

**FARMERSVILLE CITY COUNCIL
MEETING MINUTES
November 22, 2011**

The Farmersville City Council met in a regularly called session on November 22, 2011 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, Pansy Hundley, Paul Kelly, Billy Long and Jim Foy. Russell Chandler was not present. Staff members present were Police Chief Mike Sullivan, Public Works Director Ben White, City Attorney Alan Lathrom, Fire Chief Kim Morris 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 that the Farmersville Historical Society Tour of Homes will be December 10th. The High School Drama Club is presenting "A Greater Tuna" on December 2-3.

Paul Kelly stated his family had a family member pass away and requested prayer.

CONSIDER, DISCUSS AND ACT UPON ORDINANCE # O-2011-1122-001 ALTERING THE PRIMA FACIA SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 380 OR PARTS THEREOF, WITHIN THE INCORPORATED LIMITS OF THE CITY OF FARMERSVILLE

Police Chief Mike Sullivan came before the Council stating he expressed the discrepancy of a small section of road along Highway 380 that remains 65 mph while the large majority of the Highway speed limit is 60, according to TxDOT's most recent speed zone study. To rectify this issue according to Roxanne Cortez with TxDOT, another speed study would have to be performed. Mayor Helmberger recommended the Council approve the Ordinance as presented and when the speed study is performed and completed by TxDOT, a revision can be made. Jim Foy indicated for 3/10 of a mile, it seems difficult to adapt from 60 to 65 and back to 60, then according to the City's speed zone ordinance, drop again to 50 mph. Also there is a conflict regarding the beginning point on the Ordinance. Mayor Helmberger suggested striking "beginning at the west city limits" and have the beginning at mile post 6.838. Paul Kelly motioned to approve Ordinance # O-2011-1122-001 on first reading with Jim Foy seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

WORKSHOP – A PLANNING WORKSHOP REGARDING BONDS, THE PROCESS TO ATTAIN BONDS, A BOND COMMITTEE AND TO DISCUSS PROJECTS

Dave Medanich with First Southwest, came before the Council as the City's longtime representative for bonds. Mr. Medanich described the different types of bonds that were available to the City. General Obligation Bonds require an election and can be issued for any public purpose. However, the Attorney General will not approve bonds if the maximum debt tax rate exceeds \$1.00. These bonds are the most secure obligation which attracts the lowest interest rates. A Certificate of Obligation do not require an election; however are subject to an election if 5% of the registered voters petition a referendum. A Certificate of Obligation sells at the rates equal to the City's General Obligation Bonds. A Certificate of Obligation is a combination of tax and revenue pledge but must be published in the newspaper of local circulation of amount to sell and state the type of project. Revenue Bonds are the most expensive option and the interest is not as strong with larger payments due.

The best opportunity for the City would be either a General Obligation bond or a Certificate of Obligation using an Open Market Financing which is the fastest and most efficient method of funding for the majority of projects. If the Texas Water Development Board is chosen

as a source of income, the project must be an intended use with a plan and not a rehabilitation project. The Water Development Board takes a lot more time and there is a lot of red tape. First Southwest has represented the City of Farmersville for 25 years and will continue to represent us with the best that is for Farmersville. The City of Farmersville currently has an "A2" rating which is a good rating. If the Council chooses a Certificate of Obligation, the projects can be the rehabilitation of streets/drainage and pledge the taxes. The water and sewer should be supported by the water and sewer rates. If an election is required and approved, the City must wait 60 days after the election to sell the debt.

A bond advisory committee must be put together from 3-6 months prior to an election. Currently the City has a bond with is using \$0.15 per \$100 to make payments.

Council concurred to start the process and officially form a Bond Advisory Committee at the next meeting in December. Pansy Hundley questioned if a questionnaire would be effective and help keep the citizens informed. It was unclear if this mechanism would encourage voters regarding a bond or if a questionnaire would be effective at all; however these and other issues will be presented to the Bond Committee who will work with citizens at making informed decisions. Billy Long expressed a concern regarding the Bond Committee to encourage the Nepotism Law.

WORKSHOP – DISCUSSION AND POSSIBLE DIRECTION ON ADOPTION OF A NEW STREET SIGN STANDARD

Public Works Director Ben White displayed the standard signs used by the City of Farmersville currently and compared to an example sign provided by the City of McKinney. The McKinney sign is 9" tall and used highly reflective prismatic sheeting. In 2015, the Federal Government has mandated all street signs to meet the standards which McKinney has already implemented. McKinney took an additional step and added their City logo on the left corner of each street sign. Mr. White offered the Council to consider using this similar format for the City of Farmersville. Mr. White took the same signs before the Marketing Committee who was responsible for branding the City of Farmersville. The Marketing Committee recommended using Garamond Bold as the font style and use a chocolate colored brown as the background for all signage throughout the City along with the City's logo. Mr. White stated he will confirm if the brown color would be accepted as green is the defined color throughout the sign industry.

The signs will be attached to square posts 2" in diameter that have holes throughout the pole to make attachment simple no matter what side the sign needs to be attached. Mr. White also recommended the poles be secured with a concreted base for longevity so the poles will not lean and will meet break-away conditions.

Billy Long stated he would like to see an example of a sign in the color requested. The font and color request will need to be approved; Mr. White stated he will confirm. Jim Foy stated another option regarding the logo would be to have it on a separate blank above the street sign names. Funding for the signage change out will be through the maintenance budget. An example will be brought at the January meeting. No further action was taken by the Council.

CONSIDER AND ACCEPT RESIGNATION OF CHAIRMAN DAVID CORNING FROM THE PLANNING AND ZONING COMMISSION

Billy Long motioned to accept David Corning's resignation from the Planning and Zoning Commission with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER APPROVAL OF RESOLUTION # R-2011-1122-001 CASTING THREE VOTES FOR REED GREER TO SERVE ON THE BOARD OF DIRECTORS TO THE COLLIN COUNTY CENTRAL APPRAISAL DISTRICT BOARD

At the previous meeting, the City Council approved to cast three votes for Reed Greer to serve on the Board of Directors for the Collin County Central Appraisal District. The Resolution presented is to confirm the votes as required by the Appraisal District. Therefore, Jim Foy motioned to approve Resolution # R-2011-1122-001 with Paul Kelly seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDER, DISCUSS AND ACT UPON THE SITE PLAN FOR THE O'REILLY'S AUTO PARTS STORE TO BE LOCATED AT 1705 WEST AUDIE MURPHY PARKWAY, FARMERSVILLE

Paul Kelly motioned to approve the site plan for the O'Reilly's Auto Parts store with Billy Long seconding the motion. A poll of the Council was taken as follows: Pansy Hundley yes, Paul Kelly yes, Billy Long yes and Jim Foy yes. Motion passed with full Council approval.

CONSIDERATION AND POSSIBLE ACTION REGARDING COLLIN COUNTY'S 50/3 PROGRAM WHICH IS A TAX INCENTIVE PROGRAM TO ENCOURAGE THE CREATION AND RELOCATION OF NEW BUSINESSES TO COLLIN COUNTY AND TO PROPOSE A LIST OF ANY SPECIFIC 50/3 PROGRAM LIMITATIONS THAT WOULD AFFECT THE CITY OF FARMERSVILLE

Collin County Commissioner Joe Jaynes and County Administrator Bill Bilyeu came before the Council to encourage the City Council regarding the 50/3 Tax Incentive Program. Mr. Bilyeu stated this program is through Collin County is is county wide to encourage jobs and growth to Collin County. This program is for new businesses. The County already has several businesses that will not be considered for this program, including sexually oriented businesses, liquor stores, gaming parlors and wrecking yards. Mr. Bilyeu also encouraged the Council to review the Zoning Ordinance for businesses that are already not allowed according to our Zoning Ordinance. Should the Council decide to add/delete a type of business; an addendum can be submitted at any time. There is a conflict with a City's TIRZ district and businesses within the district will not be eligible for this program. Collin County is setting the bar for other counties as this is currently the only county that is offering this type of program. The program will allow the taxes to be reimbursed after three years of operation with a \$100,000 threshold. Mr. Bilyeu requested a response of businesses that the City of Farmersville would like to add to the list not to be considered for this program by December 5th.

Jim Foy recommended pay day loan facilities, pawn shops, tattoo and body piercing, game rooms, liquor stores and sexually oriented businesses. Council concurred with the list provided. A letter will be composed and submitted tomorrow to the County.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE REGULATIONS FOR THE CIVIC CENTER USE/RENTAL

Public Works Director Ben White came before the Council to address continued issues that have arisen regarding the Civic Center use. Mr. White stated he has identified specific individuals to be responsible for facilities that the City owns. He and staff are searching to find a person that will keep the standards of the Civic Center at a higher level. The Centennial Committee paid to have the floors cleaned and brought back to a higher standard. Mayor Helmberger stated his discontent of having the renters bring their own trash bags, toilet paper and other necessities. At other facilities, these products are expected to be supplied. If the rates need to be increased to cover the costs, then this needs to be examined and brought back to the Council for consideration.

CONSIDERATION AND POSSIBLE ACTION REGARDING THE NEGOTIATION AND EXECUTION OF A CONTRACT FOR RECYCLING SERVICES WITH COMMUNITY WASTE DISPOSAL (CWD)

Council took no action on this item during the Regular Agenda Session.

EXECUTIVE SESSION – DISCUSSION OF MATTERS PERMITTED BY THE FOLLOWING SECTIONS OF TEXAS GOVERNMENT CODE CHAPTER 551.071: CONSULTATION WITH CITY ATTORNEY, REGARDING CONTRACT WITH COMMUNITY WASTE DISPOSAL (CWD) FOR RECYCLING SERVICES

Council exited to Executive Session at 7:38pm in accordance with Texas Government Code Section 551.071, Consultation with Attorney. Council reconvened into Regular Session at 7:55pm.

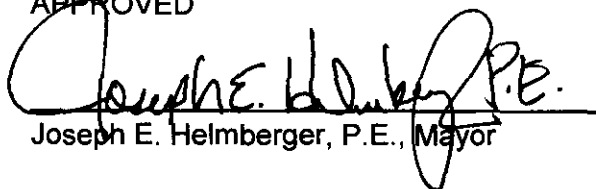
ACTION REGARDING ITEM DISCUSSED IN EXECUTIVE SESSION

Robert Medogovich approached the Council to state that City Manager John Moran would like to have a conference call next week to work out the final details of the contract.

ADJOURNMENT

Council adjourned at 7:55pm.

APPROVED


Joseph E. Helmberger, P.E., Mayor

ATTEST


Edie Sims, City Secretary

