

**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION AGENDA  
September 13, 2011, 6:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Welcome guests and visitors: Anyone wanting to speak on any items that are not the subject of a Public Hearing on this agenda is asked to speak at this time, with an individual time limit of 3 minutes. This forum is limited to a total of 30 minutes. *(Please note that the City Council cannot respond to, discuss or take any action regarding citizen comments made hereunder because of the limitations established by the Texas Open Meetings Act, Texas Government Code Chapter 551, violations of which Act carry criminal penalties.)*
- Announcements relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on City projects, awards, acknowledgement of meeting attendees, birthdays, and condolences.

**II. PROCLAMATION**

A Proclamation declaring September 17<sup>th</sup> – 23<sup>rd</sup>, 2011 as Constitution Week

**III. 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 Council members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.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 for the month of August
- B. City Financial Reports
- C. Police Department Report for the month of August
- D. Code Enforcement/Animal Control Report for the month of August
- E. School Resource Officer Report for the month of August
- F. Fire Department Report for the month of August
- G. Municipal Court Report of the month of August
- H. Public Works and Customer Service Report for the month of August
- I. Main Street Report for the month of August
- J. Library Report for the month of August

#### **IV. 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 may 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.

- A. Update regarding status of grants applied for and/or received by the City
- B. FEDC (4A) Financial Report for the month of July
- C. FCDC (4B) Financial Report for the month of July
- D. Planning & Zoning Minutes for the month of August
- E. FCDC (4B) Meeting Minutes for the month of July
- F. FEDC (4A) Meeting Minutes for the month of July
- G. Parks Board Minutes for the month of August
- H. Main Street Board Minutes for the month of August

#### **V. WORKSHOP**

- A. Budget Workshop Relative to the Fiscal Year 2011 – 2012 Budget

#### **VI. PUBLIC HEARING**

- A. Consider, discuss and act upon a request for Re-Plat of Lot 11 of McIver Place, located in the William Wheat Survey, Abstract No. 961, containing approximately 7.568 acres.

#### **VII. READING OF ORDINANCES**

- A. Consider, discuss and act upon an amendment to Article 10 "Traffic Control," of the Code of Ordinances, City of Farmersville, Texas, through the amendment of Article 10, "Traffic Control," by amending Section 10.119.3, "Areas Designated As Loading Zone," by deleting Section 10.119.3 in its entirety and replacing Section 10.119.3 with a new Section 10.119.3, entitled, "Areas Designated As Loading Zone" and by amending and modifying the map contained in Section 10.119.4, entitled "Map Of Restricted Parking," to reflect the revisions made to Section 10.119.3 by this ordinance; by amending Section 10.119.6, "Parking Prohibited," by deleting Section 10.119.6 in its entirety and replacing Section 10.119.6 with a new Section 10.119.6, entitled, "Parking Prohibited"; by amending Section 10.122.3, "Exemptions," by deleting Section 10.122.3 in its entirety; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing a penalty or fine not to exceed the sum of

Five Hundred Dollars (\$500.00) for each offense; and providing an effective date.

- B. Consider, discuss and act upon an amendment to Article 4 “Building and Construction,” of the Code of Ordinances, City of Farmersville, Texas, by amending Section 4.105.7, entitled “Street naming and property numbering procedures are standards as authorized in the County Road and Bridge Act (art. 6702-1, Texas Civil Statutes). These procedures will include:,” by deleting such section in its entirety and adopting a new Section 4.105.7 entitled “Street Naming and Property Numbering Procedures,” by amending Section 4.105.9, “Street Names Adopted,” by naming the newly annexed portion of County Road 610 between County Road 611 and U.S. Highway 380 as Collin Parkway and changing the current street names of the 100 block of South Rike, the 100 block of Austin, the 100 block of Collin, and Prospect all in accordance with Section 4.105.2 of the Code of Ordinances, City of Farmersville, Texas; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing for notice and implementation; and providing an effective date.
  
- C. Consider, discuss and act upon an amendment to Article 10, “Traffic Control,” by amending Section 10.125, entitled “School Zones Established,” by deleting Section 10.125, including Sections 10.125.1 Through 10.125.4, in its entirety and adopting a new Section 10.125 designating certain streets to be situated within school zones, declaring a reduction of the prima facie maximum speed limit on such enumerated streets and the time frames for such reduced speeds, and regulating and controlling the direction and flow of traffic on such streets during active school zone times; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing a penalty or fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing an effective date.

## **VIII. REGULAR AGENDA**

- A. Consideration and possible action regarding the acceptance of a donation of two Police bicycles from Advanced Fixtures, Inc.
- B. Consideration and action authorizing the closure of Farmersville Parkway on October 29, 2011 for the “Trick It Up Bike Ride.”
- C. Consideration and possible action approving the Economic Development Corporation Proposed Budget and Goals for Fiscal Year 2011-2012
- D. Consideration and possible action approving the Community Development Corporation Proposed Budget and Goals for Fiscal Year 2011-2012
- E. Consideration and adoption of Ordinance # O-2011-0913-001 to adopt the budget for Fiscal Year 2011-2012

- F. Consideration and possible action regarding Ordinance # O-2011-0913-002 to adopt the 2006 Series Certification of Obligation annual budget for Fiscal Year 2011-2012
- G. Consideration and adoption of Ordinance # O-2011-0913-003 to adopt a Property Tax Rate for Fiscal Year 2011-2012
- H. Consideration and adoption of Ordinance # O-2011-0913-004 to adopt the 2011 Tax Appraisal Roll
- I. Discussion and possible action relative to Ordinance # O-2011-0913-005 amending the Fiscal Year 2010-2011 budget
- J. Consider and act upon Resolution # R-2011-0916-001 designating the authorized representatives for Texpool relative to the Farmersville Economic Development Corporation (4A)
- K. Consideration and possible grant of authority to the City Manager to negotiate and execute a contract for solid waste services with IESI.
- L. Consideration and possible grant of authority to the City Manager to negotiate and execute a city recycling contract with CWD
- M. Discussion and possible action authorizing the City Manager to execute a Jail Services renewal agreement with Collin County.
- N. Consider, discuss and act upon a Revocable License Agreement with O'Reilly Automotive Stores, Inc. to allow O'Reilly to place a sign in, upon and across a portion of the City's water line easement along the south side of U.S. Highway 380
- O. Accept resignation of Chad Whitaker from the Planning and Zoning Commission
- P. Consider, nominate and make an appointment to the Planning and Zoning Commission
- Q. Update from City Attorney regarding codification process.
- R. Consider, discuss and act upon a parking lot agreement between the City of Farmersville and First Baptist Church of Farmersville

## **IX. EXECUTIVE SESSION**

Discussion of matters permitted by the following sections of Texas Government Code Chapter 551:

- A. Section 551.071, **CONSULTATION WITH CITY ATTORNEY**, and Section 551.086, **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.

B. Section 551.071, **CONSULTATION WITH CITY ATTORNEY,**

Consultation with City Attorney to seek and/or receive legal advice regarding matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct requires preservation of the attorney-client privilege:

1. Claim for repaving of apparent driveway and related legal issues;
2. Legal issues related to negotiation of certain contractual provisions for solid waste collection and recycling collection.

IX. **RECONVENE FROM EXECUTIVE SESSION**

X. **DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

1. Consider, discuss and act on claim for repaving of apparent driveway;
2. Consider, discuss and act on certain contractual provisions for solid waste collection and recycling collection.

XI. **REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS**

XII. **ADJOURNMENT**

Dated this the 9th day of September, 2011.



Joseph E. Helmberger, P.E., 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 September 9, 2011 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



Edie Sims, City Secretary

