

FARMERSVILLE CITY COUNCIL  
MEETING MINUTES  
SEPTEMBER 28, 2010

The Farmersville City Council met in called special session on September 28, 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, Eddie Peacock 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. Precious Perkins came before the Council to express her concerns regarding her sister's water bill issue. Patecius Fletcher, residing at 409 Neathery, had her water meter removed 3 weeks ago. Ms. Perkins stated that every citizen should have water and issues should be resolved. Ms. Perkins stated that Ms. Fletcher's water bill is outrageous and should be shared by the City and not have Ms. Fletcher pay the full bill. Ms. Perkins expressed that the City is supposed to take care of its citizens.

Patricia (no last name given) came to speak for her sister, Rachel Taylor. Patricia stated her sister was violated by a Farmersville Police Officer who stopped her sister, searched her car all the while being handcuffed. The incident was not handled properly and wanted to make a formal complaint against Officer Kale.

CONSIDERATION AND POSSIBLE ACTION REGARDING RESPONSES TO A REQUEST FOR PROPOSALS FOR AUDIT SERVICES AND AUTHORIZING THE CITY MANAGER TO CONTRACT FOR AUDITING SERVICES

Mayor Helmberger opened the agenda item for discussion. Previously, the Council reviewed Request for Proposals for audit services, however the comparison was not of same likeness. With the proposals being revised, the comparison was correlated across the board. Rutherford, Taylor and Company presented the lowest bid. Bobby Bishop stated he would like to see a follow up from the past audit's management letter. Jim Foy stated he felt an auditor should be changed every few years. He gave accolades to Rutherford, Taylor and Company, but also stated that this has been the auditor for a very long time for the City. Bobby Bishop stated that the auditors have staff rotation, so that the same staff members are not the same auditors each year. Mr. Bishop also indicated the cost factor will increase with having shorter terms for the auditor. Mr. Foy reconsidered and stated that the changes of the audit from last year would be best to carry on for another audit cycle. Mr. Bishop also encouraged the Council to answer questions to the auditor and take this step very seriously as this helps how the audit is approached. The contract for the auditor is done annually and the contract can not commit to more than one year at a time.

Eddie Peacock, CPA introduced Susan Lafollett with Lafollett and Company, PLLC, one of the audit proposers.

Bobby Bishop motioned for the City Manager to contract with Rutherford, Taylor and Company with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Fred Langford yes, Paul Kelly yes, Billy Long yes, Bobby Bishop yes, and Jim Foy yes. Motion passed with full Council approval.

CONSIDERATION AND ACTION CONCERNING RESOLUTION # R-2010-0928-001 AUTHORIZING THE CITY MANAGER TO CONTRACT WITH PHILPOTT MOTORS FOR TWO CROWN VICTORIA POLICE VEHICLES, AND RELATED EQUIPMENT, IN AN AMOUNT NOT TO EXCEED \$67,500

Police Chief Mike Sullivan came before the Council informing the Council of the need to replace one of the squad vehicles due to high mileage and another due to high maintenance issues. The Resolution is being requested as the amount is over the City Manager's spending authority. Chief Sullivan stated the Interim Police Chief had recommended replacing the fleet with SUV's, however the cost for equipping them is very costly. The City will stay with the standard Ford Crown Victoria and will standardize the fleet in the future. The Dodge Chargers are excellent for highway pursuits, but not practical for day to day use. The existing equipment on squad car #202 will be transferred over to one of the newly purchased vehicles. The second new vehicle will have new equipment installed. Both cars will be the traditional black and white with new graphics as well. The better of the two old vehicles being replaced will be given to the Fire Department and the other will be ready for auction. Fred Langford motioned to approve Resolution # R-2010-0928-002 with Billy Long seconding the motion. A poll of the Council was taken as follows: Fred Langford yes, Paul Kelly yes, Billy Long yes, Bobby Bishop yes, and Jim Foy yes. Motion passed with full Council approval.

CONSIDER APPROVAL OF THE SPAIN ATHLETIC AGREEMENT WITH THE LITTLE LEAGUE FOOTBALL ASSOCIATION FOR 2010-2011 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

After confirming that the Little League Football Association and the Parks Board have recommended this agreement to be presented to the Council, Billy Long motioned to approve as presented. Paul Kelly seconded the motion. A poll of the Council was taken as follows: Fred Langford yes, Paul Kelly yes, Billy Long yes, Bobby Bishop yes, and Jim Foy yes. Motion passed with full Council approval.

DISCUSSION CONCERNING POLICIES AND PROCEDURES FOR THE CITY COUNCIL AND BOARDS AND COMMITTEES

Mayor Helmberger opened this item and discussed each policy and procedure point by point.

The first bullet point requiring meetings to be posted in a place convenient to the public in City Hall and on the website was discussed as being required by law, therefore this is not an issue for a policy. Council concurred.

The second bullet point regarding the City's monument sign was discussed as being vital to help communicate to the public of the Council and Planning and Zoning Meetings. Mr. Langford and Mayor Helmberger stated it might be helpful to have another monument sign at the Best Center as other types of meetings occur at that location. Council concurred.

Council concurred to the third bullet point regarding placement of agenda packets on the website.

The fourth bullet point was discussed at length as Executive Sessions are addressed under State law; however minimum requirements are required as to the full extent of the discussion to be held during Executive Session. Per City Attorney Alan Lathrom, the best conclusion will be to balance between more information for the citizens while still meeting the laws requirements to protect or prohibit certain items from disclosure.

The fifth bullet point regarding meetings being digitally recorded was concluded by the Council to be favorable.

The sixth bullet point regarding executive sessions being digitally recorded was asked to be withdrawn by Councilman Foy.

The seventh bullet point regarding two readings of ordinances at two separate meetings before being finally adopted was discussed. A concern was raised about the Council receiving ordinances three days before a meeting and not having the information available to the public to come and present their views or comments regarding the upcoming changes. Jim Foy stated that two readings should be required for ordinances that have a fine or penalty. According to City Attorney Alan Lathrom, all ordinances have a fine and the weight of law. Bobby Bishop stated that philosophically this requirement is clear; however the Council needs to consider all aspects and their duty that ordinance's are approved when required. Jim Foy included that the ordinances recommended through the Planning and Zoning Commission have had a public hearing and discussion prior to coming before the City Council. Jim Foy also recommended two readings of ordinances as a formal policy through an ordinance. City Attorney Alan Lathrom recommended to have the policy in resolution format as this is carrying out this particular Council's request.

Council concurred regarding the eighth bullet point stating the posting of draft minutes for all Board and Commissions on the website within seven calendar days after the meeting.

Council concurred regarding the ninth bullet point stating the agendas and relevant back-up materials should be provided electronically to the respective Board or Commission members whenever possible.

#### DISCUSSION CONCERNING MEMORIALS FOR PAST COUNCIL MEMBERS

Mayor Helmberger opened this agenda item to state that after more consideration, the cost factor weighs heavily on this project. With funds being reduced and projects are being considered sparingly, perhaps the Garden Club would like to take this project as their own.

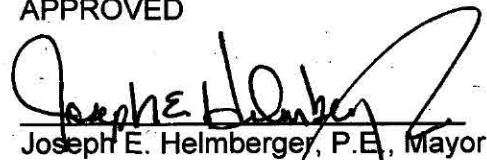
#### REQUEST(S) TO PLACE ITEMS ON FUTURE AGENDAS

- Fred Langford requested an update from the Police Chief regarding increase in traffic stops.
- Paul Kelly requested information regarding the water meter issue.
- Bobby Bishop requested a discussion item regarding the plan of hiring a permanent Public Works Director.
- Jim Foy requested to discuss formalizing holding a second meeting each month.

#### ADJOURNMENT

Council adjourned at 7:18p.m.

APPROVED

  
Joseph E. Helmberger, P.E., Mayor

ATTEST

  
Edie Sims City Secretary

