

## FARMERSVILLE CITY COUNCIL

### MEETING MINUTES

April 22, 2014

The Farmersville City Council met in regular session on April 22, 2014 at 6:00pm in the Council Chambers at City Hall with the following members present: John Klostermann, Russell Chandler and Jim Foy. Council not present included Mayor Helmberger, Michael Carr and Michael Hesse. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Finance Director Daphne Hamlin, Librarian Trisha Dowell, Main Street Director Adah Leah Wolf and City Secretary Edie Sims.

#### **Item I) 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. Tom Waitschies, pastor of First United Methodist Church, offered the invocation with Mayor Pro Tem Jim Foy lead the audience in the Pledge of Allegiance to the American Flag.

Mayor Pro Tem announced Mayor Helmberger's mother passed away and offered condolences.

A proclamation announcing National Preservation Month was read by Mayor Pro Tem Jim Foy. Mayor Pro Tem also announced the Council will be making appointments for the Boards and Commissions at the May 13<sup>th</sup> Council meeting and requested volunteers to sign up for these boards.

#### **Item II – A) SECOND READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE DESIGNATING A REINVESTMENT ZONE FOR COMMERCIAL/INDUSTRIAL BUSINESSES**

With no discussion from the Council, John Klostermann motioned to approve the ordinance as presented with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

#### **Item II – B) ONLY READING – CONSIDER, DISCUSS AND ACT UPON A BUDGET ORDINANCE TO PURCHASE GENERATORS**

City Manager Ben White informed the Council of the previous discussion regarding the need for the generators. One of the generators would be installed at City Hall, one at the Public Safety Building and one at the Public Works Building. The cost for all three generators plus installation comes to \$72,500. Two quotes have been attained and the third quote is coming. Jim Foy questioned the timeline to have the generators up and running. Mr. White replied within 2 months. The equipment takes time to attain and most generators are custom made. Russell Chandler motioned to approve the budget amendment to purchase the generators with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM III – A) CONSIDER, DISCUSS AND ACT UPON CITY FINANCIAL REPORTS**

Finance Director Daphne Hamlin offered the proposed revised budget for the Electric Department. City Manager Ben White stated the proposed budget was formed based on numbers seen and projected; however the system has been in operation 1 week. The Electric Budget has been implanted with a conservative approach even considering the expense of taking over the system. There is a cushion to allow for unknown expenditures. The preliminary numbers are included from Sharyland's true-up projections. Mr. White suggested allowing the month of May to line up more accurately and do a budget amendment in June. Mr. White indicated the final true-up with Sharyland will occur in July.

Jim Foy reviewed the electric fund and was informed that only one quarterly payment had been received from Sharyland with another payment expected. Sales tax revenues look very good and staying on track.

A question was raised about the water sales not matching the revenue figures. Ms. Hamlin stated the Water Revenue combines all sales, not just residential. This includes the co-ops. John Klostermann motioned to approve the City Financial Reports as presented with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Russell Chandler yes and Jim Foy yes. Motion passed with full Council approval.

**ITEM III – B) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH INFORMATION MANAGEMENT SOLUTIONS FOR UTILITY BILLING PRINTING AND MAILING SERVICES**

City Manager Ben White recommended the Council disregard this item as the current provider, Dataprose, is negotiating with the City to provide the utility bill printing and mailing services to include the electric billing. No action was taken by the Council.

**ITEM III – C) CONSIDER, DISCUSS AND ACT UPON ISSUES SURROUNDING THE VAPOR SHOPS**

City Manager Ben White deferred this item to City Attorney Alan Lathrom. Mr. Lathrom expressed there are currently no restrictions or regulations surrounding vapor shops and e-cigarettes. The Federal Drug Administration (FDA) is investigating and researching the affects of e-cigarettes and will regulate this item at some point. The Texas Legislature will not be active until next year, so there will not be an active pursuit regarding e-cigarettes from the Legislature until their next session. Jim Foy stated he spoke with both vapor shops in town. Both indicated they will comply with any ordinances or laws surrounding the ban of sales to minors.

The City has a couple of options to curtail the sale of e-cigarettes to minors presently. One option will be to regulate the locations of vapor shops by the Zoning Ordinance. A second option would be to have a health and safety ordinance to ban sales of e-cigarettes to minors.

Russell Chandler indicated he is not a fan of government regulation; however he does feel it is important to keep e-cigarettes out of the hands of minors. Unfortunately there was not research performed prior to the sale of these products. It is unknown

what affects and problems will occur from e-cigarettes. John Klostermann indicated in many shops, individuals under the age of 18 are not even allowed in tobacco stores. Jim Foy indicated the City should enforce same laws for e-cigarettes as tobacco.

Jim Foy stated articles have indicated the nicotine and flavors are appealing to kids. The New York Times also had an article stating the concentrations of nicotine in the e-cigarettes can be lethal. A copy of the City of Rockwall's ordinance was included with the packet for the Council to review. Council concurred to have Planning & Zoning investigate this issue further and make recommendations.

**ITEM VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS**

Jim Foy requested the Council discuss the City's residency requirements for Boards and Commissions.

Jim Foy also requested upon the Council's reorganization, to consider making Robert's Rules of Order as the standard for parliamentary procedure.

No one else requested placing items on future agendas.

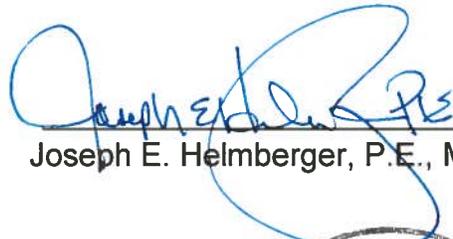
**ITEM VII) ADJOURNMENT**

Council adjourned at 6:27pm.

ATTEST

  
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Edie Sims, City Secretary

APPROVED

  
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Joseph E. Helmberger, P.E., Mayor

