

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
AUGUST 10, 2010

The Farmersville City Council met in called regular session on August 10, 2010 at 6:00 p.m. in the Council Chamber at City Hall with the following members present: Mayor Joe Helmberger, Fred Langford, Paul Kelly, Billy Long, Bobby Bishop and Jim Foy. Staff members present were City Manager John Moran, Police Chief Mike Sullivan, Fire Department Chief Kim Morris, Interim Public Works Director Walter Ragsdale, Finance Director Daphne Hamlin, City Attorney Alan Lathrom 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.

RECOGNITION OF CITIZENS/VISITORS

Mayor Helmberger recognized visitors however no one wished to speak on a non agenda item.

PUBLIC HEARING: A PUBLIC HEARING REGARDING THE IMPLEMENTATION OF A CURFEW ORDINANCE FOR THE CITY OF FARMERSVILLE

Mayor Helmberger opened the Public Hearing at 6:04pm. The floor was opened for those who were FOR the implementation of a Curfew Ordinance with no one coming forward. The floor was opened for those who were OPPOSED the implementation of a Curfew Ordinance with no one coming forward. Mayor Helmberger closed the Public Hearing at 6:05pm.

RECEIVE CHECK FROM THE TEXAS DEPARTMENT OF RURAL AFFAIRS IN THE AMOUNT OF \$350,000 FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO IMPROVE THE SEWER SYSTEM IN THE CITY OF FARMERSVILLE

Council received check awarded to the City of Farmersville by the Texas Department of Rural Affairs.

CONSIDERATION AND ACTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER AGREEMENT GOVERNING LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION

This agenda item was duplicated and therefore passed.

CONSIDERATION AND ACTION AUTHORIZING THE CITY MANAGER TO CONTRACT WITH AECOM FOR ENGINEERING DESIGN SERVICES FOR RECONSTRUCTING THE SOUTH MAIN STREET BRIDGE, IN AN AMOUNT NOT TO EXCEED \$150,000

The engineering fee will be paid by the Farmersville Economic Development Corporation. TxDOT has hired AECOM Technical Services, Inc for the engineering of the South Main Street Bridge project which is encompassed in the Highway 380 widening project. With the City contracting with AECOM, the City will only pay for the engineering and redesigning of the bridge while TxDOT has the funding for the actual construction of the bridge. The bridge currently has one lane going North and one lane going South. With the redesign, there will be a 4 lane bridge and will be wide enough for an extra lane if needed in the future. City Manager requested if the Council approves this contract to be contingent upon the City Attorney's review for contractual issues to be worked out. TxDOT will be scheduling to let this project in March 2011. Billy Long moved to approved authorizing the City Manager to contract with AECOM. Jim Foy seconded the motion. Motion carried unanimously.

CONSIDERATION AND ACTION REGARDING RESOLUTION # R-2010-0810-001 FOR CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE AUTHORIZING PAYMENT TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

City Manager John Moran informed the Council that the City is a member of the Atmos Cities Steering Committee and he recommended the Council approve the Resolution. Jim Foy motioned to approve Resolution # R-2010-0810-001 with Paul Kelly seconding the motion. Motion carried unanimously.

CONSIDERATION AND ACTION REGARDING RESOLUTION # R-2010-0810-002 AUTHORIZING THE CITY MANAGER TO EXECUTE APPROPRIATE AGREEMENTS FOR THE MASTER ADVANCED FUNDING FOR PROJECTS BY TEXAS DEPARTMENT OF TRANSPORTATION

City Manager John Moran stated this action is critical and recommended the Council approve this action. Interim Public Works Director Walter Ragsdale informed the Council this agreement is the financial tool for federal funding that is funneled to TxDOT. A specific contract will be brought to the Council for the local funding agreement. This particular agreement will affect the City of Farmersville receiving 100% federal grant for the Safe Routes to School which totals \$674,000. Paul Kelly moved to approve Resolution # R-2010-0810-002 with Billy Long seconding the motion. Motion carried unanimously.

CONSIDERATION AND ACTION APPROVING AN INTERLOCAL AGREEMENT WITH HUNT COUNTY REGARDING THE ENFORCEMENT OF THE CITY'S SUBDIVISION REGULATIONS IN THE EXTRATERRITORIAL JURISDICTION

Per City Manager John Moran, the City will not be enforcing the Building Permits at this time but will be addressed at a later time. Hunt County Judge Horn is glad to work with Farmersville to have the City enforce our Subdivision Ordinance within the City's ETJ which encroaches upon Hunt County. Jim Foy expressed he did not see this agreement was important to the City of Farmersville. Paul Kelly motioned to approve the Interlocal Agreement with Hunt County for the City to enforce City's Subdivision Regulations in the Extraterritorial Jurisdiction. Fred Langford seconded the motion. Those voting for were Fred Langford, Paul Kelly, Billy Long and Bobby Bishop. Opposed was Jim Foy. Motion passed.

PRESENTATION FROM THE FIRE DEPARTMENT CONCERNING REVENUE RECOVERY AND STAFFING ISSUES

Fire Chief Kim Morris presented to the Council the need to become a combination Fire Department where instead of all volunteers – the Department will need a minimum of 4 full time paid firemen during the daytime shift. In order to make this change, Chief Morris proposed the Council consider the Safer grant where the salaries are paid in percentage increments over a 5 year span. The percentages would be 100% the first year and second year, 40% the third year, 70% the fourth year and 0% the fifth year. Having a staffed fire department would also lower the ISO rating and be a great savings for homeowners. Chief Morris asked the Council to consider him and three other firefighters for full time positions by using the Safer Grant. Chief Morris indicated the County Fire Run dollars and the income received from Revenue Rescue are consistent funds. The Safer Grant will pay up to \$41,000 per person without a limit of how many persons.

Meredith Doty with Revenue Rescue came to encourage the Council to change their standing Ordinance regarding recovery fees where the citizens insurance will no longer be exempt and have their insurance subject to be charged for the use of the Fire Department's equipment and supplies. The majority of vehicle accidents occur with citizens of Farmersville and therefore billing through Revenue Rescue will increase funding by charging their insurance

for these standard charges. Revenue Rescue charges 20% for their services. The Council gave consensus to bring an Ordinance to the September meeting with the stated amendments and will discuss at that time.

PRESENTATION REGARDING SAFE ROUTES TO SCHOOL GRANT

Interim Public Works Director Walter Ragsdale spoke during a previous action item regarding the Safe Routes to School Grant. Summarizing, the grant has been 100% funded through Federal funds that are funneled to TxDOT and then forwarded to the City of Farmersville. Mr. Ragsdale expects the construction to build and improve the sidewalks to and around all schools will cost \$484,500. The current plan is to begin construction by Summer 2011.

UPDATE ON PUBLIC WORKS ACTIVITIES AND PROJECTS

Interim Public Works Director Walter Ragsdale reported to the Council that the smoke testing has been completed for the Sewer Grant project. Mr. Ragsdale reported various issues that were found during the smoke testing process revealing 225 infiltration leaks, 86 manholes that were not shown on the current city maps, 8 homes that were filled with smoke, 113 sewer issues found on private property, 1 issue at a lift station and one water leak was found. The issues found on private property will be directed to the property owners for them to seek a plumber and have fixed at their expense. The existing grant will not financially cover all the problems that have been identified. The focus will be to repair the most major problems first and prioritize in order of greatest need. All liftstations will be inspected upon replacement or repair. Also all information has been logged into a GPS system and will be shared with Collin County GPS for future use.

Another issue Mr. Ragsdale reported is regarding the SECO Grant for the replacement of 52 High Pressure Sodium bulbs in the street lights on Main and McKinney Streets. The City has acquired a grant in the amount of \$23,000. The change from High Pressure Sodium will reduce the electricity used place reduce the replacement from every 1-2 years to every 8-10 years. A future goal is to replace all the High Pressure Sodium bulbs with LED bulbs throughout the City.

UPDATE ON THE U.S. HIGHWAY 380 EXPANSION PROJECT

Interim Public Works Director Walter Ragsdale reported that 155 working days have been used by the contractor working on U.S. Highway 380 Phase 1 and the contractor has used 33% of the funds allotted for this project thus far.

Mr. Ragsdale informed the Council at the Highway 380 and Highway 78 intersection a new sewer line and a new manhole was installed by the City crew. The Contractor wishes to start pouring concrete at night beginning the middle of next week. Also the new ramp has been opened as of August 10, 2010 to exit onto and from Highway 380 from Highway 78.

CONSIDERATION AND ACTION AUTHORIZING THE CITY MANAGER TO AWARD CONTRACTS FOR ROADWAY BORES IN CONJUNCTION WITH THE U.S. HIGHWAY 380 CONSTRUCTION PROJECT

Bores for the Highway 380 project need to be completed by the end of September, and according to City Manager John Moran, the grant will pay for the remaining bores without having to use City funds. The bores are for water lines primarily on the East end of Highway 380. Paul Kelly moved to authorize the City Manager to award the contract for this project and to have a summary at the next Council meeting. Fred Langford seconded the motion. Motion carried unanimously.

CONSIDERATION AND ACTION REGARDING RESOLUTION # R-2010-0810-003
AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH
COLLIN COUNTY TO PROVIDE ROAD IMPROVEMENT SERVICES

The Interlocal Agreement with Collin County is a renewal of the agreement between the entities according to City Manager John Moran. The County has been given a list of problem locations within the City's street system. The County is figuring the cost and the City will prioritize the problem areas and have the County do the repair work accordingly. Bobby Bishop moved to approve Resolution # R-2010-0810-003 with Billy Long seconding the motion. Motion carried unanimously.

CONSIDER TRADE-MARKING THE CITY'S BRAND AND LOGO

Mayor Helmberger presented the Council with a request from the Marketing Committee to have the City's brand and logo trade-marked. This will allow the City to have rights of how the logo is used. The Marketing Committee will be paying for the fees to have the trade-marking accomplished. Jim Foy motioned to proceed with Paul Kelly seconding the motion. Motion carried unanimously.

DISCUSSION CONCERNING THE POSSIBLE REGULATION OF THE SUBSTANCES
GENERALLY DESCRIBED AS SYNTHETIC CANNABINOIDS AND SALVIA DIVINORUM

City Manager John Moran passed out copies of articles of the Star Telegram which gave information about the substance "K-2" and the concerns of the North Texas area cities. Farmersville is very concerned regarding this substance as it is very similar to marijuana. Other cities in our area are banning the use and sale of "K-2" and similar products. An ordinance will give an enforcement mechanism with the Council giving consensus to move forward with an Ordinance banning this and similar products.

UPDATE ON THE 2010 – 2011 FISCAL YEAR BUDGET

A Budget Workshop was held on August 9, 2010. City Manager John Moran stated he is still working on the Special Funds account. At present, the auditor will need to assist with this fund to clear up any uncertainties of previously earmarked funds.

DISCUSSION CONCERNING THE ABANDONMENT OF CITY RIGHT OF WAY

The abandoning of Short Street was discussed at a previous Council meeting. One of the landowners on the street has attained an application form which must have all landowners approval to abandon the section of street. Another of the landowners does not agree and therefore the City can not abandon that section of right-of-way. Fred Langford suggested barricading the entry from the east side of Stop N' Buy (formerly known as McCloud's) and place a Dead End Sign on the other side. Collin County GIS shows prescriptive right-of-way however the plat does not show a street. This would become a civil matter if Amin Ali wishes to block off the entry onto his property.

DISCUSSION REGARDING RESIDENCY REQUIREMENTS OF CITY BOARDS AND
COMMISSIONS

Mayor Helmberger read each of the residency requirements per each Board and Commission through the City of Farmersville. The main concerns of the Council were the Community Development and Economic Development Boards as the residency requirements may have changed since their inception. City Manager John Moran stated he will investigate and return next month with this information.

CONSIDERATION AND ACTION CONCERNING THE AUTHORIZATION OF AN ELECTRIC RATE REVIEW AND ANALYSIS PERFORMED BY J. STOWE AND COMPANY

With the concerns of the electric funds and the change over from CapRock to Sharyland, City Manager John Moran indicated the need for an Electric Rate Review and Analysis. This rate analysis will be more than checking into the Power Cost Recovery Factor (PCRF) and will analyze our capital budget as a whole. The electric rate study will also account for maintenance costs. Jim Foy moved to approve J. Stowe and Company to perform an Electric Rate Review and Analysis. Billy Long seconded the motion. Motion carried unanimously.

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

No items were withdrawn from the Consent Agenda

CONSENT AGENDA

Paul Kelly motioned to approve the Consent Agenda as presented with Billy Long seconding the motion. Motion carried unanimously.

PUBLIC HEARING: A PUBLIC HEARING REGARDING THE IMPLEMENTATION OF A CURFEW ORDINANCE FOR THE CITY OF FARMERSVILLE

Mayor Helmberger opened the second Public Hearing at 7:55pm. The floor was opened for those who were FOR the implementation of a Curfew Ordinance with no one coming forward. The floor was opened for those who were OPPOSED the implementation of a Curfew Ordinance with no one coming forward. Mayor Helmberger closed the Public Hearing at 7:55:30pm.

DISCUSSION AND POSSIBLE ACTION ADOPTING ORDINANCE # O-2010-0810-001 IMPLEMENTING A CURFEW ORDINANCE ON JUVENILES WITHIN THE CORPORATE LIMITS OF THE CITY OF FARMERSVILLE

With Council all agreeing a curfew ordinance is within the best interest of health, safety and welfare of the citizens of Farmersville, Billy Long motioned to adopt Ordinance # O-2010-0810-001, a juvenile curfew ordinance. Paul Kelly seconded the motion. Motion carried unanimously.

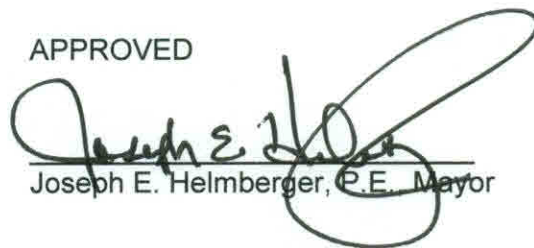
REQUEST(S) TO PLACE ITEMS ON FUTURE AGENDAS

Jim Foy requested the policy for Council and Boards to be brought to the Council for review.

ADJOURNMENT

Council adjourned at 8:00 p.m.

APPROVED


Joseph E. Helmberger, P.E. Mayor

ATTEST



Edie Sims, City Secretary

