

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
August 9, 2011

The Farmersville City Council met in called regularly called session on August 9, 2011 at 6:00 p.m. in the Council Chamber at City Hall with the following members present: Mayor Joe Helmberger, Pansy Hundley, 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 announced City Secretary Edie Sims' birthday and that Public Safety Sunday will occur on September 11, 2011 at the High School Cafeteria.

CONSENT AGENDA

Paul Kelly motioned to approve the Consent Agenda as presented with Pansy Hundley seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

INFORMATIONAL ITEMS – PLANNING & ZONING MINUTES FOR THE MONTH OF JULY

Mayor Helmberger questioned why P&Z Commissioner Bill Nerwich voted against the proposed Landscape Ordinance. Mr. Nerwich did not express a reason for his opposition at the P&Z meeting.

INFORMATIONAL ITEMS – PARKS BOARD MINUTES FOR THE MONTH OF JULY

Mayor Helmberger questioned why Del Sergent was appointed as liaison for the Parks Board. The reason is due to Mr. Sergent being on both boards makes relaying of information easier to both boards.

READING OF ORDINANCES - FIRST READING – ORDINANCE # O-2011-0823-001 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS STEERING COMMITTEE AND ATMOS ENERGY FOR THEIR FOURTH ANNUAL RATE REVIEW MECHANISM

Jeanette Moser, representative from Atmos Energy, was present to answer questions regarding the Rate Review Mechanism Ordinance presented to the Council. Per Jim Foy, the Rate Review Mechanism Ordinance is an ongoing, routine procedure to assist the Atmos Steering Committee to serve the member cities. The average customer will see an increase of \$.31. Staff recommended approval. Jim Foy motioned to approve with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON ORDINANCE #O-2011-0823-002 TO AMEND SECTION 11, "LANDSCAPE REGULATIONS," OF THE COMPREHENSIVE ZONING ORDINANCE BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 11 ENTITLED "LANDSCAPE REGULATIONS"

At 6:11pm, Mayor Helmberger opened the Public Hearing regarding the amended Landscape Regulations Ordinance. No one spoke for or against the ordinance changes. Mayor Helmberger closed the Public Hearing at 6:11:23pm. Mayor Helmberger gave a brief history which caused this item to be brought to discussion due to the development of Highway 380 and the current Landscape Regulations not being adequate. The Planning & Zoning Commission has reviewed and revised an ordinance which has been recommended for Council approval. A brief discussion was had regarding the need to have commercial properties landscaped. Pansy Hundley expressed concern that the City is too restrictive and requirements are too expensive for Farmersville. Mayor Helmberger stated the restrictions will help bring Farmersville to a higher standard. Most developers know this is a standard requirement. Mayor Helmberger requested the term Conceptual Plan be removed throughout the Ordinance; strike Item 17 on page 10 which is in regard to townhome parcels; and remove Item (b) Open Areas on page 6. Russell Chandler motioned to approve with revisions with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

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ALLOW LIMITED WAIVERS FOR EXPANSION OR RECONSTRUCTION OF EXISTING BUILDINGS, BY ADDING A NEW PARAGRAPH NO. 10 TO RECOGNIZE AND PERMIT MERITORIOUS EXCEPTIONS, AND BY ADDING A NEW PARAGRAPH NO. 11 TO ALLOW VARIANCES FROM THE EXTERIOR CONSTRUCTION STANDARDS OF SECTIONS 9-J AND 9-K REGARDING HIGHWAY COMMERCIAL CONSTRUCTION MATERIALS

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PRESENTATION, DISCUSSION AND POSSIBLE DIRECTION REGARDING NEGOTIATING A CONTRACT WITH A RECOMMENDED SOLID WASTE COLLECTION PROVIDER AND/OR RECYCLING SERVICE PROVIDER FOR THE CITY OF FARMERSVILLE, TEXAS

City Manager John Moran informed the Council that through a Request for Proposal announcement, IESI, Community Waste Disposal (CWD), Waste Management (WM) and Republic Services presented their proposals for solid waste removal contract and recycling contract. Each company was graded on the following ten criteria: quality of service, availability of resources, company stability, company experience, experience of company's local management team, disposal and processing site(s) capacity and ownership, cost, customer service plan, commitment to participate in community wide activities, and compliance with TCEQ and EPA rules and standards. All companies giving a proposal did quite well and the task of defining was very difficult. Mr. Moran asked the Council to direct him to negotiate a contract with IESI for the solid waste removal and CWD for recycling. A contract will be presented to the Council when all negotiations are complete. Russell Chandler motioned to direct the City Manager to negotiate a contract with IESI for solid waste and CWD for recycling. Jim Foy asked to have smaller sized trucks involved in the negotiations which are less damaging to the City's streets. A poll of the Council was taken as follows: Pansy Hundley yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

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DISCUSS AND CONSIDER RESOLUTION # R-2011-0809-001 DECLARING SPECIFIED PROPERTY A SURPLUS FROM THE PUBLIC WORKS DEPARTMENT AND ALLOWING FOR THE DISPOSAL OF SAID PROPERTY

According to Ben White, Public Works Director, the Public Works Department has been inventorying unusable equipment that has since lost their usefulness. Instead of this equipment deteriorating further, it is better to sell the equipment and earmark the funds for the maintenance facility to install a shower stall to be used by our Public Works employees. The items to be sold will go through Rene Bates Auctions. Three bidders have been lined up to take the full lot of property. Paul Kelly stated he has looked at the equipment and agrees with the handling of the disposal. The shower stall would be greatly appreciated by the Public Works employees. Jim Foy motioned to approve Resolution # R-2011-0809-001 with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

UPDATE FROM THE PUBLIC WORKS DIRECTOR REGARDING SCHOOL ZONES

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DISCUSSION REGARDING A JOINT MEETING WITH FARMERSVILLE ISD

City Manager John Moran requested specific topics that the Council wishes to discuss with the Farmersville Independent School District. The list is as follows:

- Rike Field
- Joint use of Police car / used by the SRO Officer
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- Master Plan – location of future schools
- Municipal Water District (MUD) – future schools within a MUD district
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DISCUSSION OF MATTERS PERMITTED BY THE FOLLOWING SECTIONS OF TEXAS GOVERNMENT CODE CHAPTER 551: A) SECTION 551.071 – COMPETITIVE MATTERS OF A PUBLIC POWER UTILITY

CONSULTATION WITH CITY ATTORNEY REGARDING AND CONSIDERATION, DISCUSSION AND POSSIBLE 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, AND CONSULTATION WITH CITY ATTORNEY REGARDING CONTRACT NEGOTIATIONS FOR THE OPERATION AND MAINTENANCE OF THE CITY-OWNED PUBLIC POWER UTILITY AS ALLOWED BY SECTION 551.071 OF THE TEXAS GOVERNMENT CODE

Council went into Executive Session at 7:10pm.

Council reconvened to Regular Session at 8:00pm with no discussion of items from Executive Session.

REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No items were placed on future agendas.

ADJOURNMENT

Council adjourned at 9:17p.m.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary

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ADJOURNMENT

Council adjourned at 9:17p.m.

ATTEST

Edie Sims
Edie Sims, City Secretary

APPROVED

Joseph E. Helmberger
Joseph E. Helmberger, P.E., Mayor

