUEST FOR PROPOSALS

Public Works Director Ben White informed the Council that all Requests for Proposals have been received and are being comprehensively reviewed and compared. Four companies responded to the Request for Proposals: CWD, Waste Management, IESI and Republic. A recommendation will be made to the Council with an ordinance which will include franchise fees at a later date. Mr. White stated he anticipates having the qualifications reviewed and completed by the end of this week. City Attorney Alan Lathrom encouraged the Council for choosing the RFP process which will allow more flexibility for specific items and allow negotiations for other items. Limbs and brush will be addressed during negotiations. The goal is to have a presentation to the Council on July 12. No further action was taken by Council.

RECEIVE UPDATE REGARDING THE IMPLEMENTATION OF THE NEW WATER AND SEWER RATES

Public Works Director Ben White informed the Council that a minor hiccup due to software occurred while implementing the new water and sewer rates. Rates will be included in this month's billing cycle. A challenge still lies ahead for billing according to meter size as our software does not allow this type of breakdown. This type of charges will follow on subsequent billings. No further action taken by Council.

UPDATE REGARDING THE DOWNTOWN PARKING ORDINANCE

Mayor Helmberger brought this item before the Council for discussion so that all parking issues can be resolved at one time. Washington, South Main, and the 100-200 block of McKinney should have parking allowances. North Main needs to be left as is as the narrow street prohibits parking. Non parking times need to remain from 12:30am to 5:30am. Railroad Street needs to be taken out of the Ordinance as the City of Farmersville no longer has a street by said name. City Attorney Alan Lathrom was directed to make stated changes and return to the City Council for recommendation and approval.

EXECUTIVE SESSION: DISCUSSION OF MATTERS PERMITTED BY THE FOLLOWING SECTIONS OF TEXAS GOVERNMENT CODE CHAPTER 551:

- A. SECTION 551.071, CONSULTATION WITH CITY ATTORNEY – REGARDING REX THAIN, ET UX V. CITY OF FARMERSVILLE, ET AL; CAUSE NUMBER 429-01299-2010.
- B. SECTION 551.071, CONSULTATION WITH CITY ATTORNEY, AND SECTION 551.086, COMPETITIVE MATTERS OF A PUBLIC POWER UTILITY
  2. CONSIDERATION, DISCUSSION AND ACTION REGARDING COMPETITIVE MATTERS OF THE CITY-OWNED PUBLIC POWER UTILITY AS ALLOWED BY SECTION 551.086 OF THE TEXAS GOVERNMENT CODE FOR PURPOSES OF MAINTAINING THE CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO COMPETITIVE ELECTRIC UTILITY MATTERS ENGAGED IN OR TO BE ENGAGED IN BY THE CITY OF FARMERSVILLE.
- C. SECTION 551.074, DISCUSSION OF PERSONNEL MATTERS
  1. CONSULTATION WITH CITY MANAGER REGARDING HEALTH ISSUES AND TEMPORARY WORK SCHEDULE

Council exited into Executive Session at 9:30pm.

Council reconvened Regular Session at 9:37pm.

No items were discussed from Executive Session.

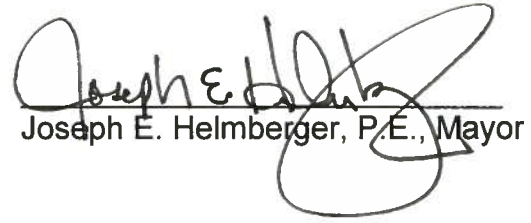
REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

- Pansy Hundley requested the Council to review the hiring policy – specifically hiring over the age of 55 and college training vs. experience
- Jim Foy requested sidewalk requirements in the Subdivision Ordinance

ADJOURNMENT

Council adjourned at 9:40p.m.

APPROVED

  
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Joseph E. Helmberger, P.E., Mayor

ATTEST

  
\_\_\_\_\_  
Edie Sims, City Secretary

