

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
May 13, 2014

The Farmersville City Council met in regular session on May 13, 2014 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, Michael Hesse, Jim Foy and Russell Chandler. Council members absent was Michael Carr. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Assistant to the City Manager Paula Jackson, Court Clerk Christi Dowdy, Warrant Officer Rick Ranspot, Librarian Trisha Dowell, 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. John Foster of First Baptist Church Farmersville offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger announced the Chamber of Commerce's upcoming event, "Yards of Yard Sales" to be on June 7th.

Jim Foy announced the annual Fire Department Fish Fry will be held Saturday, May 17th at the High School Cafetorium from 5pm-8pm.

Mayor Helmberger also announced Saturday, May 17th is also the "Woof Run" at the Onion Shed to raise money for K9's hosted by Hillcrest Animal Rescue.

Item II) SWEARING IN COUNCIL MEMBERS AND REORGANIZE CITY COUNCIL

Judge Terry Douglas officiated the swearing in of Joseph E. Helmberger as Mayor, and John B. Politz and Jim Foy as Councilmen. The Council took their seats respectively.

Item II – A) ELECT MAYOR PRO TEM

Mayor Helmberger suggested the Council consider leaving Jim Foy as Mayor Pro-Tem during the 2014-2015 term. Michael Hesse motioned to appoint Jim Foy as Mayor Pro Tem with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM II – B) ELECT TREASURER

Mayor Helmberger suggested the Council consider leaving Russell Chandler as Treasurer during the 2014-2015 term. Michael Hesse motioned to appoint Russell Chandler as Treasurer with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

Item III) CONSENT AGENDA

Mayor Helmberger asked Council if any items needed to be pulled for discussion and consideration. Jim Foy requested Item A – City Council Minutes be pulled. With no

other items being pulled for discussion, John Klostermann motioned to approve Items B – J with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

Item A – City Council Minutes: Jim Foy requested a change to the April 8, 2014 minutes on page 5 regarding the pension plan statement. Mr. Foy requested the change reflect “Jim Foy questioned if the projected investment return rate of the pension plan is realistic with Mr. Lake...” John Klostermann motioned to approve the minutes with the change per Jim Foy with Russell Chandler seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

Item IV) INFORMATIONAL ITEMS

Council did not request further information or clarification regarding Informational Items.

Mayor Helmberger requested Bill Harrison to come forward and offer information regarding North Texas Municipal Water District. Mr. Harrison stated in the 15 years he has worked with NTMWD, the current drought has been the worst for our water supply. The pipeline is expected to be online from Lake Texoma to the Wylie Plant for blending. The cost of this project is \$311,000,000.00. It is believed Lake Texoma does not have level restrictions but boundary lines from Texas and Oklahoma have been clarified.

NTMWD's new CEO Thomas Kula is well qualified and has been very well received. Jim Foy asked if future lakes are being planned with Mr. Harrison expressing the plans for future lakes are in East Texas and the plans have not changed for the past 10 years.

ITEM V – A) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING THE ELECTRIC SERVICE RATES

City Manager Ben White informed the Council of slight issues found in the electric service rates that needed to be addressed. The title “customer charge” was confusing with the “minimum customer charge” for Medium Commercial Rates and Large Commercial Rates. A clarification of the rate charges was implemented in the ordinance provided. The descriptions and charges are now cohesive with the Master Fee Schedule which is the next item to be discussed. Jim Foy motioned to approve the first reading of the ordinance as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM V – B) FIRST READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE REGARDING ELECTRIC RATES

City Manager Ben White drew the Council's attention to the previous electric service rate ordinance that was approved on first reading. Those rates and clarification of rates are implemented in the Master Fee Schedule presented. The “customer

charge” and the “minimum energy charge” was clarified and identified in the Master Fee Schedule respectively. Russell Chandler motioned to approve the ordinance as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VI – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONSTRUCT A CONCRETE CURB AND GUTTER PRIVATE STREET IN THE GRIFFIN WALKER ADDITION, PHASE 2, WHICH ADDITION IS LOCATED IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF FARMERSVILLE

Mayor Helmberger opened the Public Hearing at 6:14:52pm and asked for those for the waiver request to come forward. Jack Griffin, residing at 2511 N State Highway 78, stated he would appreciate the Council approving the waiver request. The property in question is a family-owned property and the purpose of the replat is to give a lot to their Grandson.

Mayor Helmberger stated in the City’s Subdivision Ordinance, a concrete curb and gutter street is required when a property is being subdivided; which meets the criteria of the Walker-Griffin property. Mr. Griffin stated the parcel being replatted has an existing home on the property. The cost of installing the required street would outweigh the cost of the existing home.

City Manager Ben White stated the property picture depicts a bridge going to the properties. Fire Chief previously asked to ensure the bridge can bear the load of fire trucks. Brad Walker, one of Mr. Griffin’s grandsons, came forward and stated he recently built a home on an existing parcel within this same “subdivision.” His experience with the bridge included trucks loaded with brick and concrete trucks that travelled over the bridge. Jack Griffin stated he had the bridge built with heavy steel and supports. There is minimal traffic that crosses the bridge on a daily basis. Mayor Helmberger stated he thought the bridge would not be an issue regarding the approval of the replat presented.

Mayor Helmberger asked for anyone opposing the waiver request to come forward. With no one coming forward, the Public Hearing was closed at 6:19:52pm. Cherye Walker stated there will only be 4 family lots and will not be subdivided further. Russell Chandler motioned to approve the waiver request as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – A) CONSIDER, DISCUSS AND ACT UPON THE REPLAT OF THE GRIFFIN WALKER ADDITION, PHASE 2, WHICH ADDITION IS LOCATED IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF FARMERSVILLE

City Manager Ben White stated an area was designated on the replat for a 50 foot ingress and egress with a cul-de-sac for a standard turn around. Near the cul-de-sac is the location of the existing home on the property. Jim Foy motioned to approve

the replat as presented with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – B) REORGANIZE BOARDS AND COMMISSIONS AND APPOINT A COUNCIL LIAISON TO EACH BOARD AND COMMISSION RESPECTIVELY

Mayor Helmberger requested the Council postpone the Board, Committee and Commission appointments as there are very few volunteers to choose from. The volunteers make so many of the City's major decisions and are vital to the success of Farmersville.

Council Liaisons were recommended by Mayor Helmberger as follows: Farmersville Economic Development Corporation – Mayor Joe Helmberger; Farmersville Community Development Corporation – Jim Foy; Building and Property Standards Commission – John Politz; Planning & Zoning Commission/Capital Improvement Advisory Commission – John Klostermann; Library/Civic Center Board – Michael Hesse; Parks & Recreation Board – Russell Chandler; and Senior Citizens Advisory Committee – John Klostermann. Jim Foy motioned to approve the Council Liaison designations as stated with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – C) CONSIDER, DISCUSS AND ACT UPON APPOINTING A COUNCIL MEMBER AS A LIAISON TO THE FARMERSVILLE SCHOOL BOARD

Jim Foy agreed to continue serving as the Council Liaison to the Farmersville School Board. With no change, the Council concurred to continue this appointment. No vote was taken by Council on this item.

ITEM VII – D) CONSIDER, DISCUSS AND ACT UPON APPOINTING A BOARD MEMBER TO THE FARMERSVILLE HOUSING AUTHORITY

Mayor Helmberger stated City Manager Ben White has served as the Farmersville Housing Authority Board Member and requested he continue this service. John Klostermann motioned to reappoint Ben White to this position with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – E) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION APPOINTING THE MUNICIPAL COURT JUDGE FOR A TERM OF 2 YEARS

A resolution was presented to the Council to appoint Judge Terry Douglas as the Municipal Court Judge for a term of 2 years ending May 2016. Russell Chandler motioned to approve the resolution as presented with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – F) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION ADOPTING ROBERT’S RULES OF ORDER AS THE CITY’S OFFICIAL RULES OF ORDER

In 1991, minutes indicate the Council’s desire to use Robert’s Rules of Order as a guide for parliamentary procedure. It was decided to continue this form of leadership by presenting a Resolution. Russell Chandler motioned to adopt the resolution as presented with John Politz seconding the motion. Jim Foy requested a change in Section 1 to reflect “in which they are not inconsistent with STATE LAW” and remove “these bylaws.” Jim Foy motioned to amend the motion as stated with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – G) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP.

City Manager Ben White informed the Council the proposed resolution is a form provided by the Atmos Cities Steering Committee (ACSC), which Farmersville is a participant of said committee. The ACSC has requested all the member cities deny via resolution the rate increase by Atmos. Russell Chandler motioned to approve the resolution as presented with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – H) CONSIDER, DISCUSS AND ACT UPON AN INTERLOCAL AGREEMENT FOR AMBULANCE SERVICES THROUGH COLLIN COUNTY

City Manager Ben White compared the presented agreement with last year’s agreement to find \$6.00 increase over last year. AMR is the ambulance service and they also house in a section of the Charles R. Curington Public Safety Building. Their lease will expire September 2014. John Klostermann motioned to approve the interlocal agreement as presented with Michael Hesse seconding the motion. Jim Foy stated having the ambulance in Farmersville is a big benefit to the citizens of this area. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler abstained, and Jim Foy yes. Motion passed with 4 voting for and 1 abstaining.

ITEM VII – I) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT BETWEEN THE CITY OF FARMERSVILLE AND THE FARMERSVILLE PEE WEE FOOTBALL/CHEER ASSOCIATION FOR THE USE OF THE SPAIN ATHLETIC COMPLEX

Russell Chandler requested the agreement between the City of Farmersville and the Farmersville Pee Wee Football/Cheer Association have one change. The Association is changing their name to Farmersville Youth Football and Cheer Association. Parks and Recreation Board signed the agreement with no changes from last year’s agreement. John Klostermann motioned to approve the agreement with the change presented. John Politz seconded the motion. A poll of the Council was taken

as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VII – J) CONSIDER, DISCUSS AND ACT UPON A TRAFFIC SIGNAL TO BE INSTALLED AT THE INTERSECTION OF HIGHWAY 78 AND MCKINNEY STREET

City Manager Ben White informed the Council of two traffic studies that were performed along Highway 78. One at the intersection of Highway 78 and McKinney Street and the other at Highway 78 and CR 611 (also known as Farmersville Parkway). Mayor Helmberger stated he is concerned with accidents occurring at both of these locations. City Manager Ben White directed the Council to Section 7 of the study where TxDOT concluded that both locations meet the criteria to have a traffic signal; but both intersections are too close to have one traffic signal each. Only one traffic signal will be authorized and paid through TxDOT. TxDOT recommended installing a traffic signal at the Highway 78 and McKinney Street intersection.

Mayor Helmberger expressed TxDOT may not understand the implications Collin College will have and how the traffic will impact Highway 78 and Highway 380. If the City decided to install a secondary traffic signal, the cost would exceed \$250,000.00. Mr. White indicated the City applied for a TIGER grant to complete Farmersville Parkway from a two-lane to a four-lane improved road. Presently the College has not declared a date they will begin construction of the campus.

City Manager Ben White realized a debate between the two intersections to have a traffic signal installed due to the traffic issues at both intersections. Michael Hesse and Russell Chandler agreed the need for the traffic signal is more prevalent at CR 611 (Farmersville Parkway) than at McKinney Street. Michael Hesse also pointed out the need to have the signal placed in a location that it will not be moved due to widening of Farmersville Parkway. The Council concurred to direct TxDOT to install a traffic signal at the intersection of Highway 78 and Farmersville Parkway. No further action was taken by Council.

ITEM VII – K) CONSIDER, DISCUSS AND ACT UPON RESIDENCY REQUIREMENTS FOR BOARDS AND COMMISSIONS

Jim Foy requested this item to be brought before the Council. The City depends on our volunteers but finding volunteers to serve on the Boards and Commissions has become difficult. There are several Boards and Commissions that have residency restrictions and there are several who live outside the City Limits that would be great assets to the City of Farmersville. Mr. Foy wanted the Council to inspect the requirements of the Boards and Commissions to see if the pool of volunteers could be opened to those outside the City Limits.

As the Council looked at each Board, Commission and Committee, it was determined the Parks and Recreation Board and the Senior Citizens Advisory Committee were the only two available to change the residency requirements. Mayor Helmberger stated he is torn as there are many who live outside the City to offer strong opinions, but do not pay City taxes. John Klostermann offered the Council could limit the pool to the Extra Territorial Jurisdiction. Jim Foy stated there are good member

potentials outside the City that are currently serving the City in other areas. It would help the Council when making appointments to also look at active members of the community who live outside the City Limits and limit the boards with two outside members. Jim Foy motioned to bring an ordinance before the Council changing the residency requirements for the Parks and Recreation Board and the Senior Citizens Advisory Committee. Russell Chandler seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Russell Chandler yes, and Jim Foy yes. Motion passed with full Council approval.

ITEM VIII) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

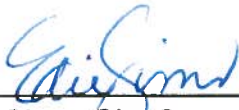
No one requested items for future agendas.

ITEM IX) ADJOURNMENT

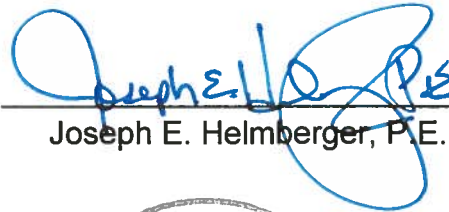
Council adjourned at 7:03:49pm.

APPROVED

ATTEST



Edie Sims, City Secretary



Joseph E. Helmberger, P.E., Mayor

